

2nd

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1925

By: Kannady of the House and Dahm of the Senate

Title: Courts; Supreme Court; clarifying terms of office; modifying judicial districts; Court of Criminal Appeals; modifying judicial districts; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached 2nd Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Dahm	_____
Sykes	_____
Smalley	_____
Standridge	_____
Newhouse	_____
Floyd	_____
Sparks	_____

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

2ND CONFERENCE COMMITTEE
SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1925

By: Kannady and Downing of the
House

and

Dahm of the Senate

2ND CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to courts; amending 20 O.S. 2011, Sections 1 and 2, which relate to the Supreme Court; clarifying terms of office; modifying Supreme Court Judicial Districts; providing that current Justices retain office and are eligible for retention; amending 20 O.S. 2011, Section 33, which relates to the Court of Criminal Appeals; modifying Court of Criminal Appeals judicial districts; providing that current Judges retain office and are eligible for retention; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 20 O.S. 2011, Section 1, is amended to read as follows:

Section 1. The Supreme Court shall consist of nine (9) ~~justices~~ Justices. ~~Immediately upon the passage and approval of this act,~~
~~the Governor shall appoint by and with the advice and consent of the~~
~~Senate one Justice of the Supreme Court from each of the four~~

1 ~~additional Supreme Court judicial districts hereby created, each of~~
2 ~~whom shall serve until the second Monday in January, 1919, Each~~
3 Justice in office on January 8, 2019, shall serve the term for which
4 the Justice was appointed or retained in office by retention ballot
5 and until his or her successor is ~~elected~~ appointed and qualified,
6 unless the Justice vacates the office prior to the end of his or her
7 term or is removed from office as provided by law. Any Justice in
8 office on January 8, 2019, shall be eligible for retention in the
9 same office for succeeding terms.

10 SECTION 2. AMENDATORY 20 O.S. 2011, Section 2, is
11 amended to read as follows:

12 Section 2. ~~The~~ Beginning January 8, 2019:

13 1. Supreme Court Judicial District No. 1 shall embrace and
14 ~~include the following counties: Ottawa, Craig, Nowata, Rogers,~~
15 ~~Washington, Osage, Pawnee, Kay and Grant.~~ Congressional District No.
16 2 as constituted on January 8, 2019;

17 ~~The~~ 2. Supreme Court Judicial District No. 2 shall ~~embrace and~~
18 ~~include the following counties: LeFlore, Haskell, Pittsburg,~~
19 ~~Latimer, Pushmataha, McCurtain, Choctaw, Bryan, Marshall, Johnston,~~
20 ~~Atoka, McIntosh and Sequoyah.~~ be an at-large district;

21 ~~The~~ 3. Supreme Court Judicial District No. 3 shall embrace and
22 ~~include the following county: Oklahoma.~~ Congressional District No.
23 5 as constituted on January 8, 2019;

1 ~~The 4.~~ Supreme Court Judicial District No. 4 shall embrace and
2 include ~~the following counties: Beckham, Dewey, Roger Mills, Ellis,~~
3 ~~Woodward, Woods, Major, Harper, Beaver, Texas, Cimarron, Alfalfa,~~
4 ~~Garfield, Kingfisher, Blaine, Custer and Washita.~~ Congressional
5 District No. 3 as constituted on January 8, 2019;

6 ~~The 5.~~ Supreme Court Judicial District No. 5 shall embrace and
7 include ~~the following counties: Cleveland, McClain, Garvin, Murray,~~
8 ~~Carter, Love, Grady, Stephens and Jefferson.~~ Congressional District
9 No. 4 as constituted on January 8, 2019;

10 ~~The 6.~~ Supreme Court Judicial District No. 6 shall embrace and
11 include ~~the following county: Tulsa.~~ Congressional District No. 1
12 as constituted on January 8, 2019;

13 ~~The 7.~~ Supreme Court Judicial District No. 7 shall ~~embrace and~~
14 ~~include the following counties: Muskogee, Creek, Okmulgee, Wagoner,~~
15 ~~Cherokee, Adair, Delaware and Mayes.~~ be an at-large district;

16 ~~The 8.~~ Supreme Court Judicial District No. 8 shall ~~embrace and~~
17 ~~include the following counties: Pottawatomie, Seminole, Hughes,~~
18 ~~Pontotoc, Coal, Okfuskee, Lincoln, Logan, Payne and Noble.~~ be an at-
19 large district; and

20 ~~The 9.~~ Supreme Court Judicial District No. 9 shall ~~embrace and~~
21 ~~include the following counties: Kiowa, Jackson, Tillman, Harmon,~~
22 ~~Cotton, Comanche, Caddo, Greer and Canadian~~ be an at-large district.

23 SECTION 3. AMENDATORY 20 O.S. 2011, Section 33, is
24 amended to read as follows:

1 Section 33. A. The state is hereby divided into five (5) Court
2 of Criminal Appeals ~~judicial districts~~ Judicial Districts. From
3 each of said districts candidates for Judge of the Court of Criminal
4 Appeals shall be nominated and appointed in the manner provided by
5 Article VII-B of the Oklahoma Constitution. All Judges of the Court
6 of Criminal Appeals may seek retention in office pursuant to the
7 provisions of Section 2 of Article VII-B of the Oklahoma
8 Constitution and each Judge shall be voted for by the qualified
9 voters of the state at-large.

10 B. Beginning January 8, 2019, the boundaries of the Court of
11 Criminal Appeals Judicial Districts shall be the boundaries of the
12 five Oklahoma Congressional Districts as constituted on January 8,
13 2019, as follows:

14 1. The Court of Criminal Appeals Judicial District No. 1 shall
15 embrace and include ~~the following counties: Craig, Delaware, Mayes,~~
16 ~~Nowata, Ottawa, Rogers, Tulsa, and Wagoner.~~ Congressional District
17 No. 1;

18 2. The Court of Criminal Appeals Judicial District No. 2 shall
19 embrace and include ~~the following counties: Adair, Cherokee,~~
20 ~~Cleveland, Creek, Kay, Lincoln, Logan, Muskegee, Noble, Okfuskee,~~
21 ~~Okmulgee, Osage, Pawnee, Payne, Pottawatomie, and Washington.~~
22 Congressional District No. 3;

23 3. The Court of Criminal Appeals Judicial District No. 3 shall
24 embrace and include ~~the following counties: Atoka, Bryan, Carter,~~

1 ~~Coal, Choctaw, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston,~~
2 ~~Latimer, Leflore, Love, Marshall, McClain, McCurtain, McIntosh,~~
3 ~~Murray, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, and~~
4 ~~Stephens.~~ Congressional District No. 2;

5 4. The Court of Criminal Appeals Judicial District No. 4 shall
6 embrace and include ~~the following counties: Canadian and Oklahoma.~~
7 Congressional District No. 5; and

8 5. The Court of Criminal Appeals Judicial District No. 5 shall
9 embrace and include ~~Alfalfa, Beaver, Beckham, Blaine, Caddo,~~
10 ~~Cimarron, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant,~~
11 ~~Greer, Harmon, Harper, Jackson, Kingfisher, Kiowa, Major, Roger~~
12 ~~Mills, Texas, Tillman, Washita, Woods, and Woodward~~ Congressional
13 District No. 4.

14 C. Each Judge in office on January 8, 2019, shall serve the
15 term for which the Judge was appointed or retained in office by
16 retention ballot and until his or her successor is appointed and
17 qualified, unless the Judge vacates the office prior to the end of
18 his or her term or is removed from office as provided by law. Any
19 Judge in office on January 8, 2019, shall be eligible for retention
20 in the same office for succeeding terms.

21 SECTION 4. This act shall become effective January 8, 2019.

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23 56-2-10216 SD 03/20/18
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