

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1474

By: Dahm

AS INTRODUCED

An Act relating to officers; amending 51 O.S. 2011, Sections 51, 55, 91 and 94, which relate to removal from office; modifying officers and other positions subject to impeachment; modifying officers and other positions subject to removal from office by other method; modifying requirements for certain notice to Attorney General; and providing an effective date.

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

SECTION 1. AMENDATORY 51 O.S. 2011, Section 51, is amended to read as follows:

Section 51. The Governor ~~and other elective~~, elected and nonelected state officers, including the Justices of the Supreme Court, and any appointed member of a state board or commission shall be liable and subject to impeachment for willful neglect of duty, corruption in office, habitual drunkenness, incompetency, or any offense involving moral turpitude committed while in office.

SECTION 2. AMENDATORY 51 O.S. 2011, Section 55, is amended to read as follows:

1       Section 55. An impeachment is the prosecution, by the House of  
2 Representatives, before the Senate, of the Governor ~~or other~~  
3 ~~elective~~, an elected or nonelected state officer or any appointed  
4 member of a state board or commission, under the Constitution, for  
5 willful neglect of duty, corruption in office, drunkenness,  
6 incompetency, or any offense involving moral turpitude committed  
7 while in office.

8       SECTION 3.       AMENDATORY       51 O.S. 2011, Section 91, is  
9 amended to read as follows:

10       Section 91. All ~~state officers not subject to impeachment under~~  
11 ~~Section 1, Article 8 of the Constitution, and all~~ county, city and  
12 municipal officers may, in addition to the methods now and causes  
13 provided by law, be removed from office as herein provided.

14       SECTION 4.       AMENDATORY       51 O.S. 2011, Section 94, is  
15 amended to read as follows:

16       Section 94. It shall be the duty of the Attorney General of  
17 this state, when directed by the Governor, or upon notice being  
18 received by the Attorney General in writing and verified by fifteen  
19 or more ~~reputable citizens~~ registered voters of the county or by one  
20 percent (1%) of the registered voters that voted in the previous  
21 election for the political subdivision of which the officer who is  
22 the subject of the complaint is an official, whichever is greater,  
23 before some officer authorized to administer oaths, that any officer  
24 herein mentioned has been guilty of any of the acts, omissions or

1 offenses as set out in Section 93 of this title, to investigate such  
2 complaint, and if on such investigation the Attorney General shall  
3 find that there is reasonable cause for such complaint, the Attorney  
4 General shall institute proceedings in the Supreme Court, or any  
5 district court of the county of the residence of the accused, to  
6 oust such officer from office.

7 SECTION 5. This act shall become effective November 1, 2020.

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