

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 973

By: Daniels

AS INTRODUCED

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; providing for contingency of changes to Congressional Districts; 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 additional Supreme Court judicial districts hereby created, each of whom shall serve until the second Monday in January, 1919, Each~~ Justice in office on January 8, 2020, shall serve the term for which

1 the Justice was appointed or retained in office by retention ballot
2 and until his or her successor is ~~elected~~ appointed and qualified,
3 unless the Justice vacates the office prior to the end of his or her
4 term or is removed from office as provided by law. Any Justice in
5 office on January 8, 2020, shall be eligible for retention in the
6 same office for succeeding terms.

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

9 Section 2. The Beginning January 8, 2020:

10 1. Supreme Court Judicial District No. 1 shall embrace and
11 include the following counties: ~~Ottawa, Craig, Nowata, Rogers,~~
12 ~~Washington, Osage, Pawnee, Kay and Grant.~~ Congressional District No.
13 2 as constituted on January 8, 2020;

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

18 The 3. Supreme Court Judicial District No. 3 shall embrace and
19 include the following county: ~~Oklahoma.~~ Congressional District No.
20 5 as constituted on January 8, 2020;

21 The 4. Supreme Court Judicial District No. 4 shall embrace and
22 include the following counties: ~~Beckham, Dewey, Roger Mills, Ellis,~~
23 ~~Woodward, Woods, Major, Harper, Beaver, Texas, Cimarron, Alfalfa,~~
24

~~Garfield, Kingfisher, Blaine, Custer and Washita.~~ Congressional District No. 3 as constituted on January 8, 2020;

~~The 5.~~ Supreme Court Judicial District No. 5 shall embrace and include ~~the following counties: Cleveland, McClain, Garvin, Murray, Carter, Love, Grady, Stephens and Jefferson.~~ Congressional District No. 4 as constituted on January 8, 2020;

~~The 6.~~ Supreme Court Judicial District No. 6 shall embrace and include ~~the following county: Tulsa.~~ Congressional District No. 1 as constituted on January 8, 2020;

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

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

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

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

Section 33. A. The state is hereby divided into five (5) Court of Criminal Appeals ~~judicial districts~~ Judicial Districts. From each of ~~said~~ the districts candidates for Judge of the Court of

1 Criminal Appeals shall be nominated and appointed in the manner
2 provided by Article VII-B of the Oklahoma Constitution. All Judges
3 of the Court of Criminal Appeals may seek retention in office
4 pursuant to the provisions of Section 2 of Article VII-B of the
5 Oklahoma Constitution and each Judge shall be voted for by the
6 qualified voters of the state at large.

7 B. Beginning January 8, 2020, the boundaries of the Court of
8 Criminal Appeals Judicial Districts shall be the boundaries of the
9 five Oklahoma Congressional Districts as constituted on January 8,
10 2020, as follows:

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

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

20 3. The Court of Criminal Appeals Judicial District No. 3 shall
21 embrace and include ~~the following counties: Atoka, Bryan, Carter,~~
22 ~~Coal, Choctaw, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston,~~
23 ~~Latimer, Leflore, Love, Marshall, McClain, McCurtain, McIntosh,~~
24

1 ~~Murray, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, and~~
2 ~~Stephens.~~ Congressional District No. 2;

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

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

12 C. Each Judge in office on January 8, 2020, shall serve the
13 term for which the Judge was appointed or retained in office by
14 retention ballot and until his or her successor is appointed and
15 qualified, unless the Judge vacates the office prior to the end of
16 his or her term or is removed from office as provided by law. Any
17 Judge in office on January 8, 2020, shall be eligible for retention
18 in the same office for succeeding terms.

19 D. If the boundaries of the Congressional Districts change, any
20 such change shall apply to appointments or retention elections
21 occurring after the boundary change. If the number of Congressional
22 Districts changes, the number of districts provided for in
23 subsection A of this section shall be changed to equal that number
24 of Congressional Districts; provided, any such change shall apply to

1 appointments or retention elections occurring after the change in
2 the number of Congressional Districts.

3 SECTION 4. This act shall become effective January 8, 2020.
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