

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 HOUSE JOINT
5 RESOLUTION 1052

By: O'Donnell of the House

and

Quinn of the Senate

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9 AS INTRODUCED

10 A Joint Resolution directing the Secretary of State
11 to refer to the people for their approval or
12 rejection a proposed amendment to Section 3 of
13 Article V and Section 1 of Article XXIV of the
14 Constitution of the State of Oklahoma; requiring
15 certain measures contain wording in ballot title
16 related to fiscal impact; authorizing procedures to
17 be established pursuant to enabling legislation;
18 providing ballot title; and directing filing.

19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
20 2ND SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

21 SECTION 1. The Secretary of State shall refer to the people for
22 their approval or rejection, as and in the manner provided by law,
23 the following proposed amendment to Section 3 of Article V and to
24 Section 1 of Article XXIV of the Constitution of the State of
Oklahoma to read as follows:

1 Section 3. Referendum petitions shall be filed with the
2 Secretary of State not more than ninety (90) days after the final
3 adjournment of the session of the Legislature which passed the bill
4 on which the referendum is demanded. The veto power of the Governor
5 shall not extend to measures voted on by the people. All elections
6 on measures referred to the people of the state shall be had at the
7 next election held throughout the state, except when the Legislature
8 or the Governor shall order a special election for the express
9 purpose of making such reference. Any measure referred to the
10 people by the initiative or referendum shall take effect and be in
11 force when it shall have been approved by a majority of the votes
12 cast thereon and not otherwise.

13 The style of all bills shall be: "Be it Enacted By the People
14 of the State of Oklahoma."

15 Petitions and orders for the initiative and for the referendum
16 shall be filed with the Secretary of State and addressed to the
17 Governor of the state, who shall submit the same to the people. The
18 Legislature shall make suitable provisions for carrying into effect
19 the provisions of this article.

20 Any initiative petition filed with the Secretary of State,
21 including an initiative petition to amend the Oklahoma Constitution,
22 and any measure referred to the ballot pursuant to action by the
23 Legislature, which is submitted to the ballot pursuant to the
24 provisions of this section shall have included in the ballot title a

1 statement which describes the specific fiscal impact, whether
2 positive, neutral, or negative, that the proposed amendment to
3 statutes or to the Constitution would have as determined by the
4 State Auditor and Inspector. The Legislature shall enact laws to
5 prescribe the procedure pursuant to which the fiscal analysis is
6 conducted and the method for including the fiscal impact in the
7 ballot title of the measure.

8 Section 1. Any amendment or amendments to this Constitution may
9 be proposed in either branch of the Legislature, and if the same
10 shall be agreed to by a majority of all the members elected to each
11 of the two (2) houses, such proposed amendment or amendments shall,
12 with the yeas and nays thereon, be entered in their journals and
13 referred by the Secretary of State to the people for their approval
14 or rejection, at the next regular general election, except when the
15 Legislature, by a two-thirds (2/3) vote of each house, shall order a
16 special election for that purpose. If a majority of all the
17 electors voting on any proposed amendment at such election shall
18 vote in favor thereof, it shall thereby become a part of this
19 Constitution.

20 No proposal for the amendment or alteration of this Constitution
21 which is submitted to the voters shall embrace more than one general
22 subject and the voters shall vote separately for or against each
23 proposal submitted; provided, however, that in the submission of
24 proposals for the amendment of this Constitution by articles, which

1 embrace one general subject, each proposed article shall be deemed a
2 single proposal or proposition.

3 Any proposal to amend the Constitution submitted to the ballot
4 pursuant to the provisions of this section shall have included in
5 the ballot title a statement which describes the specific fiscal
6 impact, whether positive, neutral, or negative, that the amendment
7 would have as determined by the State Auditor and Inspector. The
8 Legislature shall enact laws to prescribe the procedure pursuant to
9 which the fiscal analysis is conducted and the method for including
10 the fiscal impact in the ballot title of the measure.

11 SECTION 2. The Ballot Title for the proposed Constitutional
12 amendment as set forth in SECTION 1 of this resolution shall be in
13 the following form:

14 BALLOT TITLE

15 Legislative Referendum No. _____ State Question No. _____

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

17 This measure would amend the Oklahoma Constitution. It would
18 amend Section 3 of Article 5 and it would also amend Section 1
19 of Article 24. This measure would require ballot titles to
20 contain a statement of fiscal impact. It would apply to ballot
21 titles for measures being voted upon as a result of an
22 initiative petition. The initiative petition could contain
23 changes to the Oklahoma Statutes or it could contain changes to
24 the Oklahoma Constitution. The fiscal impact statement would be

1 required in both cases. The Legislature can refer measures to
2 the people. Those measures can contain changes to the Oklahoma
3 Statutes or changes to the Oklahoma Constitution. The fiscal
4 impact statement would be required for any of those measures
5 referred by the Legislature. The fiscal impact statement would
6 be prepared by the State Auditor and Inspector. The Legislature
7 would be required to write procedures so that the fiscal impact
8 statement was included in the ballot title for any of these
9 measures.

10 SHALL THE PROPOSAL BE APPROVED?

11 FOR THE PROPOSAL — YES _____

12 AGAINST THE PROPOSAL — NO _____

13 SECTION 3. The Chief Clerk of the House of Representatives,
14 immediately after the passage of this resolution, shall prepare and
15 file one copy thereof, including the Ballot Title set forth in
16 SECTION 2 hereof, with the Secretary of State and one copy with the
17 Attorney General.

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19 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/03/2022 - DO PASS,
20 As Coauthored.
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