

1 **SENATE FLOOR VERSION**

2 February 16, 2022

3 SENATE JOINT  
4 RESOLUTION NO. 1

By: Floyd of the Senate

5 and

6 Kannady of the House

7  
8 A Joint Resolution directing the Secretary of State  
9 to refer to the people for their approval or  
10 rejection a proposed amendment to Section 23 of  
11 Article V of the Oklahoma Constitution; modifying  
12 activity prohibited for members of Legislature;  
13 deleting restrictions on activity after term served;  
14 specifying activity not prohibited; authorizing  
15 Legislature to enact implementing legislation;  
16 providing ballot title; and directing filing.

17 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
18 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

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

23 Section 23. ~~No~~ A. Except as otherwise provided in this section  
24 or in the Oklahoma Constitution, no member of the Legislature shall  
during the term for which he was elected.

1        1. During the term for which he or she was elected, be  
2 appointed or elected to any office or commission in the State, ~~which~~  
3 ~~shall have been created, or the emoluments of which shall have been~~  
4 ~~increased, during his term of office, nor shall any member;~~ or

5        2. During the term for which he or she was elected, receive any  
6 appointment from the Governor, the Governor and Senate, or from the  
7 Legislature, ~~during the term for which he shall have been elected,~~  
8 ~~nor shall any member, during;~~ or

9        3. During the term for which he shall have been or she was  
10 elected, or within two years thereafter, be interested, directly or  
11 indirectly, in any contract with the State, or any county or other  
12 subdivision thereof, ~~authorized by law passed during the term for~~  
13 ~~which he shall have been elected.~~

14        B. The provisions of this section shall not operate to:

15        1. Prohibit a member of the Legislature from serving as an  
16 employee of a school district, technology center school district or  
17 The Oklahoma State System of Higher Education during his or her term  
18 of office, in a position for which he or she possesses  
19 qualifications unrelated to service as a member of the Legislature;  
20 or

21        2. Prohibit a member of the Legislature from being appointed as  
22 a member of a legislative committee or to any other position held as  
23 a member of the Legislature.

24

1 Provided further, neither the provisions of paragraph 3 of  
2 subsection A of this section, nor any other provision of law, shall  
3 operate to prohibit a former member of the Legislature from  
4 returning to the profession or business that he or she practiced  
5 prior to being elected.

6 C. The Legislature is authorized to enact laws necessary to  
7 further implement the provisions of this section.

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

11 BALLOT TITLE

12 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

13 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

14 This measure amends Section 23 of Article 5 of the Oklahoma  
15 Constitution. This section prohibits members of the Legislature  
16 from engaging in certain activities during the term for which  
17 elected and, in some cases, for two years afterwards. This  
18 measure would change these prohibitions. Prohibited activity  
19 would include being appointed or elected to any office or  
20 commission in the state during the term, receiving any  
21 appointment from the Governor, the Governor and Senate or the  
22 Legislature during the term, or being interested in any contract  
23 with the state or a political subdivision during the term.

24 These provisions would not prohibit an employee of a school

1 district, a technology center school district or The Oklahoma  
2 State System of Higher Education from continuing to serve during  
3 the term, or prohibit an appointment to a legislative committee  
4 or other legislative position. They would also not prohibit a  
5 former member from returning to his or her profession or  
6 business. The Legislature could enact laws to implement these  
7 provisions.

8 SHALL THE PROPOSAL BE APPROVED?

9 FOR THE PROPOSAL - YES \_\_\_\_\_

10 AGAINST THE PROPOSAL - NO \_\_\_\_\_

11 SECTION 3. The President Pro Tempore of the Senate shall,  
12 immediately after the passage of this resolution, prepare and file  
13 one copy thereof, including the Ballot Title set forth in SECTION 2  
14 hereof, with the Secretary of State and one copy with the Attorney  
15 General.

16 COMMITTEE REPORT BY: COMMITTEE ON RULES  
17 February 16, 2022 - DO PASS  
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