

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1052

By: O'Donnell

5
6 AS INTRODUCED

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

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

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

Section 3. Referendum petitions shall be filed with the
Secretary of State not more than ninety (90) days after the final
adjournment of the session of the Legislature which passed the bill
on which the referendum is demanded. The veto power of the Governor

1 shall not extend to measures voted on by the people. All elections
2 on measures referred to the people of the state shall be had at the
3 next election held throughout the state, except when the Legislature
4 or the Governor shall order a special election for the express
5 purpose of making such reference. Any measure referred to the
6 people by the initiative or referendum shall take effect and be in
7 force when it shall have been approved by a majority of the votes
8 cast thereon and not otherwise.

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

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

16 Any initiative petition filed with the Secretary of State,
17 including an initiative petition to amend the Oklahoma Constitution,
18 and any measure referred to the ballot pursuant to action by the
19 Legislature, which is submitted to the ballot pursuant to the
20 provisions of this section shall have included in the ballot title a
21 statement which describes the specific fiscal impact, whether
22 positive, neutral, or negative, that the proposed amendment to
23 statutes or to the Constitution would have as determined by the
24 State Auditor and Inspector. The Legislature shall enact laws to

1 prescribe the procedure pursuant to which the fiscal analysis is
2 conducted and the method for including the fiscal impact in the
3 ballot title of the measure.

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

16 No proposal for the amendment or alteration of this Constitution
17 which is submitted to the voters shall embrace more than one general
18 subject and the voters shall vote separately for or against each
19 proposal submitted; provided, however, that in the submission of
20 proposals for the amendment of this Constitution by articles, which
21 embrace one general subject, each proposed article shall be deemed a
22 single proposal or proposition.

23 Any proposal to amend the Constitution submitted to the ballot
24 pursuant to the provisions of this section shall have included in

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

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

10 BALLOT TITLE

11 Legislative Referendum No. _____ State Question No. _____

12 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

13 This measure would amend the Oklahoma Constitution. It would
14 amend Section 3 of Article 5 and it would also amend Section 1
15 of Article 24. This measure would require ballot titles to
16 contain a statement of fiscal impact. It would apply to ballot
17 titles for measures being voted upon as a result of an
18 initiative petition. The initiative petition could contain
19 changes to the Oklahoma Statutes or it could contain changes to
20 the Oklahoma Constitution. The fiscal impact statement would be
21 required in both cases. The Legislature can refer measures to
22 the people. Those measures can contain changes to the Oklahoma
23 Statutes or changes to the Oklahoma Constitution. The fiscal
24 impact statement would be required for any of those measures

referred by the Legislature. The fiscal impact statement would be prepared by the State Auditor and Inspector. The Legislature would be required to write procedures so that the fiscal impact statement was included in the ballot title for any of these measures.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

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

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