

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE JOINT  
RESOLUTION 32

By: Dahm

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution by adding a new Section 2 to Article IV; requiring the Legislature to provide certain mission statement in statute for new state agencies or entities; providing a two-year period for the Legislature to provide certain mission statement in statute for existing state agencies or entities; prohibiting state agencies or entities from taking certain actions; requiring the Legislature to define certain measurable goals for state agencies or entities; directing the Governor to publish certain annual report on fulfillment of measurable goals; providing for the seizure of funds for noncompliance; prohibiting state agencies or entities from taking certain actions regarding seized funds; providing for judicial enforcement; listing certain individuals with standing to sue for enforcement; allowing for the granting of exceptions through the legislative process; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
2ND SESSION OF THE 59TH 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,

1 the following proposed amendment to the Oklahoma Constitution by  
2 adding a new Section 2 to Article IV to read as follows:

3 Section 2. A. Upon creation of any new state agency or entity,  
4 the Legislature shall provide a mission statement in the enabling  
5 statute, including a list of measurable benefits consistent with the  
6 mission statement, the Oklahoma Constitution and the United States  
7 Constitution, and other applicable laws of this state and of the  
8 United States. Mission statements may be amended by the ordinary  
9 processes of legislation no more than once every four (4) years.

10 B. The Legislature shall, within two (2) years of the effective  
11 date of this section, define and codify in statute a mission for  
12 every state agency or entity, whether created by statute, by rule,  
13 or by the Oklahoma Constitution. Every dollar spent by this state  
14 shall pass through a state agency or entity with a mission  
15 statement. In establishing mission statements, a committee in the  
16 Senate and a committee in the House of Representatives shall solicit  
17 and hear open public testimony, to be given under pains and  
18 penalties of perjury. Mission statements for existing agencies or  
19 entities may be amended by the ordinary processes of legislation no  
20 more than once every four (4) years.

21 C. 1. No state agency or entity shall continue any program or  
22 endeavor that is inconsistent with its statutorily defined mission.

23 2. A state agency or entity shall not define its own mission.  
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1 D. Except as provided in subsection J of this section, the  
2 Legislature shall define one or more measurable goals, including  
3 metrics for tracking those goals, for every benefit contained in the  
4 mission statement prior to appropriating any funds to an agency or  
5 entity. No monies shall be expended except where at least one  
6 measurable goal applies, except as provided for in subsection J of  
7 this section. A measurable goal is something that quantifiably  
8 demonstrates real-world results of the program and must be directly  
9 related to the improvements the program provides to the people of  
10 this state. Measures of work volume or activity in an agency or  
11 entity are not sufficient; the measurable goal must track the  
12 results and accomplishments of the agency or entity. Measurable  
13 goals may be amended by the ordinary processes of legislation no  
14 more than once every four (4) years.

15 E. The Governor shall cause to be published annually a single  
16 report stating the mission statement, measurable goals, and actual  
17 results of each agency and entity of state government.

18 F. The Secretary of Operations and Government Efficiency shall  
19 seize all appropriated and unappropriated funds of any agency or  
20 entity that:

21 1. Does not have a statutorily defined mission and measurable  
22 goals; or

23 2. Fails to cooperate with the Governor's annual report as  
24 defined in subsection E of this section.

1 G. Seized funds shall be placed in the state's rainy day fund.  
2 The agency or entity shall not recover, allocate, or spend the  
3 portion of its budget covering the period when it was not compliant  
4 with this section.

5 H. The courts of this state shall have the power to enforce  
6 this section. The mission statement shall constitute evidence of  
7 the legislative purpose of the agency or entity if the text of the  
8 governing law is otherwise unclear. Defendants in any action or  
9 prosecution brought by a state entity may raise a relevant agency or  
10 entity's noncompliance with this amendment as a defense.

11 I. Violations of subsections A through E of this section shall  
12 create a cause of action for the following government officials, any  
13 of whom shall have standing to sue for the enforcement of this  
14 section: the Governor, the Attorney General, or a group of  
15 legislators comprising not less than ten percent of the full  
16 Legislature of this state. Writs of mandamus, injunctions, and  
17 other appropriate remedies at law or equity shall be granted.

18 J. The Legislature may waive, for a period not to exceed five  
19 (5) years, the requirements of subsections D and E of this section  
20 for an agency or entity which provides demonstrable benefit to the  
21 people of this state, but which benefit is not easily measurable or  
22 quantifiable. For any exemption, both the Senate and the House of  
23 Representatives must hold a roll call vote, and a sixty-percent  
24 supermajority must support the grant, renewal, or extension of a

1 waiver. The Governor shall have authority to approve or veto the  
2 grant, renewal, or extension of any waiver. A seventy-percent  
3 supermajority of both the Senate and the House of Representatives  
4 may vote to override a Governor's veto of a waiver under this  
5 section.

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

9 BALLOT TITLE

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

11 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

12 This measure will amend the Oklahoma Constitution by adding a  
13 new Section 2 to Article 4. It requires the Legislature to  
14 create a mission statement and measurable goals for all new or  
15 existing state agencies or entities. Both statements and goals  
16 may be amended no more than once every four years. The  
17 Secretary of Operations and Government Efficiency shall seize  
18 all funds of an agency or entity that violates this amendment.  
19 The courts shall enforce this amendment, and the Governor,  
20 Attorney General, or a group of at least ten percent (10%) of  
21 members of the Legislature shall have standing to sue for  
22 enforcement. The Legislature may waive or grant exceptions to  
23 the amendment through a sixty-percent supermajority vote of the  
24 Legislature. The Governor may approve or veto such waiver. The

1 Legislature can override such veto through a seventy-percent  
2 supermajority vote.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES \_\_\_\_\_

5 AGAINST THE PROPOSAL - NO \_\_\_\_\_

6 SECTION 3. The President Pro Tempore of the Senate shall,  
7 immediately after the passage of this resolution, prepare and file  
8 one copy thereof, including the Ballot Title set forth in SECTION 2  
9 hereof, with the Secretary of State and one copy with the Attorney  
10 General.

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