

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1027 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Andy Fugate

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 1027

By: Bullard, Paxton, Jett,
McIntosh, Deevers,
Grellner, Hines, Hamilton,
Prieto, Alvord, and
Gillespie, Stewart,
Pederson of the Senate

and

Hilbert, West (Kevin),
Adams, and Steagall of the
House

FLOOR SUBSTITUTE

An Act relating to initiative and referendum;
ordering a legislative referendum pursuant to the
Oklahoma Constitution; amending 34 O.S. 2021,
Sections 3, 6, 8, as amended by Section 1, Chapter
364, O.S.L. 2024, and 9 (34 O.S. Supp. 2024, Section
8), which relate to signatures for petitions and
ballot title; making language gender neutral;
establishing requirements for gist of proposition;
requiring inclusion of certain statement on petition;
requiring Secretary of State to make affirmation
about certain language; authorizing certain removal
for violation; adding qualification for persons
circulating petition for signatures; requiring
certain notice; providing that signature serves as
certain attestation; requiring Secretary of State to
establish procedures for removal of certain
signatures; requiring certain disclosures;
establishing requirements for certain contributions
or compensation; requiring report of certain
expenditures; requiring publication of certain
reports on Secretary of State website; modifying
requirements for certain signatures; updating certain
vote requirement; updating statutory reference;

1 adding requirement for ballot title; updating
2 statutory language; specifying applicability of
3 provisions; providing for severability; providing for
noncodification; providing for codification;
4 providing ballot title; and directing filing.
5

6 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

7 SECTION 1. Pursuant to Section 3 of Article V of the Oklahoma
8 Constitution, there is hereby ordered the following legislative
9 referendum which shall be filed with the Secretary of State and
10 addressed to the Governor of the state, who shall submit the same to
11 the people for their approval or rejection at the next General
12 Election.

13 SECTION 2. AMENDATORY 34 O.S. 2021, Section 3, is
14 amended to read as follows:

15 Section 3. A. Each initiative petition and each referendum
16 petition shall be duplicated for the securing of signatures. The
17 Secretary of State shall design a form, subject to change, for
18 signatures that shall be used by proponents of initiatives or
19 referendums when collecting signatures, and each sheet for
20 signatures shall be attached to a copy of the petition. Each copy
21 of the petition and sheets for signatures is hereinafter termed a
22 pamphlet. On the outer page of each pamphlet shall be printed the
23 word "Warning", and underneath this in ten-point type the words, "It
24 is a felony for anyone to sign an initiative or referendum petition

1 with any name other than his or her own, or knowingly to sign his or
2 her name more than once for the measure, or to sign such petition
3 when he or she is not a legal voter of this state." A ~~simple~~
4 statement of the gist of the proposition shall be printed on the top
5 margin of each signature sheet and shall:

6 1. Explain in basic words, which can be easily found in
7 dictionaries of general usage, the effect of the proposition;

8 2. Not contain any words which have a special meaning for a
9 particular profession or trade not commonly known to the citizens of
10 this state;

11 3. Not contain euphemisms, words, or phrases regarded in
12 popular parlance as code words, or an apparent attempt to deceive
13 voters;

14 4. Not reflect partiality in its composition or contain any
15 argument for or against the measure; and

16 5. Indicate whether a proposed measure will have a fiscal
17 impact on the state and if so, the potential source of funding
18 including, but not limited to, federal funding or legislative
19 appropriation which may require imposition of a new tax, increase of
20 an existing tax, or elimination of existing services.

21 B. A statement shall be printed under the gist of the
22 proposition that provides notice that a copy of the petition and all
23 signatures on such petition are public records subject to the
24 Oklahoma Open Records Act.

1 C. The Secretary of State shall affirm that any gist conforms
2 with the requirements of this section. The Secretary may remove any
3 gist that violates the requirements of this section and direct the
4 proponents of the petition to submit a gist that complies with all
5 the requirements of this section.

6 SECTION 3. AMENDATORY 34 O.S. 2021, Section 6, is
7 amended to read as follows:

8 Section 6. Any person who circulates a sheet of ~~said~~ the
9 petition shall be a registered voter of this state and shall verify
10 the signatures included on any signature sheets he or she circulates
11 by executing his or her affidavit thereon and as a part thereof.
12 The Secretary of State shall cause to be affixed onto the back of
13 the signature form an affidavit, subject to change, for the
14 circulator to verify the signatures.

15 State of Oklahoma,)
16) ss.
17 County of _____)

18 I, _____, being first duly sworn, say: That I am at least
19 eighteen (18) years old, a registered voter of this state, and that
20 all signatures on the signature sheet were signed in my presence; I
21 believe that each has stated his or her name, mailing address,
22 county of residence, and date of birth associated with his or her
23 Oklahoma voter registration record, and that each signer is a legal
24 voter of the State of Oklahoma and county of _____ or of the city

1 of _____ (as the case may be). (Signature and complete address of
2 affiant.)

3 Subscribed and sworn to before me this _____ day of _____ A.D.
4 20__.

5 (Signature and title of the Oklahoma notarial officer before
6 whom oath is made, and his or her complete address, commission
7 number and expiration date, and official Oklahoma notary public
8 seal.)

9 SECTION 4. AMENDATORY 34 O.S. 2021, Section 8, as
10 amended by Section 1, Chapter 364, O.S.L. 2024 (34 O.S. Supp. 2024,
11 Section 8), is amended to read as follows:

12 Section 8. A. When a citizen or citizens desire to circulate a
13 petition initiating a proposition of any nature, whether to become a
14 statute law or an amendment to the Oklahoma Constitution, or for the
15 purpose of invoking a referendum upon legislative enactments, such
16 citizen or citizens shall, when such petition is prepared, and
17 before the same is circulated or signed by electors, file a true and
18 exact copy of same in the office of the Secretary of State and shall
19 at the same time file a separate ballot title, which shall not be
20 part of or printed on the petition.

21 B. It shall be the duty of the Secretary of State to cause to
22 be published, in at least one newspaper of general circulation in
23 the state, a notice of such filing and the apparent sufficiency or
24 insufficiency of the petition, and shall include notice that any

1 citizen or citizens of the state may file a protest as to the
2 constitutionality of the petition, by a written notice to the
3 Supreme Court and to the proponent or proponents filing the
4 petition. Any such protest ~~must~~ shall be filed within ninety (90)
5 days after publication. A copy of the protest shall be filed with
6 the Secretary of State.

7 C. Upon the filing of a protest to the petition, the Supreme
8 Court shall then fix a day, not less than ten (10) business days
9 thereafter, at which time it will hear testimony and arguments for
10 and against the sufficiency of such petition.

11 D. A protest filed by anyone hereunder may, if abandoned by the
12 party filing same, be revived within five (5) business days by any
13 other citizen. After such hearing the Supreme Court shall decide
14 whether such petition is in the form required by the statutes. If
15 the Court is at the time adjourned, the Chief Justice shall
16 immediately convene the same for such hearing. No objection to the
17 sufficiency shall be considered unless it has been made and filed as
18 herein provided.

19 E. Signature-gathering Deadline for Initiative Petitions. When
20 an initiative petition has been filed in the office of the Secretary
21 of State and all appeals, protests, and rehearings have been
22 resolved or the period for such has expired, the Secretary of State
23 shall set the date for circulation of signatures for the petition to
24 begin but in no event shall the date be less than fifteen (15) days

1 nor more than thirty (30) days from the date when all appeals,
2 protests, and rehearings have been resolved or have expired.
3 Notification shall be sent to the proponents specifying the date on
4 which circulation of the petition shall begin and that the
5 signatures are due within ninety (90) days of the date set. Any
6 person who circulates the petition to collect signatures shall be a
7 registered voter in this state and shall display a conspicuous
8 notice in any location where the person is collecting signatures
9 whether the person is being paid to circulate the petition and if
10 so, by what person or entity. Each elector shall sign his or her
11 name and legibly print his or her name, birth date ~~and~~, address, and
12 county of residence associated with his or her Oklahoma voter
13 registration record. An elector's signature shall serve as an
14 attestation that the elector read the gist in full or that the
15 person who solicited the elector's signature read the gist in full
16 to the elector. The Secretary of State shall establish procedures
17 by which an elector can request to have his or her signature removed
18 from the petition. Any petition not filed in accordance with this
19 provision shall not be considered. The proponents of an initiative
20 petition, any time before the final submission of signatures, may
21 withdraw the initiative petition upon written notification to the
22 Secretary of State.

23 F. Signature-gathering Deadline for Referendum Petitions. All
24 signed signatures supporting a referendum petition shall be filed

1 with the Secretary of State not later than ninety (90) days after
2 the adjournment of the legislative session in which the measure⁷
3 which is the subject of the referendum petition⁷ was enacted.

4 G. 1. Any person who circulates the petition to collect
5 signatures shall disclose to the Secretary of State any employer or
6 entity that is compensating the person for the circulation of the
7 petition. No compensation shall be based on number of signatures
8 collected, number of signature sheets submitted, or any other
9 similar incentives. No person or entity who does not reside or do
10 business in this state shall contribute to or compensate a person
11 for circulation of a petition. Any person or entity that employs a
12 person for circulation of a petition shall follow federal labor
13 standards; and

14 2. Any person or entity expending funds on the circulation of a
15 petition shall submit a weekly report to the Secretary of State that
16 details such expenditures and that attests that all donated funds
17 were received from sources in this state. The Secretary of State
18 shall publish such reports on the Secretary's website until the vote
19 on the measure has occurred.

20 H. 1. The total number of signatures collected to meet the
21 requirements for an initiative petition or referendum petition,
22 amending the Oklahoma Statutes, from a single county shall not
23 exceed eleven and five-tenths percent (11.5%) of the number of votes
24 cast in that county during the most recent statewide general

1 election for Governor. The State Election Board shall determine the
2 number of votes cast in each county; and

3 2. The total number of signatures collected to meet the
4 requirements for an initiative petition or referendum petition,
5 amending the Oklahoma Constitution, from a single county shall not
6 exceed twenty and eight-tenths percent (20.8%) of the number of
7 votes cast in that county during the most recent statewide general
8 election for Governor. The State Election Board shall determine the
9 number of votes cast in each county.

10 I. The proponents of a referendum or an initiative petition may
11 terminate the circulation period any time during the ninety-day
12 circulation period by certifying to the Secretary of State that:

13 1. All signed petitions have already been filed with the
14 Secretary of State;

15 2. No more petitions are in circulation; and

16 3. The proponents will not circulate any more petitions.

17 If the Secretary of State receives such a certification from the
18 proponents, the Secretary of State shall begin the counting and
19 review process.

20 ~~H.~~ J. When the signed copies of a petition pamphlet are timely
21 filed, the Secretary of State shall file a copy of the proponent's
22 ballot title with the Attorney General and, after conducting a count
23 and review of the filed, signed petition pamphlets, the Secretary of
24 State shall certify to the Supreme Court of the state:

1 1. The total number of signatures counted pursuant to
2 procedures set forth in this title; and

3 2. The total number of votes cast for the ~~state~~ office
4 ~~receiving the highest number of votes cast~~ Governor at the last
5 general election.

6 The Supreme Court shall make the determination of the numerical
7 sufficiency or insufficiency of the signatures counted and reviewed
8 by the Secretary of State.

9 ~~I.~~ K. Upon order of the Supreme Court it shall be the duty of
10 the Secretary of State to forthwith cause to be published, in at
11 least one newspaper of general circulation in the state, a notice of
12 the filing of the signed petitions and the apparent sufficiency or
13 insufficiency thereof, and shall also publish the text of the ballot
14 title as reviewed and approved or, if applicable, as rewritten by
15 the Attorney General pursuant to the provisions of subsection D of
16 Section 9 of this title and notice that any citizen or citizens of
17 the state may file an objection to the count made by the Secretary
18 of State, by a written notice to the Supreme Court and to the
19 proponent or proponents filing the petition. Any such objection
20 ~~must~~ shall be filed within ninety (90) days after publication and
21 ~~must~~ shall relate only to the validity or number of the signatures
22 or a challenge to the ballot title. A copy of the objection to the
23 count or ballot title shall be filed with the Supreme Court, the
24 Attorney General, and the Secretary of State.

1 ~~J.~~ L. Upon appeal and if ordered or directed by the Supreme
2 Court, the Secretary of State shall deliver the bound volumes of
3 signatures to the Supreme Court.

4 ~~K.~~ M. Upon the filing of an objection to the signature count or
5 ballot title, the Supreme Court shall resolve the objection with
6 dispatch. The Supreme Court shall adopt rules to govern proceedings
7 to apply to the challenge of a measure on the grounds that the
8 proponents failed to gather sufficient signatures.

9 ~~L.~~ N. If in the opinion of the Supreme Court, any objection to
10 the count or protest to the petition is frivolous, the Court may
11 impose appropriate sanctions, including an award of costs and
12 ~~attorneys~~ attorney fees to either party as the Court deems
13 equitable.

14 ~~M.~~ O. Whenever reference is made in this act to the Supreme
15 Court, such reference shall include the members of the Supreme
16 Court, or any officer constitutionally designated to perform the
17 duties herein prescribed.

18 SECTION 5. AMENDATORY 34 O.S. 2021, Section 9, is
19 amended to read as follows:

20 Section 9. A. When a referendum is ordered by petition of the
21 people against any measure passed by the Legislature or when any
22 measure is proposed by initiative petition, whether as an amendment
23 to the Oklahoma Constitution or as a statute, it shall be the duty
24 of the parties submitting the measure to prepare and file one copy

1 of the measure with the Secretary of State and one copy with the
2 Attorney General.

3 B. The parties submitting the measure shall also submit a
4 suggested ballot title to the Secretary of State which shall be
5 filed on a separate sheet of paper and shall not be part of or
6 printed on the petition. The suggested ballot title:

7 1. Shall not exceed two hundred words, or three hundred words
8 if the proposed measure will have a fiscal impact on the state;

9 2. Shall explain in basic words, which can be easily found in
10 dictionaries of general usage, the effect of the proposition;

11 3. Shall not contain any words which have a special meaning for
12 a particular profession or trade not commonly known to the citizens
13 of this state;

14 4. Shall not contain euphemisms, words, or phrases regarded in
15 popular parlance as code words, or an apparent attempt to deceive
16 voters;

17 5. Shall not reflect partiality in its composition or contain
18 any argument for or against the measure;

19 ~~5.~~ 6. Shall contain language which clearly states that a "yes"
20 vote is a vote in favor of the proposition and a "no" vote is a vote
21 against the proposition;

22 ~~6.~~ 7. Shall not contain language whereby a "yes" vote is, in
23 fact, a vote against the proposition and a "no" vote is, in fact, a
24 vote in favor of the proposition; and

1 ~~7.~~ 8. Shall indicate if a proposed measure will have a fiscal
2 impact on the state and if so, the potential source of funding
3 including, but not limited to, federal funding or legislative
4 appropriation which may require imposition of a new tax, increase of
5 an existing tax, or elimination of existing services.

6 C. When a measure is proposed as a constitutional amendment by
7 the Legislature or when the Legislature proposes a statute
8 conditioned upon approval by the people:

9 1. After final passage of a measure, the Secretary of State
10 shall submit the proposed ballot title to the Attorney General for
11 review as to legal correctness. Within five (5) business days after
12 receipt from the Secretary of State, the Attorney General shall, in
13 writing, notify the Secretary of State, the President Pro Tempore of
14 the Senate, the Speaker of the House of Representatives and the
15 principal authors of the bill whether or not the proposed ballot
16 title complies with applicable laws. The Attorney General shall
17 state with specificity any and all defects found and, if necessary,
18 within ten (10) business days of determining that the proposed
19 ballot title is defective, prepare a preliminary ballot title which
20 complies with the law and furnish a copy of such ballot title to the
21 Secretary of State, the President Pro Tempore of the Senate, the
22 Speaker of the House of Representatives and the principal authors of
23 the bill. The Attorney General may consider any comments made by
24 the President Pro Tempore of the Senate or the Speaker of the House

1 of Representatives submitted within five (5) business days of their
2 being furnished a copy of the preliminary ballot title. The
3 Attorney General shall respond in writing to the comments and shall
4 file a final ballot title with the Secretary of State no later than
5 fifteen (15) business days after furnishing the preliminary ballot
6 title; and

7 2. After receipt of the measure and the official ballot title,
8 as certified by the Attorney General, the Secretary of State shall
9 within five (5) days transmit to the Secretary of the State Election
10 Board an attested copy of the measure, including the official ballot
11 title.

12 D. The following procedure shall apply to ballot titles of
13 referendums ordered by a petition of the people or any measure
14 proposed by an initiative petition:

15 1. After the filing of the signed referendum petitions or the
16 signed initiative petitions, the Secretary of State shall submit the
17 proposed separate ballot title to the Attorney General for review as
18 to legal correctness. Within five (5) business days after the
19 receipt of the ballot title, the Attorney General shall, in writing,
20 notify the Secretary of State whether or not the proposed ballot
21 title complies with applicable laws. The Attorney General shall
22 state with specificity any and all defects found and, if necessary,
23 within ten (10) business days of determining that the proposed
24

1 ballot title is defective, prepare and file a ballot title which
2 complies with the law; and

3 2. Within ten (10) business days after completion of the review
4 and, if necessary, the filing of a ballot title in compliance with
5 law, by the Attorney General, the Secretary of State shall, if no
6 appeal is filed, transmit to the Secretary of the State Election
7 Board an attested copy of the measure, including the official ballot
8 title, and a certification that the requirements of this section
9 have been met. If an appeal is taken from such ballot title within
10 the time specified in Section 10 of this title, then the Secretary
11 of State shall certify to the Secretary of the State Election Board
12 the ballot title which is finally approved by the Supreme Court.

13 SECTION 6. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 28 of Title 34, unless there is
15 created a duplication in numbering, reads as follows:

16 The provisions of this act shall be severable and if any
17 section, subsection, sentence, or clause of this act is for any
18 reason held to be invalid such holding shall not affect the validity
19 of the remaining portions thereof.

20 SECTION 7. NEW LAW A new section of law not to be
21 codified in the Oklahoma Statutes reads as follows:

22 Upon the effective date of this act, the provisions shall be
23 applicable to all initiative petitions for which the Secretary of
24 State has not previously set the date for circulation of the

1 petition for signatures pursuant to subsection E of Section 8 of
2 Title 34 of the Oklahoma Statutes.

3 SECTION 8. The Ballot Title for the proposed act shall be in
4 the following form:

5 BALLOT TITLE

6 Legislative Referendum No. _____ State Question No. _____

7 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

8 The measure makes several changes to the initiative and
9 referendum process. The measure makes statutory language gender
10 neutral. The measure directs that gists describing the petition
11 or referendum must use basic words, not use specialized terms
12 nor euphemisms, not reflect partiality for or against the
13 measure, and must indicate whether the measure will have a
14 fiscal impact. The measure shall also require a disclaimer that
15 collected signatures are a public record. The measure directs
16 the Secretary of State to affirm gist conforms with requirements
17 and permits the Secretary of State to remove gists that violate
18 requirements. The measure requires that persons circulating
19 petitions are registered voters of this state. The measure
20 prohibits certain compensation of persons circulating petitions.
21 The measure requires persons and entities expending funds to
22 make weekly reports to the Secretary of State. The measure
23 limits the total number of signatures that may be collected from
24 a single county to eleven and five-tenths percent (11.5%) of the

number of votes cast in that county during the most recent statewide general election for Governor for amendments the Oklahoma State Statutes and twenty and eight-tenths percent (20.8%) for amendments to the Oklahoma Constitution. The measure shall be effective upon approval.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL – YES _____

AGAINST THE PROPOSAL – NO

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

60-1-13582 MJ 04/21/25