

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE JOINT
7 RESOLUTION NO. 1024

By: Moore and **Harris** of the
House

and

Gollihare of the Senate

11 COMMITTEE SUBSTITUTE

12 A Joint Resolution directing the Secretary of State
13 to refer to the people for their approval or
14 rejection a proposed amendment to Section 3 of
15 Article VII-B of the Constitution of the State of
16 Oklahoma; updating references to congressional
17 districts; modifying provisions related to terms of
18 office; removing restrictions based on membership in
19 political party; removing restrictions based upon
20 status as licensed attorney; removing restriction
21 based upon status of family members as licensed
22 attorneys; removing restriction related to succession
23 in office; prescribing procedures related to changes
24 in congressional districts; providing for
 applicability of amendatory provisions; providing
 ballot title; and directing filing.

22 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
23 1ST SESSION OF THE 60TH OKLAHOMA LEGISLATURE:

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

5 Section 3. (a) There is established as a part of the Judicial
6 Department a Judicial Nominating Commission of fifteen (15) members,
7 to consist of:

8 (1) six members to be appointed by the Governor, which shall
9 include at least one from each congressional district ~~established by~~
10 ~~the Statutes of Oklahoma and existing at the date of the adoption of~~
11 ~~this Article, none of whom shall be admitted to practice law in the~~
12 ~~State of Oklahoma or have any immediate family member who has been~~
13 ~~admitted to the practice of law in the State of Oklahoma or any~~
14 ~~other state~~ as such congressional districts exist as of the date of
15 the appointment. Each member appointed pursuant to the provisions
16 of this paragraph shall serve a term of six (6) years;

17 (2) six members, which shall include at least one from each
18 congressional district ~~established by the Statutes of Oklahoma and~~
19 ~~existing at the date of the adoption of this Article~~ as such
20 congressional districts exist as of the date of the selection who
21 are, however, members of the Oklahoma Bar Association and who have
22 been elected by the other active members of their district under
23 procedures adopted by the Board of Governors of the Oklahoma Bar
24 Association, until changed by statute. Each member appointed

1 pursuant to the provisions of this paragraph shall serve a term of
2 six (6) years; and

3 (3) three members at large ~~who shall not have been admitted to~~
4 ~~the practice of law in the State of Oklahoma or any other state or~~
5 ~~have any immediate family member who has been admitted to the~~
6 ~~practice of law in the State of Oklahoma or any other state but who~~
7 each of whom shall be a resident of the State of Oklahoma, one to be
8 selected by not less than eight members of the Nominating
9 Commission. In the event eight members of the Commission cannot
10 agree upon the member at large within thirty (30) days of the
11 initial organization of the Commission or within thirty (30) days of
12 a vacancy in the member at large position, the Governor shall make
13 the appointment of the member at large; one to be selected by the
14 President Pro Tempore of the Senate; and one to be selected by the
15 Speaker of the House of Representatives. ~~No more than two members~~
16 ~~at large shall belong to any one political party.~~ Each member
17 appointed pursuant to the provisions of this paragraph shall serve a
18 term of two (2) years.

19 (b) The Commission shall elect one of its members to serve as
20 chair for a term of one (1) year.

21 (c) ~~The six lay members of the Commission who are appointed by~~
22 ~~the Governor shall be appointed within ninety (90) days from the~~
23 ~~date that this Article becomes effective. Two members shall be~~
24 ~~appointed for a term of two (2) years, two members for a term of~~

1 ~~four (4) years, and two members for a term of six (6) years. The~~
2 ~~Oklahoma Bar Association shall hold its election and certify to the~~
3 ~~Secretary of State its members within ninety (90) days from the~~
4 ~~effective date of this Article, two of whom shall be elected for a~~
5 ~~term of two (2) years, two for a term of four (4) years, and two for~~
6 ~~a term of six (6) years. Thereafter all~~ All of the members of the
7 Commission, whether elected or appointed, shall serve for a term of
8 six (6) years, except that the member at large shall serve for a
9 term of two (2) years.

10 ~~(b)~~ (d) Vacancies arising during the term of any ~~lay~~
11 commissioner, other than the member at large, shall be filled by
12 appointment by the Governor for the remainder of his or her term.
13 ~~Vacancies of any lawyer commissioner~~ in positions elected pursuant
14 to the procedures established by the Oklahoma Bar Association shall
15 be filled by the Board of Governors of the Oklahoma Bar Association
16 for the remainder of ~~his or her~~ the applicable term.

17 ~~(c)~~ (e) In the event of vacancy in any of the member at large
18 ~~position~~ positions, the said vacancy shall be filled in the same
19 manner as the original selection.

20 ~~(d) Of those Commissioners named by the Governor, not more than~~
21 ~~three shall belong to any one political party.~~

22 ~~(e)~~ (f) The concurrence of the majority of Commissioners in
23 office at the time shall be sufficient to decide any question,
24 unless otherwise provided herein. The Commission shall have

1 jurisdiction to determine whether the qualifications of nominees to
2 hold Judicial Office have been met and to determine the existence of
3 vacancies on the Commission.

4 ~~(f)~~ (g) No Commissioner, while a member of the Commission,
5 shall hold any other public office by election or appointment or any
6 official position in a political party and he or she shall not be
7 eligible, while a member of the Commission and for five (5) years
8 thereafter, for nomination as a Judicial Officer.

9 ~~(g)~~ (h) Commissioners shall serve without compensation but the
10 Legislature shall provide funds to reimburse them for their
11 necessary travel and lodging expenses while performing their duties
12 as such Commissioners.

13 ~~(h) No Commissioner shall be permitted to succeed himself or~~
14 ~~herself~~ No Commissioner shall serve more than twelve (12)
15 consecutive years, whether elected or appointed.

16 (i) As used herein, the words "Oklahoma Bar Association" shall
17 include any successor thereof and any future form of the organized
18 Bar of this state.

19 (j) The modifications to the provisions of this section
20 pursuant to Enrolled House Joint Resolution No. 1024 of the 1st
21 Session of the 60th Oklahoma Legislature shall be applicable to any
22 position on the Judicial Nominating Commission that ends by
23 expiration of the term of office or by vacancy.
24

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

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends Section 3 of Article 7-B of the Oklahoma
8 Constitution. It changes provisions related to the Judicial
9 Nominating Commission. It updates references so appointments
10 made by certain persons based on the congressional districts
11 would be made using the current congressional districts instead
12 of the districts as the districts were constituted when this
13 section of the Constitution was originally adopted in 1967. It
14 removes a prohibition on certain members of the Commission so
15 that the person could be a licensed attorney. It allows a
16 person to serve on the Commission even if they have a member of
17 their family who is a licensed attorney. It changes the terms
18 so that with the exception of at-large members, the term would
19 be for six (6) years. The at-large members would serve a two-
20 year term. It removes restrictions based on political party
21 membership. It removes a provision that prohibits a Commission
22 member from succeeding himself or herself on the Commission. It
23 provides that the changes in the way people are appointed or
24 selected for membership on the Judicial Nominating Commission

will apply to positions as they become vacant because an
existing term of office expires or because of a vacancy.

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.

COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/05/2025 - DO PASS,
As Amended and Coauthored.