

SENATE CHAMBER  
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 1

\_\_\_\_\_

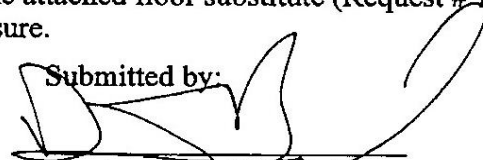
COMMITTEE AMENDMENT

\_\_\_\_\_


(Date)

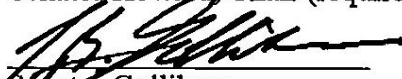
I move to amend Senate Bill No. 1027 by substituting the attached floor substitute (Request # 1838) for the title, enacting clause, and entire body of the measure.

Submitted by:

  
\_\_\_\_\_  
Senator Bullard


I hereby grant permission for the floor substitute to be adopted.

  
\_\_\_\_\_  
Senator Howard, Chair (required)

  
\_\_\_\_\_  
Senator Gollihare

\_\_\_\_\_  
Senator Boren

\_\_\_\_\_  
Senator Brooks

  
\_\_\_\_\_  
Senator Paxton, President Pro Tempore

  
\_\_\_\_\_  
Senator Jech

  
\_\_\_\_\_  
Senator Jett

  
\_\_\_\_\_  
Senator Rosino


  
\_\_\_\_\_  
Senator Standridge

\_\_\_\_\_  
Senator Daniels, Majority Floor Leader

Note: Judiciary Committee majority requires five (5) members' signatures.

Bullard-TEK-FS-SB1027  
3/10/2025 1:56 PM

(Floor Amendments Only)

Date and Time Filed: 3-10-25 2:25pm 

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1027

By: Bullard, Paxton, Jett,  
McIntosh, Deevers,  
Grellner, and Hines of the  
Senate

6 and

7 Hilbert of the House  
8

9  
10 FLOOR SUBSTITUTE

11 An Act relating to initiative and referendum;  
12 amending 34 O.S. 2021, Sections 3, 6, 8, as amended  
13 by Section 1, Chapter 364, O.S.L. 2024, and 9 (34  
14 O.S. Supp. 2024, Section 8), which relate to  
15 signatures for petitions and ballot title; making  
16 language gender neutral; establishing requirements  
17 for gist of proposition; requiring inclusion of  
18 certain statement on petition; requiring Secretary of  
19 State to make affirmation about certain language;  
20 authorizing certain removal for violation; adding  
21 qualification for persons circulating petition for  
22 signatures; requiring certain notice; providing that  
23 signature serves as certain attestation; requiring  
24 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; adding requirement for ballot title;  
updating statutory language; specifying applicability  
of provisions; providing for noncodification; and  
declaring an emergency.

1  
2 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

3 SECTION 1. AMENDATORY 34 O.S. 2021, Section 3, is  
4 amended to read as follows:

5 Section 3. A. Each initiative petition and each referendum  
6 petition shall be duplicated for the securing of signatures. The  
7 Secretary of State shall design a form, subject to change, for  
8 signatures that shall be used by proponents of initiatives or  
9 referendums when collecting signatures, and each sheet for  
10 signatures shall be attached to a copy of the petition. Each copy  
11 of the petition and sheets for signatures is hereinafter termed a  
12 pamphlet. On the outer page of each pamphlet shall be printed the  
13 word "Warning", and underneath this in ten-point type the words, "It  
14 is a felony for anyone to sign an initiative or referendum petition  
15 with any name other than his or her own, or knowingly to sign his or  
16 her name more than once for the measure, or to sign such petition  
17 when he or she is not a legal voter of this state." A ~~simple~~  
18 statement of the gist of the proposition shall be printed on the top  
19 margin of each signature sheet and shall:

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

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

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

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

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

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

15       C. The Secretary of State shall affirm that any gist conforms  
16 with the requirements of this section. The Secretary may remove any  
17 gist that violates the requirements of this section.

18       SECTION 2.       AMENDATORY       34 O.S. 2021, Section 6, is  
19 amended to read as follows:

20       Section 6. Any person who circulates a sheet of ~~said~~ the  
21 petition shall be a qualified elector of this state and shall verify  
22 the signatures included on any signature sheets he or she circulates  
23 by executing his or her affidavit thereon and as a part thereof.  
24 The Secretary of State shall cause to be affixed onto the back of

1 the signature form an affidavit, subject to change, for the  
2 circulator to verify the signatures.

3 State of Oklahoma, )  
4 ) ss.  
5 County of \_\_\_\_\_ )

6 I, \_\_\_\_\_, being first duly sworn, say: That I am at least  
7 eighteen (18) years old, a qualified elector of this state, and that  
8 all signatures on the signature sheet were signed in my presence; I  
9 believe that each has stated his or her name, mailing address,  
10 county of residence, and date of birth associated with his or her  
11 Oklahoma voter registration record, and that each signer is a legal  
12 voter of the State of Oklahoma and county of \_\_\_\_\_ or of the city  
13 of \_\_\_\_\_ (as the case may be). (Signature and complete address of  
14 affiant.)

15 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D.  
16 20\_\_.

17 (Signature and title of the Oklahoma notarial officer before  
18 whom oath is made, and his or her complete address, commission  
19 number and expiration date, and official Oklahoma notary public  
20 seal.)

21 SECTION 3. AMENDATORY 34 O.S. 2021, Section 8, as  
22 amended by Section 1, Chapter 364, O.S.L. 2024 (34 O.S. Supp. 2024,  
23 Section 8), is amended to read as follows:

24

1 Section 8. A. When a citizen or citizens desire to circulate a  
2 petition initiating a proposition of any nature, whether to become a  
3 statute law or an amendment to the Oklahoma Constitution, or for the  
4 purpose of invoking a referendum upon legislative enactments, such  
5 citizen or citizens shall, when such petition is prepared, and  
6 before the same is circulated or signed by electors, file a true and  
7 exact copy of same in the office of the Secretary of State and shall  
8 at the same time file a separate ballot title, which shall not be  
9 part of or printed on the petition.

10 B. It shall be the duty of the Secretary of State to cause to  
11 be published, in at least one newspaper of general circulation in  
12 the state, a notice of such filing and the apparent sufficiency or  
13 insufficiency of the petition, and shall include notice that any  
14 citizen or citizens of the state may file a protest as to the  
15 constitutionality of the petition, by a written notice to the  
16 Supreme Court and to the proponent or proponents filing the  
17 petition. Any such protest ~~must~~ shall be filed within ninety (90)  
18 days after publication. A copy of the protest shall be filed with  
19 the Secretary of State.

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

24

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

9 E. Signature-gathering Deadline for Initiative Petitions. When  
10 an initiative petition has been filed in the office of the Secretary  
11 of State and all appeals, protests, and rehearings have been  
12 resolved or the period for such has expired, the Secretary of State  
13 shall set the date for circulation of signatures for the petition to  
14 begin but in no event shall the date be less than fifteen (15) days  
15 nor more than thirty (30) days from the date when all appeals,  
16 protests, and rehearings have been resolved or have expired.  
17 Notification shall be sent to the proponents specifying the date on  
18 which circulation of the petition shall begin and that the  
19 signatures are due within ninety (90) days of the date set. Any  
20 person who circulates the petition to collect signatures shall be a  
21 registered voter in this state and shall display a conspicuous  
22 notice in any location where the person is collecting signatures  
23 whether the person is being paid to circulate the petition and if  
24 so, by what person or entity. Each elector shall sign his or her

1 name and legibly print his or her name, birth date, ~~and~~ address, and  
2 county of residence associated with his or her Oklahoma voter  
3 registration record. An elector's signature shall serve as an  
4 attestation that the elector read the gist in full or that the  
5 person who solicited the elector's signature read the gist in full  
6 to the elector. The Secretary of State shall establish procedures  
7 by which an elector can request to have his or her signature removed  
8 from the petition. Any petition not filed in accordance with this  
9 provision shall not be considered. The proponents of an initiative  
10 petition, any time before the final submission of signatures, may  
11 withdraw the initiative petition upon written notification to the  
12 Secretary of State.

13 F. Signature-gathering Deadline for Referendum Petitions. All  
14 signed signatures supporting a referendum petition shall be filed  
15 with the Secretary of State not later than ninety (90) days after  
16 the adjournment of the legislative session in which the measure<sub>7</sub>  
17 which is the subject of the referendum petition<sub>7</sub> was enacted.

18 G. 1. Any person who circulates the petition to collect  
19 signatures shall disclose to the Secretary of State any employer or  
20 entity that is compensating the person for the circulation of the  
21 petition. No compensation shall be based on number of signatures  
22 collected or any other incentives. No person or entity who does not  
23 reside or do business in this state shall contribute to or  
24 compensate a person for circulation of a petition. Any person or



1 entity that employs a person for circulation of a petition shall  
2 follow federal labor standards.

3 2. Any person or entity expending funds on the circulation of a  
4 petition shall submit a report to the Secretary of State that  
5 details such expenditures and that attests that all donated funds  
6 were received from sources in this state. The Secretary of State  
7 shall publish such reports on the Secretary's website until the vote  
8 on the measure has occurred.

9 H. 1. No more than ten percent (10%) of the total number of  
10 signatures required for an initiative petition or referendum  
11 petition shall be from legal electors of a county with a population  
12 of four hundred thousand (400,000) or more according to the latest  
13 Federal Decennial Census.

14 2. No more than four percent (4%) of the total number of  
15 signatures required for an initiative petition or referendum  
16 petition shall be from legal electors of a county with a population  
17 less than four hundred thousand (400,000) according to the latest  
18 Federal Decennial Census.

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

22 1. All signed petitions have already been filed with the  
23 Secretary of State;

24 2. No more petitions are in circulation; and

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

2 If the Secretary of State receives such a certification from the  
3 proponents, the Secretary of State shall begin the counting and  
4 review process.

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

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

12 2. The total number of votes cast for the ~~state~~ office  
13 ~~receiving the highest number of votes cast~~ Governor at the last  
14 general election.

15 The Supreme Court shall make the determination of the numerical  
16 sufficiency or insufficiency of the signatures counted and reviewed  
17 by the Secretary of State.

18 ~~H.~~ K. Upon order of the Supreme Court it shall be the duty of  
19 the Secretary of State to forthwith cause to be published, in at  
20 least one newspaper of general circulation in the state, a notice of  
21 the filing of the signed petitions and the apparent sufficiency or  
22 insufficiency thereof, and shall also publish the text of the ballot  
23 title as reviewed and approved or, if applicable, as rewritten by  
24 the Attorney General pursuant to the provisions of subsection D of

1 Section 9 of this title and notice that any citizen or citizens of  
2 the state may file an objection to the count made by the Secretary  
3 of State, by a written notice to the Supreme Court and to the  
4 proponent or proponents filing the petition. Any such objection  
5 ~~must~~ shall be filed within ninety (90) days after publication and  
6 ~~must~~ shall relate only to the validity or number of the signatures  
7 or a challenge to the ballot title. A copy of the objection to the  
8 count or ballot title shall be filed with the Supreme Court, the  
9 Attorney General, and the Secretary of State.

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

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

18 ~~L.~~ N. If in the opinion of the Supreme Court, any objection to  
19 the count or protest to the petition is frivolous, the Court may  
20 impose appropriate sanctions, including an award of costs and  
21 ~~attorneys~~ attorney fees to either party as the Court deems  
22 equitable.

23 ~~M.~~ O. Whenever reference is made in this act to the Supreme  
24 Court, such reference shall include the members of the Supreme

1 Court, or any officer constitutionally designated to perform the  
2 duties herein prescribed.

3 SECTION 4. AMENDATORY 34 O.S. 2021, Section 9, is  
4 amended to read as follows:

5 Section 9. A. When a referendum is ordered by petition of the  
6 people against any measure passed by the Legislature or when any  
7 measure is proposed by initiative petition, whether as an amendment  
8 to the Oklahoma Constitution or as a statute, it shall be the duty  
9 of the parties submitting the measure to prepare and file one copy  
10 of the measure with the Secretary of State and one copy with the  
11 Attorney General.

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

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

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

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

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1       4. Shall not contain euphemisms, words, or phrases regarded in  
2 popular parlance as code words, or an apparent attempt to deceive  
3 voters;

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

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

9       ~~6.~~ 7. Shall not contain language whereby a "yes" vote is, in  
10 fact, a vote against the proposition and a "no" vote is, in fact, a  
11 vote in favor of the proposition; and

12       ~~7.~~ 8. Shall indicate if a proposed measure will have a fiscal  
13 impact on the state and if so, the potential source of funding  
14 including, but not limited to, federal funding or legislative  
15 appropriation which may require imposition of a new tax, increase of  
16 an existing tax, or elimination of existing services.

17       C. When a measure is proposed as a constitutional amendment by  
18 the Legislature or when the Legislature proposes a statute  
19 conditioned upon approval by the people:

20       1. After final passage of a measure, the Secretary of State  
21 shall submit the proposed ballot title to the Attorney General for  
22 review as to legal correctness. Within five (5) business days after  
23 receipt from the Secretary of State, the Attorney General shall, in  
24 writing, notify the Secretary of State, the President Pro Tempore of

1 the Senate, the Speaker of the House of Representatives and the  
2 principal authors of the bill whether or not the proposed ballot  
3 title complies with applicable laws. The Attorney General shall  
4 state with specificity any and all defects found and, if necessary,  
5 within ten (10) business days of determining that the proposed  
6 ballot title is defective, prepare a preliminary ballot title which  
7 complies with the law and furnish a copy of such ballot title to the  
8 Secretary of State, the President Pro Tempore of the Senate, the  
9 Speaker of the House of Representatives and the principal authors of  
10 the bill. The Attorney General may consider any comments made by  
11 the President Pro Tempore of the Senate or the Speaker of the House  
12 of Representatives submitted within five (5) business days of their  
13 being furnished a copy of the preliminary ballot title. The  
14 Attorney General shall respond in writing to the comments and shall  
15 file a final ballot title with the Secretary of State no later than  
16 fifteen (15) business days after furnishing the preliminary ballot  
17 title; and

18 2. After receipt of the measure and the official ballot title,  
19 as certified by the Attorney General, the Secretary of State shall  
20 within five (5) days transmit to the Secretary of the State Election  
21 Board an attested copy of the measure, including the official ballot  
22 title.

23  
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1 D. The following procedure shall apply to ballot titles of  
2 referendums ordered by a petition of the people or any measure  
3 proposed by an initiative petition:

4 1. After the filing of the signed referendum petitions or the  
5 signed initiative petitions, the Secretary of State shall submit the  
6 proposed separate ballot title to the Attorney General for review as  
7 to legal correctness. Within five (5) business days after the  
8 receipt of the ballot title, the Attorney General shall, in writing,  
9 notify the Secretary of State whether or not the proposed ballot  
10 title complies with applicable laws. The Attorney General shall  
11 state with specificity any and all defects found and, if necessary,  
12 within ten (10) business days of determining that the proposed  
13 ballot title is defective, prepare and file a ballot title which  
14 complies with the law; and

15 2. Within ten (10) business days after completion of the review  
16 and, if necessary, the filing of a ballot title in compliance with  
17 law, by the Attorney General, the Secretary of State shall, if no  
18 appeal is filed, transmit to the Secretary of the State Election  
19 Board an attested copy of the measure, including the official ballot  
20 title, and a certification that the requirements of this section  
21 have been met. If an appeal is taken from such ballot title within  
22 the time specified in Section 10 of this title, then the Secretary  
23 of State shall certify to the Secretary of the State Election Board  
24 the ballot title which is finally approved by the Supreme Court.

1 SECTION 5. NEW LAW A new section of law not to be  
2 codified in the Oklahoma Statutes reads as follows:

3 Upon the effective date of this act, the provisions shall be  
4 applicable to all initiative petitions for which the Secretary of  
5 State has not previously set the date for circulation of the  
6 petition for signatures pursuant to subsection E of Section 8 of  
7 Title 34 of the Oklahoma Statutes.

8 SECTION 6. It being immediately necessary for the preservation  
9 of the public peace, health or safety, an emergency is hereby  
10 declared to exist, by reason whereof this act shall take effect and  
11 be in full force from and after its passage and approval.

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