

1 **SENATE FLOOR VERSION**

2 March 4, 2025

3 SENATE BILL NO. 1119

By: Hamilton

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5
6 An Act relating to initiative and referendum;
7 amending 34 O.S. 2021, Section 8, as amended by
8 Section 1, Chapter 364, O.S.L. 2024 (34 O.S. Supp.
9 2024, Section 8), which relates to collection of
10 signatures; imposing certain requirements on persons
11 collecting signatures; requiring display of certain
12 notice; and providing an effective date.

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

14 SECTION 1. AMENDATORY 34 O.S. 2021, Section 8, as
15 amended by Section 1, Chapter 364, O.S.L. 2024 (34 O.S. Supp. 2024,
16 Section 8) is amended to read as follows:

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

1 B. It shall be the duty of the Secretary of State to cause to
2 be published, in at least one newspaper of general circulation in
3 the state, a notice of such filing and the apparent sufficiency or
4 insufficiency of the petition, and shall include notice that any
5 citizen or citizens of the state may file a protest as to the
6 constitutionality of the petition, by a written notice to the
7 Supreme Court and to the proponent or proponents filing the
8 petition. Any such protest must be filed within ninety (90) days
9 after publication. A copy of the protest shall be filed with the
10 Secretary of State.

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

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

23 E. Signature-gathering Deadline for Initiative Petitions. When
24 an initiative petition has been filed in the office of the Secretary

1 of State and all appeals, protests and rehearings have been resolved
2 or the period for such has expired, the Secretary of State shall set
3 the date for circulation of signatures for the petition to begin but
4 in no event shall the date be less than fifteen (15) days nor more
5 than thirty (30) days from the date when all appeals, protests and
6 rehearings have been resolved or have expired. Notification shall
7 be sent to the proponents specifying the date on which circulation
8 of the petition shall begin and that the signatures are due within
9 ninety (90) days of the date set. Any person who circulates the
10 petition to collect signatures shall be a registered voter in this
11 state and shall display a conspicuous notice in any location where
12 the person is collecting signatures whether the person is being paid
13 to circulate the petition and if so, by what person or entity. Each
14 elector shall sign his or her name and legibly print his or her
15 name, birth date and address associated with his or her Oklahoma
16 voter registration record. Any petition not filed in accordance
17 with this provision shall not be considered. The proponents of an
18 initiative petition, any time before the final submission of
19 signatures, may withdraw the initiative petition upon written
20 notification to the Secretary of State.

21 F. Signature-gathering Deadline for Referendum Petitions. All
22 signed signatures supporting a referendum petition shall be filed
23 with the Secretary of State not later than ninety (90) days after
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1 the adjournment of the legislative session in which the measure,
2 which is the subject of the referendum petition, was enacted.

3 G. The proponents of a referendum or an initiative petition may
4 terminate the circulation period any time during the ninety-day
5 circulation period by certifying to the Secretary of State that:

6 1. All signed petitions have already been filed with the
7 Secretary of State;

8 2. No more petitions are in circulation; and

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

10 If the Secretary of State receives such a certification from the
11 proponents, the Secretary of State shall begin the counting and
12 review process.

13 H. When the signed copies of a petition pamphlet are timely
14 filed, the Secretary of State shall file a copy of the proponent's
15 ballot title with the Attorney General and, after conducting a count
16 and review of the filed, signed petition pamphlets, the Secretary of
17 State shall certify to the Supreme Court of the state:

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

20 2. The total number of votes cast for the state office
21 receiving the highest number of votes cast at the last general
22 election.

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1 The Supreme Court shall make the determination of the numerical
2 sufficiency or insufficiency of the signatures counted and reviewed
3 by the Secretary of State.

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

20 J. Upon appeal and if ordered or directed by the Supreme Court,
21 the Secretary of State shall deliver the bound volumes of signatures
22 to the Supreme Court.

23 K. Upon the filing of an objection to the signature count or
24 ballot title, the Supreme Court shall resolve the objection with

1 dispatch. The Supreme Court shall adopt rules to govern proceedings
2 to apply to the challenge of a measure on the grounds that the
3 proponents failed to gather sufficient signatures.

4 L. If in the opinion of the Supreme Court, any objection to the
5 count or protest to the petition is frivolous, the Court may impose
6 appropriate sanctions, including an award of costs and attorneys
7 fees to either party as the Court deems equitable.

8 M. Whenever reference is made in this act to the Supreme Court,
9 such reference shall include the members of the Supreme Court, or
10 any officer constitutionally designated to perform the duties herein
11 prescribed.

12 SECTION 2. This act shall become effective November 1, 2025.

13 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
14 March 4, 2025 - DO PASS
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