

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE JOINT
4 RESOLUTION 1024

By: Lepak

5
6 AS INTRODUCED

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8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment by adding a new
11 Section 27B of Article V of the Oklahoma Constitution
12 and by amending Sections 27 and 27A of Article V of
13 the Constitution of the State of Oklahoma and by
14 amending Section 7 of Article VI of the Oklahoma
15 Constitution; providing for sine die adjournment of
16 certain special sessions convoked on or after
17 designated dates; modifying provisions related to
18 special sessions; providing for authority of Governor
19 to convoke special session after General Election
20 date and prior to organizational date in January;
21 providing for sine die adjournment by operation of
22 law; providing for authority of Legislature to
23 convoke special session after General Election date
24 and prior to organizational date in January;
providing for sine die adjournment by operation of
law; providing for sine die adjournment of special
sessions pursuant to action by legislative chambers;
modifying procedure related to filing of order and
duties imposed upon the Speaker of the Oklahoma House
of Representatives and the President Pro Tempore of
the Oklahoma State Senate; modifying references to
extraordinary sessions; providing ballot title; and
directing filing.

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22 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
23 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:
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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 the Constitution of the State of
4 Oklahoma by adding a new Section 27B to Article V thereof, and by
5 amending Sections 27 and 27A of Article V and Section 7 of Article
6 VI of the Oklahoma Constitution, to read as follows:

7 Section 27B. A. If a special session of the Legislature is
8 convoked by the Governor pursuant to Section 7 of Article VI of the
9 Oklahoma Constitution with a beginning date following the date of
10 the General Election in an even-numbered year, but not later than
11 the next succeeding General Election date, the members of both the
12 Oklahoma House of Representatives and the Oklahoma State Senate
13 serving terms upon the date such special session was convoked by the
14 Governor, or persons subsequently elected to fill a vacancy, shall
15 continue to serve in those capacities until the date upon which new
16 terms of office begin for the members of the Oklahoma House of
17 Representatives and the Oklahoma State Senate following the next
18 succeeding General Election or until such special session is
19 adjourned sine die by action of the two chambers whichever event
20 first occurs. No such special session shall be conducted past the
21 date upon which the new terms of office begin following the next
22 General Election and such special session shall be adjourned sine
23 die by operation of law at midnight of the day preceding the date
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1 upon which the new terms of office begin if not previously adjourned
2 sine die by action of the two chambers.

3 B. If a special session of the Legislature is convoked by the
4 Legislature pursuant to Section 27A of Article V of the Oklahoma
5 Constitution with a beginning date following the date of the General
6 Election in an even-numbered year, but not later than the next
7 succeeding General Election date, the members of both the Oklahoma
8 House of Representatives and the Oklahoma State Senate serving terms
9 upon the date such special session was convoked, or persons
10 subsequently elected to fill a vacancy, shall continue to serve in
11 those capacities until the date upon which new terms of office begin
12 for the members of the Oklahoma House of Representatives and the
13 Oklahoma State Senate following the next succeeding General Election
14 or until such special session is adjourned sine die by action of the
15 two chambers whichever event first occurs. No such special session
16 shall be conducted past the date upon which the new terms of office
17 begin following the next General Election and such special session
18 shall be adjourned sine die by operation of law at midnight of the
19 day preceding the date upon which the new terms of office begin if
20 not previously adjourned sine die by action of the two chambers.

21 C. The Governor may call a special session pursuant to Section
22 7 of Article VI of the Oklahoma Constitution during the time period
23 immediately following a General Election date. If the Governor
24 calls a special session during this period of time, the members of

1 the Oklahoma House of Representatives and the Oklahoma State Senate
2 who were serving the terms to which they had previously been elected
3 shall continue to serve in those capacities during the special
4 session until midnight of the date prior to the date upon which new
5 terms of office begin. Once the new terms of office begin, the
6 newly elected members of the Oklahoma House of Representatives and
7 the Oklahoma State Senate shall be the members of the respective
8 chambers until midnight of the date prior to the organizational date
9 in January as prescribed by Section 26 of Article V of the Oklahoma
10 Constitution at which time the special session shall adjourn sine
11 die by operation of law unless it has been adjourned sine die by
12 action of the chambers.

13 D. The Legislature may convoke a special session pursuant to
14 Section 27A of Article V of the Oklahoma Constitution during the
15 time period immediately following a General Election date, but prior
16 to the organizational date in January prescribed by Section 26 of
17 Article V of the Oklahoma Constitution, and during such period of
18 time, the members of the Oklahoma House of Representatives and the
19 Oklahoma State Senate who were serving the terms to which they had
20 previously been elected shall continue to serve in those capacities
21 during the special session until midnight of the date prior to the
22 date upon which new terms of office begin. Once the new terms of
23 office begin, the newly elected members of the Oklahoma House of
24 Representatives and the Oklahoma State Senate shall be the members

1 of the respective chambers until midnight of the date prior to the
2 organizational date in January as prescribed by Section 26 of
3 Article V of the Oklahoma Constitution at which time the special
4 session shall adjourn sine die by operation of law unless it has
5 been adjourned sine die by action of the chambers.

6 E. If a special session is convoked by the Legislature pursuant
7 to Section 27A of Article V during the period of time immediately
8 following the General Election date but prior to the organizational
9 date in January prescribed by Section 26 of Article V of the
10 Constitution, the order to convene the session shall not require the
11 signature of the Speaker of the Oklahoma House of Representatives or
12 the President Pro Tempore of the Oklahoma State Senate. The clerk
13 of each respective chamber shall verify that the required signatures
14 of two-thirds (2/3) of those persons elected to and constituting
15 each chamber have been obtained and shall memorialize the relevant
16 facts in a document filed with the respective clerk of each chamber.
17 Upon the filing of such document, the special session shall commence
18 at the date and at the time specified in the call signed by the
19 required number of members. Such special session shall be adjourned
20 sine die by operation of law at midnight on the date preceding the
21 organizational date in January as prescribed by Section 26 of
22 Article V of the Oklahoma Constitution unless it has been adjourned
23 sine die by action of the chambers.

1 Section 27. The Legislature shall hold regular annual sessions
2 as herein provided, but this shall not prevent the calling of
3 special sessions of the Legislature by the Governor. Any such
4 special session shall be subject to the provisions of Section 27B of
5 Article V of the Oklahoma Constitution.

6 Section 27A. (1) The Legislature may be called into special
7 session by a written call for such purposes as may be specifically
8 set out in the call, signed by two-thirds (2/3) of the members of
9 the Senate and two-thirds (2/3) of the members of the House of
10 Representatives when it is filed with the President Pro Tempore of
11 the Senate and the Speaker of the House of Representatives who,
12 except as provided by Section 27B of Article V of the Constitution,
13 shall issue jointly an order for the convening of the special
14 session.

15 (2) Nothing in this section shall prevent the calling of a
16 special session of the Legislature by the Governor, as provided by
17 the Constitution of the State of Oklahoma. Any such special session
18 shall be subject to the provisions of Section 27B of Article V of
19 the Oklahoma Constitution.

20 Section 7. The Governor shall have power to convoke the
21 Legislature, or the Senate only, on extraordinary occasions. At
22 ~~extraordinary~~ such special sessions, no subject shall be acted upon,
23 except such as the Governor may recommend for consideration. Any
24 special session convoked pursuant to the provisions of this section

1 shall be subject to the provisions of Section 27B of Article V of
2 the Oklahoma Constitution.

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

6 BALLOT TITLE
7 Legislative Referendum No. _____ State Question No. _____

8 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

9 It amends provisions of the Constitution which relate to special
10 sessions of the Legislature. The Constitution does not state
11 when a special session must end. This measure would require any
12 type of special session to end on a certain date. The terms of
13 legislators do not begin until the fifteenth day after a General
14 Election. In that period, the people who held office previously
15 are still the elected lawmakers for that Legislature. If a
16 special session was not already complete, this measure would
17 require it to end on the date prior to the date the new
18 legislative terms of office begin. This would be the same
19 whether the special session had been called by the Governor or
20 by the Legislature. If the Governor called a special session
21 after a General Election but before the date in January for
22 organizing a new Legislature, that special session would be
23 required to end on the date before the organizational date in
24 January. If the Legislature called a special session after a

1 General Election but before the date in January for organizing a
2 new Legislature, that special session would also be required to
3 end on the date before the organizational date in January.

4 SHALL THE PROPOSAL BE APPROVED?

5 FOR THE PROPOSAL - YES _____

6 AGAINST THE PROPOSAL - NO _____

7 SECTION 3. The Chief Clerk of the House of Representatives,
8 immediately after the passage of this resolution, shall prepare and
9 file one copy thereof, including the Ballot Title set forth in
10 SECTION 2 hereof, with the Secretary of State and one copy with the
11 Attorney General.

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