

1 STATE OF OKLAHOMA

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

3 SENATE JOINT
4 RESOLUTION 1

By: Floyd

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6
7 AS INTRODUCED

8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to Section 23 of
11 Article V of the Oklahoma Constitution; modifying
12 activity prohibited for members of Legislature;
13 deleting restrictions on activity after term served;
14 specifying activity not prohibited; authorizing
15 Legislature to enact implementing legislation;
16 providing ballot title; and directing filing.

17 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
18 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

19 SECTION 1. The Secretary of State shall refer to the people for
20 their approval or rejection, as and in the manner provided by law,
21 the following proposed amendment to Section 23 of Article V of the
22 Oklahoma Constitution to read as follows:

23 Section 23. ~~No~~ A. Except as otherwise provided in this section
24 or in the Oklahoma Constitution, no member of the Legislature shall,
25 ~~during the term for which he was elected,~~.

1 1. During the term for which he or she was elected, be
2 appointed or elected to any office or commission in the State, ~~which~~
3 ~~shall have been created, or the emoluments of which shall have been~~
4 ~~increased, during his term of office, nor shall any member;~~ or

5 2. During the term for which he or she was elected, receive any
6 appointment from the Governor, the Governor and Senate, or from the
7 Legislature, ~~during the term for which he shall have been elected,~~
8 ~~nor shall any member, during;~~ or

9 3. During the term for which he shall have been or she was
10 elected, or within two years thereafter, be interested, directly or
11 indirectly, in any contract with the State, or any county or other
12 subdivision thereof, ~~authorized by law passed during the term for~~
13 ~~which he shall have been elected.~~

14 B. The provisions of this section shall not operate to:

15 1. Prohibit a member of the Legislature from serving as an
16 employee of a school district, technology center school district or
17 The Oklahoma State System of Higher Education during his or her term
18 of office, in a position for which he or she possesses
19 qualifications unrelated to service as a member of the Legislature;
20 or

21 2. Prohibit a member of the Legislature from being appointed as
22 a member of a legislative committee or to any other position held as
23 a member of the Legislature.

1 Provided further, neither the provisions of paragraph 3 of
2 subsection A of this section, nor any other provision of law, shall
3 operate to prohibit a former member of the Legislature from
4 returning to the profession or business that he or she practiced
5 prior to being elected.

6 C. The Legislature is authorized to enact laws necessary to
7 further implement the provisions of this section.

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

11 BALLOT TITLE

12 Legislative Referendum No. _____ State Question No. _____

13 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

14 This measure amends Section 23 of Article 5 of the Oklahoma
15 Constitution. This section prohibits members of the Legislature
16 from engaging in certain activities during the term for which
17 elected and, in some cases, for two years afterwards. This
18 measure would change these prohibitions. Prohibited activity
19 would include being appointed or elected to any office or
20 commission in the state during the term, receiving any
21 appointment from the Governor, the Governor and Senate or the
22 Legislature during the term, or being interested in any contract
23 with the state or a political subdivision during the term.

24 These provisions would not prohibit an employee of a school

1 district, a technology center school district or The Oklahoma
2 State System of Higher Education from continuing to serve during
3 the term, or prohibit an appointment to a legislative committee
4 or other legislative position. They would also not prohibit a
5 former member from returning to his or her profession or
6 business. The Legislature could enact laws to implement these
7 provisions.

8 SHALL THE PROPOSAL BE APPROVED?

9 FOR THE PROPOSAL - YES _____

10 AGAINST THE PROPOSAL - NO _____

11 SECTION 3. The President Pro Tempore of the Senate shall,
12 immediately after the passage of this resolution, prepare and file
13 one copy thereof, including the Ballot Title set forth in SECTION 2
14 hereof, with the Secretary of State and one copy with the Attorney
15 General.

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