

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE JOINT  
RESOLUTION 18

By: Dahm

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the repeal of Section 3 of Article VII-B, which relates to the Judicial Nominating Commission, and the proposed amendment to Section 4 of Article VII-B of the Oklahoma Constitution; modifying certain appointment procedure; requiring Senate confirmation of certain judicial appointments; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 59TH OKLAHOMA LEGISLATURE:

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

Section 4. When a vacancy in any Judicial Office, however arising, occurs or is certain to occur, ~~the Judicial Nominating Commission shall choose and submit to the Governor and the Chief Justice of the Supreme Court three (3) nominees, each of whom has~~

1 ~~previously notified the Commission in writing that he will serve as~~  
2 ~~a Judicial Officer if appointed. The the Governor shall appoint one~~  
3 ~~(1) of the nominees~~ a nominee to fill the vacancy, ~~but if he fails~~  
4 ~~to do so within sixty (60) days the Chief Justice of the Supreme~~  
5 ~~Court shall appoint one (1) of the nominees,~~ the appointment to be  
6 certified by the Secretary of State and to be confirmed by the  
7 Senate. If the Senate is not in session when an appointment is  
8 made, the Governor may call the Senate into special session no more  
9 than once per quarter to advise and consent on any such appointment.

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

13 BALLOT TITLE

14 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

15 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

16 This measure would amend Article 7-B of the Oklahoma  
17 Constitution. The measure would repeal Section 3 of Article 7-B  
18 which created the Judicial Nominating Commission. The measure  
19 would amend Section 4 of Article 7-B to establish a process for  
20 appointing Supreme Court justices and Court of Criminal Appeals  
21 judges. The Governor will appoint new judges and justices,  
22 subject to confirmation by the Senate. Appellate judges will  
23 stand for retention elections every 6 years as they do under  
24 current law.

1 SHALL THE PROPOSAL BE APPROVED?

2 FOR THE PROPOSAL - YES \_\_\_\_\_

3 AGAINST THE PROPOSAL - NO \_\_\_\_\_

4 SECTION 3. The President Pro Tempore of the Senate shall,  
5 immediately after the passage of this resolution, prepare and file  
6 one copy thereof, including the Ballot Title set forth in SECTION 2  
7 hereof, with the Secretary of State and one copy with the Attorney  
8 General.

9  
10 59-1-1172 TEK 1/19/2023 3:11:00 PM