

1 STATE OF OKLAHOMA

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

3 SENATE JOINT
4 RESOLUTION 2

By: Bullard

5
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State
8 to refer to the people for their approval or
9 rejection a proposed amendment to Section 4 of
10 Article VII-B of the Oklahoma Constitution; modifying
11 selection process for a vacancy in judicial office;
12 requiring that certain information remains
13 confidential; requiring certain merit ranking;
14 requiring Senate confirmation; providing ballot
15 title; and directing filing.

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

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

22 Section 4. When a vacancy in any Judicial Office, however
23 arising, occurs or is certain to occur, the Judicial Nominating
24 Commission shall ~~choose~~ determine that all constitutional and
statutory qualifications for office are met, investigate criminal
and financial backgrounds and submit to the Governor and the Chief

1 Justice of the Supreme Court ~~three (3) nominees~~ a list of all
2 applicants, each of whom has previously notified the Commission in
3 writing that he or she will serve as a Judicial Officer if
4 appointed. At the time of submission of the list of applicants to
5 the Governor and the Chief Justice of the Supreme Court, the
6 Commission shall include with the list a merit score for each
7 applicant of one (1) through ten (10) with ten (10) being the
8 highest score. Scores shall remain confidential information
9 available only as necessary for purposes of appointment and
10 confirmation. The Governor or the Chief Justice of the Supreme
11 Court may request from the Commission additional information or
12 documentation for any applicant regarding any applicant's merit
13 score. The Governor shall appoint one (1) of the ~~nominees~~
14 applicants to fill the vacancy, but if he or she fails to do so
15 within sixty (60) days, the Chief Justice of the Supreme Court shall
16 appoint one (1) of the ~~nominees~~, ~~the appointment to be~~ applicants.
17 Any appointment to Judicial Office shall be subject to the advice
18 and consent of the Senate. The appointment and confirmation shall
19 be certified by the Secretary of State.

20 SECTION 2. The Ballot Title for the proposed Constitutional
21 amendment as set forth in SECTION 1 of this resolution shall be in
22 the following form:
23
24
25

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Section 4 of Article 7-B of the Oklahoma Constitution. This measure changes the selection process for filling vacancies for the Supreme Court and Court of Criminal Appeals. The change in selection of justices and judges would require the Judicial Nominating Commission to submit to the Governor a list of all applicants for the office. The Commission shall also include a merit ranking. The Governor would select one of the applicants. The selection would have to be confirmed by the Senate.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

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

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