

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE JOINT
4 RESOLUTION 44

By: Jett

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 1 of
10 Article VIII of the Oklahoma Constitution; making
11 district attorneys subject to impeachment
12 proceedings; updating language; making language
13 gender neutral; providing ballot title; and directing
14 filing.

15 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
16 2ND SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

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

21 Section 1. The Governor, and other elective state officers, ~~and~~
22 including the Justices of the Supreme Court, and district attorneys
23 shall be liable and subject to impeachment for ~~wilful~~ willful
24 neglect of duty, corruption in office, habitual drunkenness,
incompetency, or any offense involving moral turpitude committed
while in office. All elected state officers, ~~and~~ including Justices of

1 the Supreme Court and Judges of the Court of Criminal Appeals, and
2 district attorneys shall be automatically suspended from office upon
3 their being declared guilty of a felony by a court of competent
4 jurisdiction and their pay and allowances, otherwise payable to such
5 official, shall be withheld during the period of such suspension.

6 In the event such verdict of guilty is reversed by a court of
7 competent jurisdiction on appeal, such accumulated pay and
8 allowances which have been withheld shall be paid to such official
9 and he or she shall be automatically reinstated in office to serve
10 the remaining part of the term for which he or she was elected.

11 Such official shall not be entitled to any pay or allowances for a
12 period of time after the term of office would otherwise have expired
13 and he or she shall not be entitled to reinstatement in office after
14 the expiration of the term for which he or she was elected.

15 Whenever any Justice of the Supreme Court or Judge of the Court of
16 Criminal Appeals is suspended by reasons of this section, the
17 Governor shall be authorized to appoint a temporary Justice or Judge
18 to serve during the period of such suspension and such temporary
19 Justice or Judge shall be paid for his or her services the
20 compensation allowed for such regular Justice or Judge.

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

24 BALLOT TITLE
25

1 Legislative Referendum No. _____ State Question No. _____

2 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

3 This measure will amend Section 1 of Article 8 of the Oklahoma
4 Constitution. The measure will make district attorneys subject
5 to impeachment proceedings for criminal conduct while in office.

6 SHALL THE PROPOSAL BE APPROVED?

7 FOR THE PROPOSAL - YES _____

8 AGAINST THE PROPOSAL - NO _____

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

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