

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   COMMITTEE SUBSTITUTE  
5                   FOR  
6                   HOUSE JOINT  
7                   RESOLUTION NO. 1024

8                   By: Moore and **Harris** of the  
9                   House

10                  and

11                  **Gollihare** of the Senate

12                  COMMITTEE SUBSTITUTE

13                  A Joint Resolution directing the Secretary of State  
14                  to refer to the people for their approval or  
15                  rejection a proposed amendment to Section 3 of  
16                  Article VII-B of the Constitution of the State of  
17                  Oklahoma; updating references to congressional  
18                  districts; modifying provisions related to terms of  
19                  office; removing restrictions based on membership in  
20                  political party; removing restrictions based upon  
21                  status as licensed attorney; removing restriction  
22                  based upon status of family members as licensed  
23                  attorneys; removing restriction related to succession  
24                  in office; prescribing procedures related to changes  
                      in congressional districts; providing for  
                      applicability of amendatory provisions; providing  
                      ballot title; and directing filing.

25                  BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
26                  1ST SESSION OF THE 60TH OKLAHOMA LEGISLATURE:

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 Section 3 of Article VII-B of  
4 the Constitution of the State of Oklahoma to read as follows:

5 Section 3. (a) There is established as a part of the Judicial  
6 Department a Judicial Nominating Commission of fifteen (15) members,  
7 to consist of:

8 (1) six members to be appointed by the Governor, which shall  
9 include at least one from each congressional district ~~established by~~  
10 ~~the Statutes of Oklahoma and existing at the date of the adoption of~~  
11 ~~this Article, none of whom shall be admitted to practice law in the~~  
12 ~~State of Oklahoma or have any immediate family member who has been~~  
13 ~~admitted to the practice of law in the State of Oklahoma or any~~  
14 ~~other state as such congressional districts exist as of the date of~~  
15 ~~the appointment. Each member appointed pursuant to the provisions~~  
16 ~~of this paragraph shall serve a term of six (6) years;~~

17 (2) six members, which shall include at least one from each  
18 congressional district ~~established by the Statutes of Oklahoma and~~  
19 ~~existing at the date of the adoption of this Article as such~~  
20 ~~congressional districts exist as of the date of the selection who~~  
21 ~~are, however, members of the Oklahoma Bar Association and who have~~  
22 ~~been elected by the other active members of their district under~~  
23 ~~procedures adopted by the Board of Governors of the Oklahoma Bar~~  
24 ~~Association, until changed by statute. Each member appointed~~

1 | pursuant to the provisions of this paragraph shall serve a term of  
2 | six (6) years; and

3 | (3) three members at large ~~who shall not have been admitted to~~  
4 | ~~the practice of law in the State of Oklahoma or any other state or~~  
5 | ~~have any immediate family member who has been admitted to the~~  
6 | ~~practice of law in the State of Oklahoma or any other state but who~~  
7 | each of whom shall be a resident of the State of Oklahoma, one to be  
8 | selected by not less than eight members of the Nominating  
9 | Commission. In the event eight members of the Commission cannot  
10 | agree upon the member at large within thirty (30) days of the  
11 | initial organization of the Commission or within thirty (30) days of  
12 | a vacancy in the member at large position, the Governor shall make  
13 | the appointment of the member at large; one to be selected by the  
14 | President Pro Tempore of the Senate; and one to be selected by the  
15 | Speaker of the House of Representatives. ~~No more than two members~~  
16 | ~~at large shall belong to any one political party. Each member~~  
17 | appointed pursuant to the provisions of this paragraph shall serve a  
18 | term of two (2) years.

19 | (b) The Commission shall elect one of its members to serve as  
20 | chair for a term of one (1) year.

21 | (c) ~~The six lay members of the Commission who are appointed by~~  
22 | ~~the Governor shall be appointed within ninety (90) days from the~~  
23 | ~~date that this Article becomes effective. Two members shall be~~  
24 | ~~appointed for a term of two (2) years, two members for a term of~~

1    ~~four (4) years, and two members for a term of six (6) years. The~~  
2    ~~Oklahoma Bar Association shall hold its election and certify to the~~  
3    ~~Secretary of State its members within ninety (90) days from the~~  
4    ~~effective date of this Article, two of whom shall be elected for a~~  
5    ~~term of two (2) years, two for a term of four (4) years, and two for~~  
6    ~~a term of six (6) years.~~ Thereafter all All of the members of the  
7    Commission, whether elected or appointed, shall serve for a term of  
8    six (6) years, except that the member at large shall serve for a  
9    term of two (2) years.

10      ~~(b)~~ (d) Vacancies arising during the term of any ~~law~~  
11     commissioner, other than the member at large, shall be filled by  
12     appointment by the Governor for the remainder of his or her term.  
13     Vacancies ~~of any lawyer commissioner in positions elected pursuant~~  
14     to the procedures established by the Oklahoma Bar Association shall  
15     be filled by the Board of Governors of the Oklahoma Bar Association  
16     for the remainder of ~~his or her~~ the applicable term.

17      ~~(e)~~ (e) In the event of vacancy in any of the member at large  
18     position positions, the said vacancy shall be filled in the same  
19     manner as the original selection.

20      ~~(d)~~ (d) Of those Commissioners named by the Governor, not more than  
21     three shall belong to any one political party.

22      ~~(e)~~ (f) The concurrence of the majority of Commissioners in  
23     office at the time shall be sufficient to decide any question,  
24     unless otherwise provided herein. The Commission shall have

1 jurisdiction to determine whether the qualifications of nominees to  
2 hold Judicial Office have been met and to determine the existence of  
3 vacancies on the Commission.

4 ~~(f)~~ (g) No Commissioner, while a member of the Commission,  
5 shall hold any other public office by election or appointment or any  
6 official position in a political party and he or she shall not be  
7 eligible, while a member of the Commission and for five (5) years  
8 thereafter, for nomination as a Judicial Officer.

9 ~~(g)~~ (h) Commissioners shall serve without compensation but the  
10 Legislature shall provide funds to reimburse them for their  
11 necessary travel and lodging expenses while performing their duties  
12 as such Commissioners.

13 ~~(h) No Commissioner shall be permitted to succeed himself or~~  
14 ~~herself~~ No Commissioner shall serve more than twelve (12)  
15 consecutive years, whether elected or appointed.

16 (i) As used herein, the words "Oklahoma Bar Association" shall  
17 include any successor thereof and any future form of the organized  
18 Bar of this state.

19 (j) The modifications to the provisions of this section  
20 pursuant to Enrolled House Joint Resolution No. 1024 of the 1st  
21 Session of the 60th Oklahoma Legislature shall be applicable to any  
22 position on the Judicial Nominating Commission that ends by  
23 expiration of the term of office or by vacancy.

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

BALLOT TITLE

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

6 | THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Section 3 of Article 7-B of the Oklahoma Constitution. It changes provisions related to the Judicial Nominating Commission. It updates references so appointments made by certain persons based on the congressional districts would be made using the current congressional districts instead of the districts as the districts were constituted when this section of the Constitution was originally adopted in 1967. It removes a prohibition on certain members of the Commission so that the person could be a licensed attorney. It allows a person to serve on the Commission even if they have a member of their family who is a licensed attorney. It changes the terms so that with the exception of at-large members, the term would be for six (6) years. The at-large members would serve a two-year term. It removes restrictions based on political party membership. It removes a provision that prohibits a Commission member from succeeding himself or herself on the Commission. It provides that the changes in the way people are appointed or selected for membership on the Judicial Nominating Commission

1 will apply to positions as they become vacant because an  
2 existing term of office expires or because of a vacancy.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL — YES \_\_\_\_\_

5 AGAINST THE PROPOSAL — NO \_\_\_\_\_

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

11  
12 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/05/2025 - DO PASS,  
As Amended and Coauthored.  
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