

# An Act

ENROLLED SENATE  
BILL NO. 1027

By: Bullard, Paxton, Jett,  
McIntosh, Deever,  
Grellner, Hines, Hamilton,  
Prieto, Alvord, Gillespie,  
Stewart, Pederson,  
Bergstrom, and Burns of the  
Senate

and

Hilbert, West (Kevin),  
Adams, Steagall, Moore,  
Townley, Duel, Turner,  
Burns, and Maynard of the  
House

An Act relating to initiative and referendum; amending 34 O.S. 2021, Sections 3, 6, 8, as amended by Section 1, Chapter 364, O.S.L. 2024, and 9 (34 O.S. Supp. 2024, Section 8), which relate to signatures for petitions and ballot title; making language gender neutral; establishing requirements for gist of proposition; requiring inclusion of certain statement on petition; requiring Secretary of State to make affirmation about certain language; authorizing certain removal for violation; adding qualification for persons circulating petition for signatures; requiring certain notice; providing that signature serves as certain attestation; requiring Secretary of State to establish procedures for removal of certain signatures; requiring certain disclosures; establishing requirements for certain contributions or compensation; requiring report of certain expenditures; requiring publication of certain reports on Secretary of State website; modifying requirements for certain signatures; updating certain vote requirement; updating statutory reference; adding requirement for ballot title; updating statutory language; specifying applicability

of provisions; providing for severability; providing for codification; providing for noncodification; and declaring an emergency.

SUBJECT: Initiative and referendum

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 34 O.S. 2021, Section 3, is amended to read as follows:

Section 3. A. Each initiative petition and each referendum petition shall be duplicated for the securing of signatures. The Secretary of State shall design a form, subject to change, for signatures that shall be used by proponents of initiatives or referendums when collecting signatures, and each sheet for signatures shall be attached to a copy of the petition. Each copy of the petition and sheets for signatures is hereinafter termed a pamphlet. On the outer page of each pamphlet shall be printed the word "Warning", and underneath this in ten-point type the words, "It is a felony for anyone to sign an initiative or referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or she is not a legal voter of this state." A simple statement of the gist of the proposition shall be printed on the top margin of each signature sheet and shall:

1. Explain in basic words, which can be easily found in dictionaries of general usage, the effect of the proposition;
2. Not contain any words which have a special meaning for a particular profession or trade not commonly known to the citizens of this state;
3. Not contain euphemisms, words, or phrases regarded in popular parlance as code words, or an apparent attempt to deceive voters;
4. Not reflect partiality in its composition or contain any argument for or against the measure; and

5. Indicate whether a proposed measure will have a fiscal impact on the state and if so, the potential source of funding including, but not limited to, federal funding or legislative appropriation which may require imposition of a new tax, increase of an existing tax, or elimination of existing services.

B. A statement shall be printed under the gist of the proposition that provides notice that a copy of the petition and all signatures on such petition are public records subject to the Oklahoma Open Records Act.

C. The Secretary of State shall affirm that any gist conforms with the requirements of this section. The Secretary may remove any gist that violates the requirements of this section and direct the proponents of the petition to submit a gist that complies with all the requirements of this section.

SECTION 2. AMENDATORY 34 O.S. 2021, Section 6, is amended to read as follows:

Section 6. Any person who circulates a sheet of said the petition shall be a registered voter of this state and shall verify the signatures included on any signature sheets he or she circulates by executing his or her affidavit thereon and as a part thereof. The Secretary of State shall cause to be affixed onto the back of the signature form an affidavit, subject to change, for the circulator to verify the signatures.

State of Oklahoma, )

) ss.

County of \_\_\_\_\_ )

I, \_\_\_\_\_, being first duly sworn, say: That I am at least eighteen (18) years old, a registered voter of this state, and that all signatures on the signature sheet were signed in my presence; I believe that each has stated his or her name, mailing address, county of residence, and date of birth associated with his or her Oklahoma voter registration record, and that each signer is a legal voter of the State of Oklahoma and county of \_\_\_\_\_ or of the city

of \_\_\_\_\_ (as the case may be). (Signature and complete address of affiant.)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_.

(Signature and title of the Oklahoma notarial officer before whom oath is made, and his or her complete address, commission number and expiration date, and official Oklahoma notary public seal.)

SECTION 3. AMENDATORY 34 O.S. 2021, Section 8, as amended by Section 1, Chapter 364, O.S.L. 2024 (34 O.S. Supp. 2024, Section 8), is amended to read as follows:

Section 8. A. When a citizen or citizens desire to circulate a petition initiating a proposition of any nature, whether to become a statute law or an amendment to the Oklahoma Constitution, or for the purpose of invoking a referendum upon legislative enactments, such citizen or citizens shall, when such petition is prepared, and before the same is circulated or signed by electors, file a true and exact copy of same in the office of the Secretary of State and shall at the same time file a separate ballot title, which shall not be part of or printed on the petition.

B. It shall be the duty of the Secretary of State to cause to be published, in at least one newspaper of general circulation in the state, a notice of such filing and the apparent sufficiency or insufficiency of the petition, and shall include notice that any citizen or citizens of the state may file a protest as to the constitutionality of the petition, by a written notice to the Supreme Court and to the proponent or proponents filing the petition. Any such protest must shall be filed within ninety (90) days after publication. A copy of the protest shall be filed with the Secretary of State.

C. Upon the filing of a protest to the petition, the Supreme Court shall then fix a day, not less than ten (10) business days thereafter, at which time it will hear testimony and arguments for and against the sufficiency of such petition.

D. A protest filed by anyone hereunder may, if abandoned by the party filing same, be revived within five (5) business days by any other citizen. After such hearing the Supreme Court shall decide whether such petition is in the form required by the statutes. If the Court is at the time adjourned, the Chief Justice shall immediately convene the same for such hearing. No objection to the sufficiency shall be considered unless it has been made and filed as herein provided.

E. Signature-gathering Deadline for Initiative Petitions. When an initiative petition has been filed in the office of the Secretary of State and all appeals, protests, and rehearings have been resolved or the period for such has expired, the Secretary of State shall set the date for circulation of signatures for the petition to begin but in no event shall the date be less than fifteen (15) days nor more than thirty (30) days from the date when all appeals, protests, and rehearings have been resolved or have expired. Notification shall be sent to the proponents specifying the date on which circulation of the petition shall begin and that the signatures are due within ninety (90) days of the date set. Any person who circulates the petition to collect signatures shall be a registered voter in this state and shall display a conspicuous notice in any location where the person is collecting signatures whether the person is being paid to circulate the petition and if so, by what person or entity. Each elector shall sign his or her name and legibly print his or her name, birth date and, address, and county of residence associated with his or her Oklahoma voter registration record. An elector's signature shall serve as an attestation that the elector read the gist in full or that the person who solicited the elector's signature read the gist in full to the elector. The Secretary of State shall establish procedures by which an elector can request to have his or her signature removed from the petition. Any petition not filed in accordance with this provision shall not be considered. The proponents of an initiative petition, any time before the final submission of signatures, may withdraw the initiative petition upon written notification to the Secretary of State.

F. Signature-gathering Deadline for Referendum Petitions. All signed signatures supporting a referendum petition shall be filed with the Secretary of State not later than ninety (90) days after

the adjournment of the legislative session in which the measure, which is the subject of the referendum petition, was enacted.

G. 1. Any person who circulates the petition to collect signatures shall disclose to the Secretary of State any employer or entity that is compensating the person for the circulation of the petition. No compensation shall be based on number of signatures collected, number of signature sheets submitted, or any other similar incentives. No person or entity who does not reside or do business in this state shall contribute to or compensate a person for circulation of a petition. Any person or entity that employs a person for circulation of a petition shall follow federal labor standards; and

2. Any person or entity expending funds on the circulation of a petition shall submit a weekly report to the Secretary of State that details such expenditures and that attests that all donated funds were received from sources in this state. The Secretary of State shall publish such reports on the Secretary's website until the vote on the measure has occurred.

H. 1. The total number of signatures collected to meet the requirements for an initiative petition or referendum petition, amending the Oklahoma Statutes, from a single county shall not exceed eleven and five-tenths percent (11.5%) of the number of votes cast in that county during the most recent statewide general election for Governor. The State Election Board shall determine the number of votes cast in each county; and

2. The total number of signatures collected to meet the requirements for an initiative petition or referendum petition, amending the Oklahoma Constitution, from a single county shall not exceed twenty and eight-tenths percent (20.8%) of the number of votes cast in that county during the most recent statewide general election for Governor. The State Election Board shall determine the number of votes cast in each county.

I. The proponents of a referendum or an initiative petition may terminate the circulation period any time during the ninety-day circulation period by certifying to the Secretary of State that:

1. All signed petitions have already been filed with the Secretary of State;
2. No more petitions are in circulation; and
3. The proponents will not circulate any more petitions.

If the Secretary of State receives such a certification from the proponents, the Secretary of State shall begin the counting and review process.

H. J. When the signed copies of a petition pamphlet are timely filed, the Secretary of State shall file a copy of the proponent's ballot title with the Attorney General and, after conducting a count and review of the filed, signed petition pamphlets, the Secretary of State shall certify to the Supreme Court of the state:

1. The total number of signatures counted pursuant to procedures set forth in this title; and
2. The total number of votes cast for the ~~state office receiving the highest number of votes cast~~ Governor at the last general election.

The Supreme Court shall make the determination of the numerical sufficiency or insufficiency of the signatures counted and reviewed by the Secretary of State.

I. K. Upon order of the Supreme Court it shall be the duty of the Secretary of State to forthwith cause to be published, in at least one newspaper of general circulation in the state, a notice of the filing of the signed petitions and the apparent sufficiency or insufficiency thereof, and shall also publish the text of the ballot title as reviewed and approved or, if applicable, as rewritten by the Attorney General pursuant to the provisions of subsection D of Section 9 of this title and notice that any citizen or citizens of the state may file an objection to the count made by the Secretary of State, by a written notice to the Supreme Court and to the proponent or proponents filing the petition. Any such objection must shall be filed within ninety (90) days after publication and must shall relate only to the validity or number of the signatures or a challenge to the ballot title. A copy of the objection to the

count or ballot title shall be filed with the Supreme Court, the Attorney General, and the Secretary of State.

J. L. Upon appeal and if ordered or directed by the Supreme Court, the Secretary of State shall deliver the bound volumes of signatures to the Supreme Court.

K. M. Upon the filing of an objection to the signature count or ballot title, the Supreme Court shall resolve the objection with dispatch. The Supreme Court shall adopt rules to govern proceedings to apply to the challenge of a measure on the grounds that the proponents failed to gather sufficient signatures.

L. N. If in the opinion of the Supreme Court, any objection to the count or protest to the petition is frivolous, the Court may impose appropriate sanctions, including an award of costs and attorneys attorney fees to either party as the Court deems equitable.

M. O. Whenever reference is made in this act to the Supreme Court, such reference shall include the members of the Supreme Court, or any officer constitutionally designated to perform the duties herein prescribed.

SECTION 4. AMENDATORY 34 O.S. 2021, Section 9, is amended to read as follows:

Section 9. A. When a referendum is ordered by petition of the people against any measure passed by the Legislature or when any measure is proposed by initiative petition, whether as an amendment to the Oklahoma Constitution or as a statute, it shall be the duty of the parties submitting the measure to prepare and file one copy of the measure with the Secretary of State and one copy with the Attorney General.

B. The parties submitting the measure shall also submit a suggested ballot title to the Secretary of State which shall be filed on a separate sheet of paper and shall not be part of or printed on the petition. The suggested ballot title:

1. Shall not exceed two hundred words, or three hundred words if the proposed measure will have a fiscal impact on the state;

2. Shall explain in basic words, which can be easily found in dictionaries of general usage, the effect of the proposition;

3. Shall not contain any words which have a special meaning for a particular profession or trade not commonly known to the citizens of this state;

4. Shall not contain euphemisms, words, or phrases regarded in popular parlance as code words, or an apparent attempt to deceive voters;

5. Shall not reflect partiality in its composition or contain any argument for or against the measure;

5. 6. Shall contain language which clearly states that a "yes" vote is a vote in favor of the proposition and a "no" vote is a vote against the proposition;

6. 7. Shall not contain language whereby a "yes" vote is, in fact, a vote against the proposition and a "no" vote is, in fact, a vote in favor of the proposition; and

7. 8. Shall indicate if a proposed measure will have a fiscal impact on the state and if so, the potential source of funding including, but not limited to, federal funding or legislative appropriation which may require imposition of a new tax, increase of an existing tax, or elimination of existing services.

C. When a measure is proposed as a constitutional amendment by the Legislature or when the Legislature proposes a statute conditioned upon approval by the people:

1. After final passage of a measure, the Secretary of State shall submit the proposed ballot title to the Attorney General for review as to legal correctness. Within five (5) business days after receipt from the Secretary of State, the Attorney General shall, in writing, notify the Secretary of State, the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the principal authors of the bill whether or not the proposed ballot title complies with applicable laws. The Attorney General shall state with specificity any and all defects found and, if necessary,

within ten (10) business days of determining that the proposed ballot title is defective, prepare a preliminary ballot title which complies with the law and furnish a copy of such ballot title to the Secretary of State, the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the principal authors of the bill. The Attorney General may consider any comments made by the President Pro Tempore of the Senate or the Speaker of the House of Representatives submitted within five (5) business days of their being furnished a copy of the preliminary ballot title. The Attorney General shall respond in writing to the comments and shall file a final ballot title with the Secretary of State no later than fifteen (15) business days after furnishing the preliminary ballot title; and

2. After receipt of the measure and the official ballot title, as certified by the Attorney General, the Secretary of State shall within five (5) days transmit to the Secretary of the State Election Board an attested copy of the measure, including the official ballot title.

D. The following procedure shall apply to ballot titles of referendums ordered by a petition of the people or any measure proposed by an initiative petition:

1. After the filing of the signed referendum petitions or the signed initiative petitions, the Secretary of State shall submit the proposed separate ballot title to the Attorney General for review as to legal correctness. Within five (5) business days after the receipt of the ballot title, the Attorney General shall, in writing, notify the Secretary of State whether or not the proposed ballot title complies with applicable laws. The Attorney General shall state with specificity any and all defects found and, if necessary, within ten (10) business days of determining that the proposed ballot title is defective, prepare and file a ballot title which complies with the law; and

2. Within ten (10) business days after completion of the review and, if necessary, the filing of a ballot title in compliance with law, by the Attorney General, the Secretary of State shall, if no appeal is filed, transmit to the Secretary of the State Election Board an attested copy of the measure, including the official ballot title, and a certification that the requirements of this section

have been met. If an appeal is taken from such ballot title within the time specified in Section 10 of this title, then the Secretary of State shall certify to the Secretary of the State Election Board the ballot title which is finally approved by the Supreme Court.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 28 of Title 34, unless there is created a duplication in numbering, reads as follows:

The provisions of this act shall be severable and if any section, subsection, sentence, or clause of this act is for any reason held to be invalid such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

Upon the effective date of this act, the provisions shall be applicable to all initiative petitions for which the Secretary of State has not previously set the date for circulation of the petition for signatures pursuant to subsection E of Section 8 of Title 34 of the Oklahoma Statutes.

SECTION 7. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 21st day of May, 2025.

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Presiding Officer of the Senate

Passed the House of Representatives the 7th day of May, 2025.

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Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. M.  
By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. M.

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Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. M.  
By: \_\_\_\_\_