

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
FOR
4 HOUSE JOINT
RESOLUTION NO. 1024

5 By: Moore

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9 COMMITTEE SUBSTITUTE

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

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20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
21 1ST SESSION OF THE 60TH OKLAHOMA LEGISLATURE:

22 SECTION 1. The Secretary of State shall refer to the people for
23 their approval or rejection, as and in the manner provided by law,

1 the following proposed amendment to Section 3 of Article VII-B of
2 the Constitution of the State of Oklahoma to read as follows:

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

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

15 (2) six members, which shall include at least one from each
16 congressional district ~~established by the Statutes of Oklahoma and~~
~~existing at the date of the adoption of this Article as such~~
~~congressional districts exist as of the date of the selection who~~
19 are, however, members of the Oklahoma Bar Association and who have
20 been elected by the other active members of their district under
21 procedures adopted by the Board of Governors of the Oklahoma Bar
22 Association, until changed by statute. Each member appointed
23 pursuant to the provisions of this paragraph shall serve a term of
24 six (6) years; and

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

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

19 (c) ~~The six lay members of the Commission who are appointed by~~
20 ~~the Governor shall be appointed within ninety (90) days from the~~
21 ~~date that this Article becomes effective. Two members shall be~~
22 ~~appointed for a term of two (2) years, two members for a term of~~
23 ~~four (4) years, and two members for a term of six (6) years. The~~
24 ~~Oklahoma Bar Association shall hold its election and certify to the~~

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

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

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

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

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

1 hold Judicial Office have been met and to determine the existence of
2 vacancies on the Commission.

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

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

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

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

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

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12 60-1-13194 GRS 03/05/25