

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
FOR  
4 SENATE JOINT  
RESOLUTION 6

5 By: Paxton

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7 COMMITTEE SUBSTITUTE

8 A Joint Resolution directing the Secretary of State  
9 to refer to the people for their approval or  
rejection the repeal of Section 3 of Article VII-B of  
the Oklahoma Constitution, which relates to the  
10 Judicial Nominating Commission, and the proposed  
amendment to Sections 1, 2, and 4 of Article VII-B of  
the Oklahoma Constitution; modifying applicability of  
11 certain provisions; modifying definition; adding  
requirement for holding certain office; prohibiting  
decrease of certain compensation; modifying certain  
12 appointment procedure; requiring Senate confirmation  
of certain judicial appointments; updating language;  
making language gender neutral; providing ballot  
13 title; and directing filing.

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17 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE

18 1ST SESSION OF THE 60TH OKLAHOMA LEGISLATURE:

19 SECTION 1. The Secretary of State shall refer to the people for  
20 their approval or rejection, as and in the manner provided by law,  
the repeal of Section 3 of Article VII-B and the following proposed  
21 amendment to Sections 1, 2, and 4 of Article VII-B of the Oklahoma  
amendment to Sections 1, 2, and 4 of Article VII-B of the Oklahoma  
22 Constitution to read as follows:

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1           Section 1. ~~(a) The~~ A. On or after the effective date of this  
2 resolution, the provisions of this Article shall govern the  
3 selection and tenure of all Justices of the Supreme Court and Judges  
4 of the Court of Criminal Appeals and the Court of Civil Appeals of  
5 the State of Oklahoma, to which the provisions hereof may be  
6 extended as hereinafter provided, other provisions of the  
7 Constitution or statutes of the State of Oklahoma to the contrary  
8 notwithstanding, and the provisions of Article VII as proposed by  
9 House Joint Resolution No. 508 of the First Session of the Thirty-  
10 first Oklahoma Legislature to the contrary notwithstanding.

11           ~~(b) B.~~ As used in this Section Article, "Judicial Office" means  
12 the offices of Justice of the Supreme Court and Judges of the Court  
13 of Criminal Appeals and Court of Civil Appeals and "Judicial  
14 Officer" means a Justice or Judge of each such court, excluding  
15 retired or supernumerary Justices or Judges.

16           Section 2. A. At the general election next before his or her  
17 term expires, any Judicial Officer may seek retention in office by  
18 filing with the Secretary of State, not less than sixty (60) days  
19 before the date of such election, a declaration of candidacy to  
20 succeed himself or herself. Thereupon, at such election, there  
21 shall be submitted to the qualified electors of ~~the State this~~  
22 state, on a separate ballot, without party designation, this  
23 question:

1 "Shall (Here insert name of Justice or Judge) of (Here  
2 insert the title of the court) be retained in Office?"

3                    YES

4                    NO

5                 The question shall be decided by a majority of those voting  
6 thereon. If the decision is "yes" the Judicial Officer shall be  
7 retained in office for the next ensuing ~~six-(6)-year~~ six-year term.  
8 If the decision is "no", or if no declaration of candidacy is filed,  
9 the office shall be vacant upon expiration of the term then being  
10 served, and the former Judicial Officer shall not be eligible for  
11 appointment to succeed himself or herself. Retention in office may  
12 be sought for successive terms without limit as to number, except  
13 for retirement as may be provided by the Legislature for a maximum  
14 retirement age.

15                 B. Subject to subsection (c) of Section 11 of Article VII of  
16 the Oklahoma Constitution, Judicial Officers appointed or retained  
17 pursuant to this Article on or after the effective date of this  
18 resolution shall hold their offices during good behavior, and shall,  
19 at stated times, receive a compensation for their services which  
20 shall not be diminished during their continuance in office.

21                 Section 4. When a vacancy in any Judicial Office, however  
22 arising, occurs or is certain to occur, ~~the Judicial Nominating~~  
23 ~~Commission shall choose and submit to the Governor and the Chief~~  
24 ~~Justice of the Supreme Court three (3) nominees, each of whom has~~

1 previously notified the Commission in writing that he will serve as  
2 a Judicial Officer if appointed. The the Governor shall appoint one  
3 (1) of the nominees to fill the vacancy, but if he fails to do so  
4 within sixty (60) days the Chief Justice of the Supreme Court shall  
5 appoint one (1) of the nominees, the appointment to be certified by  
6 the Secretary of State nominate and, with the advice and consent of  
7 the Senate, shall appoint a Judicial Officer. If the Senate is not  
8 in session when a nomination is made, the Governor may call the  
9 Senate into special session to advise and consent on any such  
10 nomination.

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

14 | BALLOT TITLE

15 Legislative Referendum No. State Question No.

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would amend Article 7-B of the Oklahoma Constitution. The measure would amend Sections 1, 2, and 4 of Article 7-B to establish a new process for appointing Supreme Court Justices and Judges of the Court of Criminal Appeals and Court of Civil Appeals to reflect the process established by the United States Constitution. Judicial Officers appointed or retained after the effective date of this resolution will serve during good behavior. The Governor will nominate new Judicial

1 Officers, subject to confirmation by the Senate. The measure  
2 would repeal Section 3 of Article 7-B, which established the  
3 Judicial Nominating Commission.

4 SHALL THE PROPOSAL BE APPROVED?

5 FOR THE PROPOSAL — YES \_\_\_\_\_

6 AGAINST THE PROPOSAL — NO \_\_\_\_\_

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

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