

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 973

6 By: Daniels

7 COMMITTEE SUBSTITUTE

8 An Act relating to courts; amending 20 O.S. 2011,
9 Sections 1 and 2, which relate to the Supreme Court;
10 clarifying terms of office; modifying Supreme Court
11 Judicial Districts; providing that current Justices
12 retain office and are eligible for retention;
13 amending 20 O.S. 2011, Section 33, which relates to
14 the Court of Criminal Appeals; modifying Court of
15 Criminal Appeals judicial districts; providing that
16 current Judges retain office and are eligible for
17 retention; providing for contingency of changes to
18 Congressional Districts; and declaring an emergency.

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

20 SECTION 1. AMENDATORY 20 O.S. 2011, Section 1, is
21 amended to read as follows:

22 Section 1. The Supreme Court shall consist of nine (9) ~~justices~~
23 Justices. ~~Immediately upon the passage and approval of this act,~~
24 ~~the Governor shall appoint by and with the advice and consent of the~~
~~Senate one Justice of the Supreme Court from each of the four~~
~~additional Supreme Court judicial districts hereby created, each of~~
~~whom shall serve until the second Monday in January, 1919, Each~~

1 Justice in office on January 14, 2019, shall serve the term for
2 which the Justice was appointed or retained in office by retention
3 ballot and until his or her successor is ~~elected~~ appointed and
4 qualified, unless the Justice vacates the office prior to the end of
5 his or her term or is removed from office as provided by law. Any
6 Justice in office on January 14, 2019, shall be eligible for
7 retention in the same office for succeeding terms.

8 SECTION 2. AMENDATORY 20 O.S. 2011, Section 2, is
9 amended to read as follows:

10 Section 2. The Beginning January 14, 2019:

11 1. Supreme Court Judicial District No. 1 shall embrace and
12 ~~include the following counties: Ottawa, Craig, Nowata, Rogers,~~
13 ~~Washington, Osage, Pawnee, Kay and Grant.~~ Congressional District No.
14 2 as constituted on January 14, 2019;

15 ~~The~~ 2. Supreme Court Judicial District No. 2 shall ~~embrace and~~
16 ~~include the following counties: LeFlore, Haskell, Pittsburg,~~
17 ~~Latimer, Pushmataha, McCurtain, Choctaw, Bryan, Marshall, Johnston,~~
18 ~~Atoka, McIntosh and Sequoyah.~~ be an at-large district;

19 ~~The~~ 3. Supreme Court Judicial District No. 3 shall embrace and
20 ~~include the following county: Oklahoma.~~ Congressional District No.
21 5 as constituted on January 14, 2019;

22 ~~The~~ 4. Supreme Court Judicial District No. 4 shall embrace and
23 ~~include the following counties: Beckham, Dewey, Roger Mills, Ellis,~~
24 ~~Woodward, Woods, Major, Harper, Beaver, Texas, Cimarron, Alfalfa,~~

1 ~~Garfield, Kingfisher, Blaine, Custer and Washita.~~ Congressional
2 District No. 3 as constituted on January 14, 2019;

3 ~~The 5.~~ Supreme Court Judicial District No. 5 shall embrace and
4 include ~~the following counties: Cleveland, McClain, Carvin, Murray,~~
5 ~~Carter, Love, Grady, Stephens and Jefferson.~~ Congressional District
6 No. 4 as constituted on January 14, 2019;

7 ~~The 6.~~ Supreme Court Judicial District No. 6 shall embrace and
8 include ~~the following county: Tulsa.~~ Congressional District No. 1
9 as constituted on January 14, 2019;

10 ~~The 7.~~ Supreme Court Judicial District No. 7 shall ~~embrace and~~
11 include ~~the following counties: Muskogee, Creek, Okmulgee, Wagoner,~~
12 ~~Cherokee, Adair, Delaware and Mayes.~~ be an at-large district;

13 ~~The 8.~~ Supreme Court Judicial District No. 8 shall ~~embrace and~~
14 include ~~the following counties: Pottawatomie, Seminole, Hughes,~~
15 ~~Pontotoc, Coal, Okfuskee, Lincoln, Logan, Payne and Noble.~~ be an at-
16 large district; and

17 ~~The 9.~~ Supreme Court Judicial District No. 9 shall ~~embrace and~~
18 include ~~the following counties: Kiowa, Jackson, Tillman, Harmon,~~
19 ~~Cotton, Comanche, Caddo, Greer and Canadian~~ be an at-large district.

20 SECTION 3. AMENDATORY 20 O.S. 2011, Section 33, is
21 amended to read as follows:

22 Section 33. A. The state is hereby divided into five (5) Court
23 of Criminal Appeals ~~judicial districts~~ Judicial Districts. From
24 each of ~~said the~~ the districts candidates for Judge of the Court of

1 Criminal Appeals shall be nominated and appointed in the manner
2 provided by Article VII-B of the Oklahoma Constitution. All Judges
3 of the Court of Criminal Appeals may seek retention in office
4 pursuant to the provisions of Section 2 of Article VII-B of the
5 Oklahoma Constitution and each Judge shall be voted for by the
6 qualified voters of the state at large.

7 B. Beginning January 14, 2019, the boundaries of the Court of
8 Criminal Appeals Judicial Districts shall be the boundaries of the
9 five Oklahoma Congressional Districts as constituted on January 14,
10 2019, as follows:

11 1. The Court of Criminal Appeals Judicial District No. 1 shall
12 embrace and include ~~the following counties: Craig, Delaware, Mayes,~~
13 ~~Nowata, Ottawa, Rogers, Tulsa, and Wagoner.~~ Congressional District
14 No. 1;

15 2. The Court of Criminal Appeals Judicial District No. 2 shall
16 embrace and include ~~the following counties: Adair, Cherokee,~~
17 ~~Cleveland, Creek, Kay, Lincoln, Logan, Muskogee, Noble, Okfuskee,~~
18 ~~Okmulgee, Osage, Pawnee, Payne, Pottawatomie, and Washington.~~
19 Congressional District No. 3;

20 3. The Court of Criminal Appeals Judicial District No. 3 shall
21 embrace and include ~~the following counties: Atoka, Bryan, Carter,~~
22 ~~Coal, Choctaw, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston,~~
23 ~~Latimer, Leflore, Love, Marshall, McClain, McCurtain, McIntosh,~~
24

1 ~~Murray, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, and~~
2 ~~Stephens.~~ Congressional District No. 2;

3 4. The Court of Criminal Appeals Judicial District No. 4 shall
4 embrace and include ~~the following counties: Canadian and Oklahoma.~~
5 Congressional District No. 5; and

6 5. The Court of Criminal Appeals Judicial District No. 5 shall
7 embrace and include ~~Alfalfa, Beaver, Beckham, Blaine, Caddo,~~
8 ~~Cimarron, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant,~~
9 ~~Greer, Harmon, Harper, Jackson, Kingfisher, Kiowa, Major, Roger~~
10 ~~Mills, Texas, Tillman, Washita, Woods, and Woodward~~ Congressional
11 District No. 4.

12 C. Each Judge in office on January 14, 2019, shall serve the
13 term for which the Judge was appointed or retained in office by
14 retention ballot and until his or her successor is appointed and
15 qualified, unless the Judge vacates the office prior to the end of
16 his or her term or is removed from office as provided by law. Any
17 Judge in office on January 14, 2019, shall be eligible for retention
18 in the same office for succeeding terms.

19 D. If the boundaries of the Congressional Districts change, any
20 such change shall apply to appointments or retention elections
21 occurring after the boundary change. If the number of Congressional
22 Districts changes, the number of districts provided for in
23 subsection A of this section shall be changed to equal that number
24 of Congressional Districts; provided, any such change shall apply to

1 appointments or retention elections occurring after the change in
2 the number of Congressional Districts.

3 SECTION 4. It being immediately necessary for the preservation
4 of the public peace, health or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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