

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Joint Resolution No. 20, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Floyd

Floyd-CD-FS-Req#2038
3/11/2019 3:39 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

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

3 FLOOR SUBSTITUTE
4 FOR SENATE JOINT
5 RESOLUTION NO. 20

By: Floyd of the Senate

and

6 Kannady of the House

7
8
9 FLOOR SUBSTITUTE

10 [Joint Resolution - proposed amendment -
11 restrictions on activity - ballot title - filing]

12
13 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
14 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

15 SECTION 1. The Secretary of State shall refer to the people for
16 their approval or rejection, as and in the manner provided by law,
17 the following proposed amendment to Section 23 of Article V of the
18 Oklahoma Constitution to read as follows:

19 Section 23. ~~No~~ A. Except as otherwise provided in this section
20 or in the Oklahoma Constitution, no member of the Legislature shall,
21 during the term for which he was elected,

22 1. During the term for which he or she was elected, be
23 appointed or elected to any office or commission in the State, which
24

1 shall have been created, or the emoluments of which shall have been
2 increased, during his or her term of office, nor shall any member;

3 2. During the term for which he or she was elected, receive any
4 appointment from the Governor, the Governor and Senate, or from the
5 Legislature, ~~during the term for which he shall have been elected,~~
6 ~~nor shall any member, during;~~

7 3. During the term for which he shall have been or she was
8 ~~elected, or within two years thereafter,~~ be interested, directly or
9 indirectly, in any contract with the State, or any county or other
10 subdivision thereof; or

11 4. Within two years after the expiration of the term for which
12 he or she was elected, be interested directly or indirectly in any
13 contract with the state, or any county, or other subdivision
14 thereof, authorized by law passed during the term for which he ~~shall~~
15 ~~have been or she was~~ elected.

16 B. The provisions of this section shall not operate to:

17 1. Prohibit a member of the Legislature from providing services
18 to a school district, technology center school district or The
19 Oklahoma State System of Higher Education during his or her term of
20 office, in a capacity for which he or she possesses qualifications
21 unrelated to service as a member of the Legislature, during any
22 period of time when the Legislature is not in regular session
23 pursuant to the provisions of Section 26 of this article; or
24

1 2. Prohibit a member of the Legislature from being appointed as
2 a member of a legislative committee or to any other position held as
3 a member of the Legislature.

4 Provided further, neither the provisions of paragraph 3 of
5 subsection A of this section, nor any other provision of law, shall
6 operate to prohibit a former member of the Legislature from
7 returning to the profession or business that he or she practiced
8 prior to being elected.

9 C. The Legislature is authorized to enact laws necessary to
10 further implement the provisions of this section.

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:

17 This measure amends Section 23 of Article 5 of the Oklahoma
18 Constitution. This section prohibits members of the Legislature
19 from engaging in certain activities during the term for which
20 elected and, in some cases, for two years afterwards. This
21 measure would change these prohibitions. Prohibited activity
22 would include being appointed or elected to any office or
23 commission in the state during the term, receiving any
24 appointment from the Governor, the Governor and Senate or the

1 Legislature during the term, being interested in any contract
2 with the state or a political subdivision during the term and
3 being interested in certain contracts within two years after the
4 term. These provisions would not prohibit a member of the
5 Legislature from providing services to a school district or the
6 Oklahoma State System of Higher Education when the Legislature
7 is not in regular session, or prohibit an appointment to a
8 legislative committee or other legislative position. They would
9 also not prohibit a former member from returning to his or her
10 profession or business. The Legislature could enact laws to
11 implement these provisions.

12 SHALL THE PROPOSAL BE APPROVED?

13 FOR THE PROPOSAL - YES _____

14 AGAINST THE PROPOSAL - NO _____

15 SECTION 3. The President Pro Tempore of the Senate shall,
16 immediately after the passage of this resolution, prepare and file
17 one copy thereof, including the Ballot Title set forth in SECTION 2
18 hereof, with the Secretary of State and one copy with the Attorney
19 General.

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21 57-1-2038 CD 3/11/2019 3:39:47 PM
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