

1 **SENATE FLOOR VERSION**

2 February 26, 2019

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 973

6 By: Daniels, Bice and Dahm

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

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

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

21 Section 1. The Supreme Court shall consist of nine (9) ~~justices~~
22 Justices. ~~Immediately upon the passage and approval of this act,~~
23 ~~the Governor shall appoint by and with the advice and consent of the~~
24 ~~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~~
Justice in office on January 14, 2019, shall serve the term for

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

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

9 Section 2. ~~The~~ A. Beginning January 14, 2019:

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

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

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

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

24

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

1 Districts shall be changed to equal that number of Congressional
2 Districts; provided, the number of at-large districts provided for
3 in subsection A of this section shall increase or decrease to
4 maintain a total of nine (9) Justices.

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

7 Section 33. A. The state is hereby divided into five (5) Court
8 of Criminal Appeals ~~judicial districts~~ Judicial Districts. From
9 each of ~~said~~ the districts candidates for Judge of the Court of
10 Criminal Appeals shall be nominated and appointed in the manner
11 provided by Article VII-B of the Oklahoma Constitution. All Judges
12 of the Court of Criminal Appeals may seek retention in office
13 pursuant to the provisions of Section 2 of Article VII-B of the
14 Oklahoma Constitution and each Judge shall be voted for by the
15 qualified voters of the state at large.

16 B. Beginning January 14, 2019, the boundaries of the Court of
17 Criminal Appeals Judicial Districts shall be the boundaries of the
18 five Oklahoma Congressional Districts as constituted on January 14,
19 2019, as follows:

20 1. The Court of Criminal Appeals Judicial District No. 1 shall
21 embrace and include ~~the following counties: Craig, Delaware, Mayes,~~
22 ~~Newata, Ottawa, Rogers, Tulsa, and Wagoner.~~ Congressional District
23 No. 1;
24

1 2. The Court of Criminal Appeals Judicial District No. 2 shall
2 embrace and include ~~the following counties: Adair, Cherokee,~~
3 ~~Cleveland, Creek, Kay, Lincoln, Logan, Muskegee, Noble, Okfuskee,~~
4 ~~Okmulgee, Osage, Pawnee, Payne, Pottawatomic, and Washington.~~
5 Congressional District No. 3;

6 3. The Court of Criminal Appeals Judicial District No. 3 shall
7 embrace and include ~~the following counties: Atoka, Bryan, Carter,~~
8 ~~Coal, Choctaw, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston,~~
9 ~~Latimer, Leflore, Love, Marshall, McClain, McCurtain, McIntosh,~~
10 ~~Murray, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, and~~
11 ~~Stephens.~~ Congressional District No. 2;

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

15 5. The Court of Criminal Appeals Judicial District No. 5 shall
16 embrace and include ~~Alfalfa, Beaver, Beckham, Blaine, Caddo,~~
17 ~~Cimarron, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant,~~
18 ~~Greer, Harmon, Harper, Jackson, Kingfisher, Kiowa, Major, Roger~~
19 ~~Mills, Texas, Tillman, Washita, Woods, and Woodward~~ Congressional
20 District No. 4.

21 C. Each Judge in office on January 14, 2019, shall serve the
22 term for which the Judge was appointed or retained in office by
23 retention ballot and until his or her successor is appointed and
24 qualified, unless the Judge vacates the office prior to the end of

1 his or her term or is removed from office as provided by law. Any
2 Judge in office on January 14, 2019, shall be eligible for retention
3 in the same office for succeeding terms.

4 D. If the boundaries of the Congressional Districts change, any
5 such change shall apply to appointments or retention elections
6 occurring after the boundary change. If the number of Congressional
7 Districts changes, the number of districts provided for in
8 subsection A of this section shall be changed to equal that number
9 of Congressional Districts; provided, any such change shall apply to
10 appointments or retention elections occurring after the change in
11 the number of Congressional Districts.

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

16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
17 February 26, 2019 - DO PASS AS AMENDED
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