

1 **SENATE FLOOR VERSION**

2 February 27, 2019

3 **AS AMENDED**

4 SENATE JOINT
5 RESOLUTION NO. 20

6 By: Floyd

7 **[Joint Resolution - proposed amendment -**
8 **restrictions on activity - ballot title - filing]**

9 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
10 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

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

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

18 1. During the term for which he or she was elected, be
19 appointed or elected to any office or commission in the State, ~~which~~
20 ~~shall have been created, or the emoluments of which shall have been~~
21 ~~increased, during his term of office, nor shall any member;~~ or

22 2. During the term for which he or she was elected, receive any
23 appointment from the Governor, the Governor and Senate, or from the
24

1 ~~Legislature, during the term for which he shall have been elected,~~
2 ~~nor shall any member, during; or~~

3 3. During the term for which he shall have been or she was
4 elected, or within two years thereafter, be interested, directly or
5 indirectly, in any contract with the State, or any county or other
6 subdivision thereof, authorized by law passed during the term for
7 which he shall have been elected.

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

9 1. Prohibit a member of the Legislature from serving as an
10 employee of a school district, technology center school district or
11 The Oklahoma State System of Higher Education during his or her term
12 of office, in a position for which he or she possesses
13 qualifications unrelated to service as a member of the Legislature;
14 or

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

18 Provided further, neither the provisions of paragraph 3 of
19 subsection A of this section, nor any other provision of law, shall
20 operate to prohibit a former member of the Legislature from
21 returning to the profession or business that he or she practiced
22 prior to being elected.

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

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:

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends Section 23 of Article 5 of the Oklahoma
8 Constitution. This section prohibits members of the Legislature
9 from engaging in certain activities during the term for which
10 elected and, in some cases, for two years afterwards. This
11 measure would change these prohibitions. Prohibited activity
12 would include being appointed or elected to any office or
13 commission in the state during the term, receiving any
14 appointment from the Governor, the Governor and Senate or the
15 Legislature during the term, or being interested in any contract
16 with the state or a political subdivision during the term.
17 These provisions would not prohibit an employee of a school
18 district or the Oklahoma State System of Higher Education from
19 continuing to serve during the term, or prohibit an appointment
20 to a legislative committee or other legislative position. They
21 would also not prohibit a former member from returning to his or
22 her profession or business. The Legislature could enact laws to
23 implement these provisions.

24 SHALL THE PROPOSAL BE APPROVED?

1 FOR THE PROPOSAL - YES _____

2 AGAINST THE PROPOSAL - NO _____

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

8 COMMITTEE REPORT BY: COMMITTEE ON RULES
9 February 27, 2019 - DO PASS AS AMENDED
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