

1 STATE OF OKLAHOMA

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

3 SENATE JOINT
4 RESOLUTION 20

By: Floyd

5
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State
8 to refer to the people for their approval or
9 rejection a proposed amendment to Section 23 of
10 Article V of the Oklahoma Constitution; modifying
11 activity prohibited for members of Legislature;
12 deleting restrictions on activity after term served;
13 specifying activity not prohibited; authorizing
14 Legislature to enact implementing legislation;
15 providing ballot title; and directing filing.

16 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
17 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

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

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

25 1. During the term for which he or she was elected, be
26 appointed or elected to any office or commission in the State, ~~which~~

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

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; or~~

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, authorized by law passed during the term for
11 which he shall have been elected.

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

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

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

22 Provided further, neither the provisions of paragraph 3 of
23 subsection A of this section, nor any other provision of law, shall
24 operate to prohibit a former member of the Legislature from

1 returning to the profession or business that he or she practiced
2 prior to being elected.

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

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

8 BALLOT TITLE

9 Legislative Referendum No. _____ State Question No. _____

10 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

11 This measure amends Section 23 of Article 5 of the Oklahoma
12 Constitution. This section prohibits members of the Legislature
13 from engaging in certain activities during the term for which
14 elected and, in some cases, for two years afterwards. This
15 measure would change these prohibitions. Prohibited activity
16 would include being appointed or elected to any office or
17 commission in the state during the term, receiving any
18 appointment from the Governor, the Governor and Senate or the
19 Legislature during the term, or being interested in any contract
20 with the state or a political subdivision during the term.

21 These provisions would not prohibit an employee of a school
22 district or the Oklahoma State System of Higher Education from
23 continuing to serve during the term, or prohibit an appointment
24 to a legislative committee or other legislative position. They

1 would also not prohibit a former member from returning to his or
2 her profession or business. The Legislature could enact laws to
3 implement these provisions.

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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