

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE JOINT
4 RESOLUTION 1050

By: Turner

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 9A of
10 Article 2 of the Constitution of the State of
11 Oklahoma; prohibiting use of the death penalty in
12 criminal cases; providing for ballot title; and
13 directing filing.

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

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 9A of Article 2 of the
18 Constitution of the State of Oklahoma to read as follows:

19 Section 9A. All statutes of this state requiring, authorizing,
20 imposing or relating to the death penalty are ~~in full force and~~
21 ~~effect, subject to legislative amendment or repeal by statute,~~
22 ~~initiative or referendum. Any method of execution shall be allowed,~~
23 ~~unless prohibited by the United States Constitution. Methods of~~
24 ~~execution may be designated by the Legislature hereby repealed. A~~
sentence of death as punishment for certain violations of the law

1 shall not be ~~reduced on the basis that a method of execution is~~
2 ~~invalid. In any case prohibited in criminal cases in which an~~
3 ~~execution method is declared invalid, the death sentence shall~~
4 ~~remain in force until the sentence can be lawfully executed by any~~
5 ~~valid method. The death penalty provided for under such statutes~~
6 ~~shall not be and shall be deemed to be, or to constitute, the~~
7 ~~infliction of a cruel or unusual punishments, nor shall such~~
8 ~~punishment be deemed to contravene any other provision of this~~
9 ~~Constitution punishment in the State of Oklahoma.~~

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

13 BALLOT TITLE
14 Legislative Referendum No. _____ State Question No. _____

15 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

16 This measure amends the Oklahoma Constitution. This measure
17 amends the section relating to the death penalty. The amendment
18 repeals statutes related to the death penalty in Oklahoma. The
19 amendment also prohibits the use of the death penalty as a
20 sentencing option in criminal cases. This amendment deems the
21 death penalty as a cruel or unusual punishment.

22 SHALL THE PROPOSAL BE APPROVED?

23 FOR THE PROPOSAL - YES _____

24 AGAINST THE PROPOSAL - NO _____

1 SECTION 3. The Chief Clerk of the House of Representatives,
2 immediately after the passage of this resolution, shall prepare and
3 file one copy thereof, including the Ballot Title set forth in
4 SECTION 2 hereof, with the Secretary of State and one copy with the
5 Attorney General.

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