

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE JOINT
4 RESOLUTION 1031

By: Caldwell (Chad)

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 the Constitution of
10 the State of Oklahoma by adding a new Section 33A to
11 Article V; requiring supermajority approval for
12 certain state questions; providing for determination
13 of increases in state expenditures; prescribing
14 wording for ballot title; providing procedures
15 related to legislative referred measures; providing
16 ballot title; and directing filing.

17
18
19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
20 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

21 SECTION 1. The Secretary of State shall refer to the people for
22 their approval or rejection, as and in the manner provided by law,
23 the following proposed amendment to the Constitution of the State of
24 Oklahoma by adding a new Section 33A to Article V thereof, to read
as follows:

A. If any state question, whether in the form of an amendment
to the Oklahoma Constitution or amendments, new law enactments or
repeals, in any combination thereof, with respect to the Oklahoma
Statutes, submitted to a popular vote either by initiative petition

1 or in the form of a measure referred by the Legislature, would
2 require an increase in the expenditures of any branch or department
3 of state government, such question shall require the approval of
4 sixty percent (60%) of those voting on the question or such question
5 shall not become effective or binding as law.

6 B. Prior to the time that an initiative petition is filed with
7 the Secretary of State, the proponents of the proposal shall obtain
8 a certification from the State Auditor and Inspector or an entity,
9 including any successor entity, designated for such purpose by the
10 Legislature by statute enacted after the approval of this question,
11 whether the proposal will or will not increase state expenditures as
12 described in subsection A of this section. If the certification
13 concludes that there would be an increase in expenditures, the
14 ballot title for the initiative petition shall contain the following
15 statement at the beginning of the ballot title and shall precede any
16 other wording: "The approval of this proposal has been determined
17 by the State of Oklahoma to require an increase in state government
18 expenditures and requires sixty percent (60%) approval in order to
19 become adopted as law." The wording for the ballot title as
20 prescribed by this section may not be modified by the Attorney
21 General.

22 C. If any measure referred to a vote of the people by the
23 Legislature, whether in the form of statutes or amendments to the
24 Oklahoma Constitution, is determined to require an increase in state

1 expenditures, the ballot title for the measure shall comply with the
2 requirements of subsection A and B of this section, and the chamber
3 from which such measure originates shall obtain the certification
4 from either the State Auditor and Inspector or the entity designated
5 by law to provide the certification. The certification shall be
6 obtained prior to the final passage of the measure and shall be
7 obtained so that if the certification determines that an increase in
8 state expenditures would be required if the measure is approved, the
9 ballot title for the measure shall conform to the requirements of
10 subsection B of this section. The wording for the ballot title as
11 prescribed by this section may not be modified by the Attorney
12 General.

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

16 BALLOT TITLE
17 Legislative Referendum No. _____ State Question No. _____

18 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

19 This measure amends the Oklahoma Constitution. It would add a
20 new Section 33A to Article V. This amendment to the Oklahoma
21 Constitution would apply to initiative petitions and to measures
22 referred to the statewide ballot by the Legislature. The
23 measure would require a supermajority approval of certain types
24 of state questions. It would apply to amendments to the

1 Oklahoma Constitution. It would apply to amendments, new
2 enactments or repeals, in any combination, to the Oklahoma
3 Statutes. It would require sixty-percent (60%) approval if the
4 state question would cause an increase in expenditures by any
5 branch of state government, including the legislative branch,
6 the executive branch or the judicial branch. If the State
7 Auditor or Inspector or other state entity found that the
8 proposal would require an increase in state expenditures, a
9 certification of that fact would be issued. If a measure is
10 certified to require an increase in expenditures, it will have a
11 sentence in the ballot title. The sentence will read as
12 follows: "The approval of this proposal has been determined by
13 the State of Oklahoma to require an increase in state government
14 expenditures and requires sixty percent (60%) approval in order
15 to become adopted as law."

16 SHALL THE PROPOSAL BE APPROVED?

17 FOR THE PROPOSAL - YES _____

18 AGAINST THE PROPOSAL - NO _____

19 SECTION 3. The Chief Clerk of the House of Representatives,
20 immediately after the passage of this resolution, shall prepare and
21 file one copy thereof, including the Ballot Title set forth in
22
23
24

1 SECTION 2 hereof, with the Secretary of State and one copy with the
2 Attorney General.

3

4 59-1-7062 LRB 12/13/2022

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24