

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE JOINT  
4 RESOLUTION 1025

By: Hall

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 3 of  
10 Article VII-B of the Constitution of the State of  
11 Oklahoma; modifying provisions related to membership;  
12 providing ballot title; and directing filing.

13 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
14 1ST SESSION OF THE 60TH OKLAHOMA LEGISLATURE:

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 3 of Article VII-B of  
18 the Constitution of the State of Oklahoma to read as follows:

19 Section 3. (a) There is established as a part of the Judicial  
20 Department a Judicial Nominating Commission of fifteen (15) members,  
21 to consist of:

22 (1) six members to be appointed by the Governor, which shall  
23 include at least one from each congressional district established by  
24 the Statutes of Oklahoma ~~and existing at the date of the adoption of~~

1 ~~this Article~~, none of whom shall be admitted to practice law in the  
2 State of Oklahoma or have any immediate family member who has been  
3 admitted to the practice of law in the State of Oklahoma ~~or any~~  
4 ~~other state~~ and who shall serve for a term of six (6) years. If the  
5 number of Oklahoma congressional districts becomes a number greater  
6 than six (6), the Governor shall appoint one member from each  
7 congressional district existing at the most recent date when  
8 Oklahoma had six (6) congressional districts;

9 (2) six members to be appointed by the President Pro Tempore of  
10 the Oklahoma State Senate, which shall include at least one from  
11 each congressional district established by the Statutes of Oklahoma  
12 ~~and existing at the date of the adoption of this Article~~ who are,  
13 however, members of the Oklahoma Bar Association ~~and who have been~~  
14 ~~elected by the other active members of their district under~~  
15 ~~procedures adopted by the Board of Governors of the Oklahoma Bar~~  
16 ~~Association, until changed by statute,~~ and who shall serve for a  
17 term of six (6) years. If the number of Oklahoma congressional  
18 districts becomes a number greater than six (6), the President Pro  
19 Tempore of the Oklahoma State Senate shall appoint one member from  
20 each congressional district existing at the most recent date when  
21 Oklahoma had six (6) congressional districts; and

22 (3) ~~three members at large who shall not have been admitted to~~  
23 ~~the practice of law in the State of Oklahoma or any other state or~~  
24 ~~have any immediate family member who has been admitted to the~~

1 ~~practice of law in the State of Oklahoma or any other state but who~~  
2 ~~shall be a resident of the State of Oklahoma, one to be selected by~~  
3 ~~not less than eight members of the Nominating Commission. In the~~  
4 ~~event eight members of the Commission cannot agree upon the member~~  
5 ~~at large within thirty (30) days of the initial organization of the~~  
6 ~~Commission or within thirty (30) days of a vacancy in the member at~~  
7 ~~large position, the Governor shall make the appointment of the~~  
8 ~~member at large; one to be selected by the President Pro Tempore of~~  
9 ~~the Senate; and one to be selected by the Speaker of the House of~~  
10 ~~Representatives. No more than two members at large shall belong to~~  
11 ~~any one political party to be appointed by the Speaker of the~~  
12 ~~Oklahoma House of Representatives, who shall be residents of the~~  
13 ~~State of Oklahoma, and who shall serve for a term of two (2) years.~~

14 The Commission shall elect one of its members to serve as chair  
15 for a term of one (1) year.

16 ~~The six lay members of the Commission who are appointed by the~~  
17 ~~Governor shall be appointed within ninety (90) days from the date~~  
18 ~~that this Article becomes effective. Two members shall be appointed~~  
19 ~~for a term of two (2) years, two members for a term of four (4)~~  
20 ~~years, and two members for a term of six (6) years. The Oklahoma~~  
21 ~~Bar Association shall hold its election and certify to the Secretary~~  
22 ~~of State its members within ninety (90) days from the effective date~~  
23 ~~of this Article, two of whom shall be elected for a term of two (2)~~  
24 ~~years, two for a term of four (4) years, and two for a term of six~~

1 ~~(6) years. Thereafter all of the members of the Commission, whether~~  
2 ~~electd or appointed, shall serve for a term of six (6) years,~~  
3 ~~except that the member at large shall serve for a term of two (2)~~  
4 ~~years. The changes to the appointment process shall take effect at~~  
5 ~~the next expiration of a term or the next vacancy for each seat,~~  
6 ~~with the President Pro Tempore of the Oklahoma State Senate filling~~  
7 ~~the seats previously elected by the members of the Oklahoma Bar~~  
8 ~~Association, and the Speaker of the Oklahoma House of~~  
9 ~~Representatives filling the seats previously referred to as "members~~  
10 ~~at large".~~

11 (b) Vacancies arising during the term of any ~~lay~~ commissioner,  
12 ~~other than the member at large,~~ shall be filled by ~~appointment by~~  
13 ~~the Governor~~ in the same manner as the original selection for the  
14 remainder of his or her term. ~~Vacancies of any lawyer commissioner~~  
15 ~~shall be filled by the Board of Governors of the Oklahoma Bar~~  
16 ~~Association for the remainder of his or her term.~~

17 (c) ~~In the event of vacancy in the member at large position,~~  
18 ~~the said vacancy shall be filled in the same manner as the original~~  
19 ~~selection. Of those Commissioners named by the President Pro Tempore~~  
20 ~~of the Oklahoma State Senate, not more than four (4) shall belong to~~  
21 ~~any one political party.~~

22 (d) Of those Commissioners named by the Governor, not more than  
23 ~~three~~ four (4) shall belong to any one political party.

24

1 (e) The concurrence of the majority of Commissioners in office  
2 at the time shall be sufficient to decide any question, unless  
3 otherwise provided herein. The Commission shall have jurisdiction  
4 to determine whether the qualifications of nominees to hold Judicial  
5 Office have been met and to determine the existence of vacancies on  
6 the Commission.

7 (f) No Commissioner, while a member of the Commission, shall  
8 hold any other public office by election or appointment or any  
9 official position in a political party and he or she shall not be  
10 eligible, while a member of the Commission and for five (5) years  
11 thereafter, for nomination as a Judicial Officer.

12 (g) Commissioners shall serve without compensation but the  
13 Legislature shall provide funds to reimburse them for their  
14 necessary travel and lodging expenses while performing their duties  
15 as such Commissioners.

16 (h) No Commissioner shall be permitted to succeed himself or  
17 herself.

18 (i) As used herein, the words "Oklahoma Bar Association" shall  
19 include any successor thereof and any future form of the organized  
20 Bar of this state.

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

24 BALLOT TITLE

1 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

2 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

3 This measure amends Section 3 of Article 7-B of the Oklahoma  
4 Constitution which created the Judicial Nominating Commission.  
5 The Commission is responsible for selecting persons to be  
6 justices or judges in state appellate courts. This measure  
7 changes membership of the Judicial Nominating Commission. It  
8 provides a method for selecting members in case there are  
9 changes in the number of congressional districts in Oklahoma in  
10 the future. The changes in the method for appointing members  
11 would take place as each of the current positions on the  
12 Commission expire or become vacant. Of the members appointed by  
13 the President Pro Tempore of the Oklahoma State Senate, not more  
14 than four (4) of those persons could be members of the same  
15 political party. The measure would change the way in which the  
16 Oklahoma Bar Association is involved in the nomination process.  
17 The Bar Association would not select people from among its  
18 membership. The members appointed by the President Pro Tempore  
19 of the State Senate would be members of the Oklahoma Bar  
20 Association. Those persons would be selected by publicly  
21 elected officials instead of being selected by other members of  
22 the Bar Association. The measure changes the way the Governor  
23 makes appointments to the Commission.

24

1 SHALL THE PROPOSAL BE APPROVED?

2 FOR THE PROPOSAL - YES \_\_\_\_\_

3 AGAINST THE PROPOSAL - NO \_\_\_\_\_

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

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