

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2366

 By: Kannady

8 COMMITTEE SUBSTITUTE

9 An Act relating to courts; amending 20 O.S. 2011,
10 Sections 1 and 2, which relate to the Supreme Court;
11 clarifying terms of office; modifying Supreme Court
12 Judicial Districts; providing that current Justices
13 retain office and are eligible for retention;
14 amending 20 O.S. 2011, Section 33, which relates to
15 the Court of Criminal Appeals; modifying Court of
16 Criminal Appeals judicial districts; providing that
17 current Judges retain office and are eligible for
18 retention; and providing an effective date.

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

17 SECTION 1. AMENDATORY 20 O.S. 2011, Section 1, is
18 amended to read as follows:

19 Section 1. The Supreme Court shall consist of nine (9) ~~justices~~
20 Justices. ~~Immediately upon the passage and approval of this act,~~
21 ~~the Governor shall appoint by and with the advice and consent of the~~
22 ~~Senate one Justice of the Supreme Court from each of the four~~
23 ~~additional Supreme Court judicial districts hereby created, each of~~
24 ~~whom shall serve until the second Monday in January, 1919, Each~~

1 Justice in office on July 1, 2020, shall serve the term for which
2 the Justice was appointed or retained in office by retention ballot
3 and until his or her successor is ~~elected~~ appointed and qualified,
4 unless the Justice vacates the office prior to the end of his or her
5 term or is removed from office as provided by law. Any Justice in
6 office on July 1, 2020, shall be eligible for retention in the same
7 office for succeeding terms.

8 SECTION 2. AMENDATORY 20 O.S. 2011, Section 2, is
9 amended to read as follows:

10 Section 2. The Beginning July 1, 2020:

11 1. Supreme Court Judicial District No. 1 shall embrace and
12 ~~include the following counties: Ottawa, Craig, Nowata, Rogers,~~
13 ~~Washington, Osage, Pawnee, Kay and Grant.~~ Congressional District No.
14 2 as constituted on January 8, 2019;

15 ~~The 2. Supreme Court Judicial District No. 2 shall embrace and~~
16 ~~include the following counties: LeFlore, Haskell, Pittsburg,~~
17 ~~Latimer, Pushmataha, McCurtain, Choctaw, Bryan, Marshall, Johnston,~~
18 ~~Atoka, McIntosh and Sequoyah.~~ be an at-large district;

19 ~~The 3. Supreme Court Judicial District No. 3 shall embrace and~~
20 ~~include the following county: Oklahoma.~~ Congressional District No.
21 5 as constituted on January 8, 2019;

22 ~~The 4. Supreme Court Judicial District No. 4 shall embrace and~~
23 ~~include the following counties: Beckham, Dewey, Roger Mills, Ellis,~~
24 ~~Woodward, Woods, Major, Harper, Beaver, Texas, Cimarron, Alfalfa,~~

1 ~~Garfield, Kingfisher, Blaine, Custer and Washita.~~ Congressional
2 District No. 3 as constituted on January 8, 2019;

3 ~~The 5.~~ Supreme Court Judicial District No. 5 shall embrace and
4 include ~~the following counties: Cleveland, McClain, Carvin, Murray,~~
5 ~~Carter, Love, Grady, Stephens and Jefferson.~~ Congressional District
6 No. 4 as constituted on January 8, 2019;

7 ~~The 6.~~ Supreme Court Judicial District No. 6 shall embrace and
8 include ~~the following county: Tulsa.~~ Congressional District No. 1
9 as constituted on January 8, 2019;

10 ~~The 7.~~ Supreme Court Judicial District No. 7 shall ~~embrace and~~
11 include ~~the following counties: Muskogee, Creek, Okmulgee, Wagoner,~~
12 ~~Cherokee, Adair, Delaware and Mayes.~~ be an at-large district;

13 ~~The 8.~~ Supreme Court Judicial District No. 8 shall ~~embrace and~~
14 include ~~the following counties: Pottawatomie, Seminole, Hughes,~~
15 ~~Pontotoc, Coal, Okfuskee, Lincoln, Logan, Payne and Noble.~~ be an at-
16 large district; and

17 ~~The 9.~~ Supreme Court Judicial District No. 9 shall ~~embrace and~~
18 include ~~the following counties: Kiowa, Jackson, Tillman, Harmon,~~
19 ~~Cotton, Comanche, Caddo, Greer and Canadian~~ be an at-large district.

20 SECTION 3. AMENDATORY 20 O.S. 2011, Section 33, is
21 amended to read as follows:

22 Section 33. A. The state is hereby divided into five (5) Court
23 of Criminal Appeals ~~judicial districts~~ Judicial Districts. From
24 each of said districts candidates for Judge of the Court of Criminal

1 Appeals shall be nominated and appointed in the manner provided by
2 Article VII-B of the Oklahoma Constitution. All Judges of the Court
3 of Criminal Appeals may seek retention in office pursuant to the
4 provisions of Section 2 of Article VII-B of the Oklahoma
5 Constitution and each Judge shall be voted for by the qualified
6 voters of the state at-large.

7 B. Beginning July 1, 2020, the boundaries of the Court of
8 Criminal Appeals Judicial Districts shall be the boundaries of the
9 five Oklahoma Congressional Districts as constituted on January 8,
10 2019, as follows:

11 1. The Court of Criminal Appeals Judicial District No. 1 shall
12 embrace and include ~~the following counties: Craig, Delaware, Mayes,~~
13 ~~Nowata, Ottawa, Rogers, Tulsa, and Wagoner.~~ Congressional District
14 No. 1;

15 2. The Court of Criminal Appeals Judicial District No. 2 shall
16 embrace and include ~~the following counties: Adair, Cherokee,~~
17 ~~Cleveland, Creek, Kay, Lincoln, Logan, Muskogee, Noble, Okfuskee,~~
18 ~~Okmulgee, Osage, Pawnee, Payne, Pottawatomie, and Washington.~~
19 Congressional District No. 3;

20 3. The Court of Criminal Appeals Judicial District No. 3 shall
21 embrace and include ~~the following counties: Atoka, Bryan, Carter,~~
22 ~~Coal, Choctaw, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston,~~
23 ~~Latimer, Leflore, Love, Marshall, McClain, McCurtain, McIntosh,~~
24

1 ~~Murray, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, and~~
2 ~~Stephens.~~ Congressional District No. 2;

3 4. The Court of Criminal Appeals Judicial District No. 4 shall
4 embrace and include ~~the following counties: Canadian and Oklahoma.~~
5 Congressional District No. 5; and

6 5. The Court of Criminal Appeals Judicial District No. 5 shall
7 embrace and include ~~Alfalfa, Beaver, Beckham, Blaine, Caddo,~~
8 ~~Cimarron, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant,~~
9 ~~Greer, Harmon, Harper, Jackson, Kingfisher, Kiowa, Major, Roger~~
10 ~~Mills, Texas, Tillman, Washita, Woods, and Woodward~~ Congressional
11 District No. 4.

12 C. Each Judge in office on July 1, 2020, shall serve the term
13 for which the Judge was appointed or retained in office by retention
14 ballot and until his or her successor is appointed and qualified,
15 unless the Judge vacates the office prior to the end of his or her
16 term or is removed from office as provided by law. Any Judge in
17 office on July 1, 2020, shall be eligible for retention in the same
18 office for succeeding terms.

19 SECTION 4. This act shall become effective January 1, 2020.

20
21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/20/2019 - DO
22 PASS, As Amended.

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