

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2366

By: Kannady

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5  
6 AS INTRODUCED

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

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

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

20 Section 1. The Supreme Court shall consist of nine (9) ~~justices~~  
21 Justices. ~~Immediately upon the passage and approval of this act,~~  
22 ~~the Governor shall appoint by and with the advice and consent of the~~  
23 ~~Senate one Justice of the Supreme Court from each of the four~~  
24 ~~additional Supreme Court judicial districts hereby created, each of~~  
~~whom shall serve until the second Monday in January, 1919, Each~~  
Justice in office on January 1, 2020, shall serve the term for which  
the Justice was appointed or retained in office by retention ballot

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

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

8 Section 2. The Beginning January 1, 2020:

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

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

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

20 ~~The 4. Supreme Court Judicial District No. 4 shall embrace and~~  
21 ~~include the following counties: Beckham, Dewey, Roger Mills, Ellis,~~  
22 ~~Woodward, Woods, Major, Harper, Beaver, Texas, Cimarron, Alfalfa,~~  
23 ~~Garfield, Kingfisher, Blaine, Custer and Washita.~~ Congressional  
24 District No. 3 as constituted on January 8, 2019;

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

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

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

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

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

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

20       Section 33. A. The state is hereby divided into five (5) Court  
21 of Criminal Appeals ~~judicial districts~~ Judicial Districts. From  
22 each of said districts candidates for Judge of the Court of Criminal  
23 Appeals shall be nominated and appointed in the manner provided by  
24 Article VII-B of the Oklahoma Constitution. All Judges of the Court

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

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

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

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

18 3. The Court of Criminal Appeals Judicial District No. 3 shall  
19 embrace and include ~~the following counties: Atoka, Bryan, Carter,~~  
20 ~~Coal, Choctaw, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston,~~  
21 ~~Latimer, Leflore, Love, Marshall, McClain, McCurtain, McIntosh,~~  
22 ~~Murray, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, and~~  
23 ~~Stephens.~~ Congressional District No. 2;

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

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

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

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

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19        57-1-7589            SD            12/17/18  
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