

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE JOINT
6 RESOLUTION NO. 1048

By: Roberts

7 COMMITTEE SUBSTITUTE

8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to the Constitution of
11 the State of Oklahoma by adding a new Section 4b to
12 Article III; imposing requirements with respect to
13 elections; requiring votes to have certain
14 characteristics; prohibiting votes from having other
15 characteristics; requiring certain measures to be
16 limited in content; authorizing enabling legislation;
17 providing ballot title; and directing filing.

18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
19 2ND SESSION OF THE 59TH OKLAHOMA LEGISLATURE:

20 SECTION 1. The Secretary of State shall refer to the people for
21 their approval or rejection, as and in the manner provided by law,
22 the following proposed amendment to the Constitution of the State of
23 Oklahoma by adding a new Section 4b to Article III thereof, to read
24 as follows:

A. In all elections held by the State Election Board, a county
election board, or a municipality, the following shall be required:

1 1. A candidate who receives the most votes at an election shall
2 be certified the winner of that election in the manner prescribed by
3 the Legislature;

4 2. Nothing in this section shall be construed to limit the
5 authority of the Legislature to enact a mandatory primary system as
6 provided in Section 3 of Article III of this Constitution.

7 B. All elections held by the State Election Board, a county
8 election board, or a municipality shall be conducted in the
9 following manner:

10 1. A voter shall vote for only one candidate for the same
11 office;

12 2. A vote for one candidate shall not be reallocated to another
13 candidate for the same office; and

14 3. One voter's vote for a candidate for an office shall hold
15 the same weight as other voters' votes for a candidate for the same
16 office.

17 C. 1. This section shall remain in effect unless and until it
18 is repealed by a vote of the people by initiative or referendum as
19 provided in this Constitution.

20 2. An initiative or referendum to repeal this section shall
21 contain no subject other than the repeal of this section.

22 D. The Legislature shall have the authority to implement this
23 section with appropriate legislation.

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

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure would amend the Oklahoma Constitution. It would
8 add a new Section 4A to Article 3. If the measure passes,
9 elections would have to be conducted in a specific manner.
10 Elections could only provide for a person to win the election
11 for an office if that person received the highest number of
12 votes cast for the particular office. Nothing about this
13 measure would amend or modify or limit the ability of the
14 Legislature to provide for a system of primary elections. It
15 would require a voter to cast only one vote for a person with
16 respect to any public office. Each vote cast would be required
17 to have the exact same weight as any other vote cast for the
18 office. The provisions of this section would remain the law
19 unless, pursuant to an amendment, to the Constitution by means
20 of an initiative petition or a measure referred to a vote of the
21 people by the Legislature. An initiative petition or a
22 referendum measure could only contain a provision to repeal this
23 section and could not contain an amendment to this section. The

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1 Legislature would have the ability to enact laws in order to
2 implement the provisions of this section.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES _____

5 AGAINST THE PROPOSAL - NO _____

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

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