

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE JOINT
RESOLUTION 13

By: Guthrie

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 3 of Article VII-B of the Oklahoma Constitution; removing requirement of political party affiliation for certain members; providing ballot title; and directing filing.

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

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 3 of Article VII-B of the Oklahoma Constitution to read as follows:

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

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

1 the adoption of this Article, none of whom shall be admitted to
2 practice law in the State of Oklahoma or have any immediate family
3 member who has been admitted to the practice of law in the State of
4 Oklahoma or any other state;

5 ~~(2) six~~ 2. Six members, which shall include at least one from
6 each congressional district established by the Statutes of Oklahoma
7 and existing at the date of the adoption of this Article who are,
8 however, members of the Oklahoma Bar Association and who have been
9 elected by the other active members of their district under
10 procedures adopted by the Board of Governors of the Oklahoma Bar
11 Association, until changed by statute; and

12 ~~(3) three~~ 3. Three members at large who shall not have been
13 admitted to the practice of law in the State of Oklahoma or any
14 other state or have any immediate family member who has been
15 admitted to the practice of law in the State of Oklahoma or any
16 other state but who shall be a resident of the State of Oklahoma,
17 one to be selected by not less than eight members of the Nominating
18 Commission. In the event eight members of the Commission cannot
19 agree upon the member at large within thirty (30) days of the
20 initial organization of the Commission or within thirty (30) days of
21 a vacancy in the member at large position, the Governor shall make
22 the appointment of the member at large; one to be selected by the
23 President Pro Tempore of the Senate; and one to be selected by the
24

1 Speaker of the House of Representatives. ~~No more than two members~~
2 ~~at large shall belong to any one political party.~~

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

5 The six lay members of the Commission who are appointed by the
6 Governor shall be appointed within ninety (90) days from the date
7 that this Article becomes effective. Two members shall be appointed
8 for a term of two (2) years, two members for a term of four (4)
9 years, and two members for a term of six (6) years. The Oklahoma
10 Bar Association shall hold its election and certify to the Secretary
11 of State its members within ninety (90) days from the effective date
12 of this Article, two of whom shall be elected for a term of two (2)
13 years, two for a term of four (4) years, and two for a term of six
14 (6) years. Thereafter all of the members of the Commission, whether
15 elected or appointed, shall serve for a term of six (6) years,
16 except that the member at large shall serve for a term of two (2)
17 years.

18 ~~(b)~~ B. Vacancies arising during the term of any lay
19 commissioner, other than the member at large, shall be filled by
20 appointment by the Governor for the remainder of his or her term.
21 Vacancies of any lawyer commissioner shall be filled by the Board of
22 Governors of the Oklahoma Bar Association for the remainder of his
23 or her term.

1 ~~(e)~~ C. In the event of vacancy in the member at large position,
2 the said vacancy shall be filled in the same manner as the original
3 selection.

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

6 ~~(e)~~ D. The concurrence of the majority of Commissioners in
7 office at the time shall be sufficient to decide any question,
8 unless otherwise provided herein. The Commission shall have
9 jurisdiction to determine whether the qualifications of nominees to
10 hold Judicial Office have been met and to determine the existence of
11 vacancies on the Commission.

12 ~~(f)~~ E. No Commissioner, while a member of the Commission, shall
13 hold any other public office by election or appointment or any
14 official position in a political party and he or she shall not be
15 eligible, while a member of the Commission and for five (5) years
16 thereafter, for nomination as a Judicial Officer.

17 ~~(g)~~ F. Commissioners shall serve without compensation but the
18 Legislature shall provide funds to reimburse them for their
19 necessary travel and lodging expenses while performing their duties
20 as such Commissioners.

21 ~~(h)~~ G. No Commissioner shall be permitted to succeed himself or
22 herself.

