

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE CONCURRENT
RESOLUTION NO. 1022

Echols of the House
and
McCortney of the Senate

7 A Concurrent Resolution relating to Joint Rules;
8 amending Joint Rules for the 58th Oklahoma
Legislature.

9 AMENDMENT NO. 1. Page 1, strike the title, resolving clause and
10 entire resolution and insert

11 A Concurrent Resolution relating to Joint Rules;
12 amending Joint Rules for the 58th Oklahoma
Legislature.

13
14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF
15 THE 58TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

16 SECTION 1. The Joint Rules of the 58th Oklahoma Legislature are
17 amended to read as follows:

18 JOINT RULES
19 58th OKLAHOMA LEGISLATURE

20 2021-2022

21 PREAMBLE

22 The Oklahoma Legislature hereby adopts the following joint rules
23 to govern its operations and procedures pursuant to Article V,
24 Section 30 of the Oklahoma Constitution.

1 RULE ONE

2 JOINT SESSIONS

3 (a) The Officers of joint sessions of the Legislature shall be
4 the President of the Senate, the Speaker of the House of
5 Representatives, the President Pro Tempore of the Senate, the
6 Secretary of the Senate, and the Clerk of the House of
7 Representatives.

8 (b) Upon the convening of a joint session of the Legislature,
9 the Secretary of the Senate and the Clerk of the House of
10 Representatives shall keep a report of the proceedings to be
11 published in the journals of their respective chambers.

12 RULE TWO

13 COMMUNICATIONS BETWEEN SENATE AND HOUSE

14 All bills, resolutions, votes and amendments by either chamber,
15 to which the concurrence of both is necessary, as well as messages,
16 shall be presented to the other under the signature of the Clerk or
17 Secretary of the chamber from which they are transmitted. Messages
18 between the chambers shall be sent only while the receiving chamber
19 is sitting.

20 RULE THREE

21 AVAILABILITY OF LEGISLATION

22 Neither chamber of the Oklahoma Legislature shall consider
23 legislation unless said legislation has been made available on a
24

1 previous legislative day to the members of the chamber then having
2 custody of the measure.

3 RULE FOUR

4 JOINT COMMITTEES

5 CHAPTER A:

6 IN GENERAL

7 4.1 - Co-Chairs and Co-Vice Chairs.

8 (a) The President Pro Tempore of the Senate shall appoint a Co-
9 Chair and Co-Vice Chair to each Joint Committee. The Speaker of the
10 House of Representatives shall appoint a Co-Chair and Co-Vice Chair
11 to each Joint Committee.

12 (b) While considering a bill or resolution in a joint meeting,
13 Joint Committees shall be presided over by the member appointed as a
14 Co-Chair by the proposed legislation's chamber of origin unless
15 otherwise determined by the Joint Committee.

16 (c) When meeting jointly or separately, the Co-Vice Chair shall
17 assume the duties of the Co-Chair for the same chamber during the
18 absence of or at the request of the Co-Chair.

19 4.2 - Timing of Meetings.

20 The dates, times, and locations of separate meetings shall be
21 determined by the Speaker of the House of Representatives and the
22 President Pro Tempore of the Senate for their respective
23 delegations.

24 4.3 - Notice of Meetings.

1 Unless otherwise established by agreement between the Speaker of
2 the House of Representatives and the President Pro Tempore of the
3 Senate, twenty-four (24) hours of notice to the public shall be
4 provided for meetings of Joint Committees whether such meeting shall
5 be held jointly or separately.

6 4.4 - Open Meetings.

7 Meetings of Joint Committees shall be open to the public.

8 4.5 - Calendar of Business.

9 Unless otherwise established by agreement between the Speaker of
10 the House of Representatives and the President Pro Tempore of the
11 Senate, the Co-Chairs of a Joint Committee shall establish the
12 calendar of business for that Joint Committee.

13 4.6 - Authority of Co-Chairs and Co-Vice Chairs.

14 (a) The presiding Co-Chair or Co-Vice Chair of a Joint
15 Committee shall have all authority necessary to maintain order and
16 decorum and to ensure efficient operation of the Joint Committee.

17 (b) Except as otherwise provided for by this Rule, when meeting
18 separately, each chamber's respective Rules governing the conduct of
19 committee meetings shall apply to meetings of a Joint Committee;
20 provided, the Co-Chairs of the Joint Committee may establish
21 procedures for the conduct of joint meetings of the Joint Committee.

22 4.7 - Quorum.

23 (a) In a joint meeting, a quorum shall be considered present
24 only when a majority of the members appointed by the House of

1 Representatives and a majority of the members appointed by the
2 Senate are present.

3 (b) In a separate meeting convened either by the Speaker of the
4 House of Representatives or by the President Pro Tempore of the
5 Senate, a quorum shall be considered present when a majority of the
6 members from the convening chamber are present.

7 4.8 - Voting.

8 (a) All votes cast in a Joint Committee shall be conducted in
9 open, public meetings.

10 (b) Only those committee members present may vote on any
11 matter.

12 (c) A proposed recommendation shall not be considered adopted
13 by a Joint Committee unless a majority of a quorum of the members
14 appointed by the House of Representatives and a majority of a quorum
15 of the members appointed by the Senate shall have both, at some time
16 in the course of the present biennium, voted in favor of the
17 question.

18 4.9 - Deadlines.

19 (a) Measures referred to a Joint Committee shall not be subject
20 to the legislative deadlines regularly adopted by the Legislature.

21 (b) If a Joint Committee does not report a bill or resolution
22 with a recommendation prior to Sine Die Adjournment of the First
23 Regular Session of the biennium, the bill or resolution shall remain
24

1 in the custody of the Joint Committee and shall carry over to the
2 Second Regular Session of the biennium with the same status.

3 (c) The Speaker of the House of Representatives and the
4 President Pro Tempore of the Senate may establish other deadlines
5 applicable to Joint Committees.

6 4.10 - Security.

7 (a) Unless otherwise established by agreement between the
8 Speaker of the House of Representatives and the President Pro
9 Tempore of the Senate, the Co-Chairs of a Joint Committee created
10 pursuant to this Rule shall jointly determine what security
11 arrangements shall be necessary for each Joint Committee meeting.

12 (b) Unless otherwise established by agreement between the
13 Speaker of the House of Representatives and the President Pro
14 Tempore of the Senate, the Co-Chairs of a Joint Committee created
15 pursuant to this Rule shall individually determine what security
16 arrangements shall be necessary for separately convened committee
17 meetings.

18 CHAPTER B:

19 APPROPRIATIONS AND BUDGET

20 4.11 - Composition and Title.

21 (a) There shall be constituted a joint committee whose
22 membership is composed of members of the House of Representatives
23 and of the Senate. The joint committee established by this Rule
24

1 shall be styled as the Joint Committee on Appropriations and Budget
2 and shall be hereinafter referenced as "JCAB".

3 (b) The members of the Senate appointed to serve on the Senate
4 Committee on Appropriations shall also be the members of the Joint
5 Committee, provided, such membership may be changed by the President
6 Pro Tempore of the Senate. The members of the House of
7 Representatives appointed to serve on House Committee on
8 Appropriations and Budget shall also be the members of JCAB;
9 provided, such membership may be changed by the Speaker of the House
10 of Representatives. Ex officio members of the committees of each
11 respective chamber shall be ex officio and voting members of JCAB.

12 4.12 - Amendments.

13 Legislation referred to JCAB shall not be amended other than by
14 adoption of a committee substitute authored by the Co-Chairs of
15 JCAB.

16 4.13 - Recommendations.

17 (a) A recommendation by JCAB of "Do Pass" or "Do Pass, As
18 Amended" shall constitute a favorable recommendation.

19 (b) Upon adoption of a favorable recommendation by JCAB, the
20 Co-Chairs shall cause a joint committee report to be created
21 recording the ayes and the nays. Said report shall be filed with
22 the chief legislative officer of the recommended legislation's
23 chamber of origin.

24

1 (c) All legislation receiving a favorable recommendation by
2 JCAB to the chamber of origin shall contain a complete Title and an
3 Enacting or Resolving Clause.

4 (d) No measure shall be recommended by JCAB to the chamber of
5 origin which does not have a fiscal impact. A fiscal impact may
6 arise from provisions affecting revenues or expenditures or from
7 provisions giving rise to a fiscal impact upon any governmental
8 subdivision of the State of Oklahoma.

9 4.14 - Joint Calendar for Appropriations and Budget.

10 (a) There shall be constituted a joint calendar upon which only
11 those measures receiving a favorable recommendation by JCAB shall be
12 published. The joint calendar established by this Rule shall be
13 styled as the Joint Calendar on Appropriations and Budget and shall
14 be hereinafter referenced in this Rule as the "Joint Calendar".

15 (b) Upon filing with the chief legislative officer of the
16 chamber of origin, the joint committee report shall be published to
17 the Joint Calendar. When published to the Joint Calendar, said
18 report shall be distributed to the members of the House of
19 Representatives and Senate and shall be made available to the public
20 on a legislative day prior to consideration in the chamber of
21 origin.

22 (c) The distribution and public availability requirements of
23 paragraph (b) of this Rule shall fulfill all internal and external
24 distribution and availability requirements for both chambers of the

1 Legislature for measures receiving a favorable recommendation by the
2 Joint Committee.

3 4.15 - Consideration in Chamber of Origin.

4 (a) If a measure favorably reported by JCAB is scheduled for
5 consideration, the joint committee report, prior to advancement of
6 the measure from General Order to Third Reading and Final Passage,
7 shall undergo consideration and shall either be adopted or rejected.

8 (b) Upon adoption of the joint committee report, the bill or
9 resolution shall be considered advanced from General Order, and on
10 Third Reading and Final Passage.

11 (c) If a motion to reject the joint committee report is
12 adopted, the report and the measure shall be returned to the custody
13 of the Joint Committee.

14 (d) No bill or resolution receiving a recommendation from the
15 Joint Committee of "Do Pass" or "Do Pass, As Amended" shall be
16 subject to amendment.

17 (e) Upon approval of the bill or resolution on Third Reading
18 and Final Passage, the measure shall be engrossed to the opposite
19 house in the same manner as other measures are engrossed.

20 4.16 - Consideration in the Opposite Chamber.

21 (a) Upon consideration in the opposite chamber, the joint
22 committee report, prior to advancement of the measure from General
23 Order to Third Reading and Final Passage, shall undergo
24 consideration and shall either be adopted or rejected.

1 (b) Upon adoption of the joint committee report in the opposite
2 chamber, the bill or resolution shall be considered advanced from
3 General Order, engrossed and on Third Reading and Final Passage.

4 (c) If a motion to reject the joint committee report is
5 adopted, the report and the measure shall be returned to the custody
6 of the Joint Committee.

7 (d) No bill or resolution receiving a recommendation from the
8 Joint Committee of "Do Pass" or "Do Pass, As Amended" shall be
9 subject to amendment.

10 CHAPTER C:

11 ADMINISTRATIVE RULES

12 4.17 - Composition and Title.

13 (a) There shall be constituted a joint committee whose
14 membership is composed of members of the House of Representatives
15 and of the Senate. The joint committee established by this Rule
16 shall be styled as the Joint Committee on Administrative Rules and
17 shall be hereinafter referenced as "JCAR".

18 (b) The President Pro Tempore of the Senate shall appoint
19 members of the Senate to JCAR to serve at the pleasure of the Senate
20 Pro Tempore. The Speaker of the House of Representatives shall
21 appoint members of the House of Representatives to JCAR to serve at
22 the pleasure of the Speaker of the House of Representatives. Ex
23 officio members of the committees of each respective chamber shall
24 be ex officio and voting members of JCAR.

1 4.18 - Recommendations.

2 (a) Action by JCAR may be by motion to "recommend approval",
3 "recommend approval in part", "recommend disapproval", "recommend
4 agency amendment", or "recommend agency further consideration".

5 (b) Upon adoption of a favorable recommendation by JCAR, the
6 Co-Chairs shall cause a joint committee report to be created
7 recording the ayes and the nays. Said report shall be filed with
8 the chief legislative officer of the recommended legislation's
9 chamber of origin.

10 4.19 - Joint Calendar for Administrative Rules.

11 (a) There shall be constituted a joint calendar upon which
12 measures receiving a recommendation by JCAR shall be published. The
13 joint calendar established by this Rule shall be styled as the Joint
14 Calendar on Administrative Rules and shall be hereinafter referenced
15 in this Rule as the "JCAR Calendar".

16 (b) Upon filing with the chief legislative officer of the
17 chamber of origin, the JCAR report shall be published to the JCAR
18 Calendar. When published to the JCAR Calendar, said report shall be
19 distributed to the members of the House of Representatives and
20 Senate and shall be made available to the public on a legislative
21 day prior to consideration in the chamber of origin.

22 (c) The distribution and public availability requirements of
23 paragraph (b) of this Rule shall fulfill all internal and external
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1 distribution and availability requirements for both chambers of the
2 Legislature for measures receiving a recommendation by JCAR.

3 4.20 - Consideration in Chamber of Origin.

4 (a) If a measure reported by JCAR is scheduled for
5 consideration, the JCAR report, prior to advancement of the measure
6 from General Order to Third Reading and Final Passage, shall undergo
7 consideration and shall either be adopted or rejected.

8 (b) Upon adoption of the JCAR report, the measure shall be
9 considered advanced from General Order, and on Third Reading and
10 Final Passage.

11 (c) If a motion to reject the JCAR report is adopted, the
12 report and the measure shall be returned to the custody of JCAR.

13 (d) No bill or resolution receiving a recommendation from JCAR
14 shall be subject to amendment.

15 (e) Upon approval of the measure on Third Reading and Final
16 Passage, the measure shall be engrossed to the opposite chamber in
17 the same manner as other measures are engrossed.

18 4.21 - Consideration in the Opposite Chamber.

19 (a) Upon consideration in the opposite chamber, the JCAR
20 report, prior to advancement of the measure from General Order to
21 Third Reading and Final Passage, shall undergo consideration and
22 shall either be adopted or rejected.

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1 (b) Upon adoption of the JCAR report in the opposite chamber,
2 the bill or resolution shall be considered advanced from General
3 Order, engrossed, and on Third Reading and Final Passage.

4 (c) If a motion to reject the JCAR report is adopted, the
5 report and the measure shall be returned to the custody of JCAR.

6 (d) No bill or resolution receiving a recommendation from JCAR
7 shall be subject to amendment.

8 RULE FIVE

9 CONFERENCE COMMITTEES

10 5.1 - Procedures.

11 (a) When a bill or resolution is returned by either chamber to
12 the other with amendments, and the chamber where the bill or
13 resolution originated refuses to concur in said amendments, a
14 conference, by a majority vote of those present and voting, may be
15 requested. Such action shall be transmitted by message which shall
16 include the names of the conferees on the part of the requesting
17 chamber. Upon receipt of such message, the other chamber may, in
18 like manner, grant such conference, notifying the requesting chamber
19 by message stating therein the names of its conferees.

20 (b) In case of agreement by a majority of the members of each
21 chamber, the conference committee report shall first be made to the
22 chamber of origin, and there acted upon, the action taken to be
23 immediately reported, by message, by the Secretary or the Clerk to
24

1 the other chamber. The conference committee report shall be signed
2 by a majority of the conferees appointed by each chamber.

3 (c) In the event of the failure of either chamber to adopt the
4 conference committee report, the bill or resolution as reported by
5 the conference committee shall remain with the chamber where the
6 failure to adopt occurred and that chamber may, at any time
7 thereafter, request further conference and the original or new
8 conferees shall be appointed for the further consideration of
9 amendments. In the event that the conference committee report is
10 rejected and further conference is requested, the bill or resolution
11 shall be in custody of the chamber of origin.

12 (d) In case the conferees of the two chambers are unable to
13 agree they shall report that fact to the chamber of origin by filing
14 a conference committee report stating "conferees are unable to
15 agree". The bill or joint resolution shall revert to the status it
16 occupied before being sent to conference committee.

17 (e) It shall be within the exclusive jurisdiction of the
18 chamber of origin:

19 1. to determine the germaneness of all amendments proposed by
20 the opposite chamber to the bills and joint resolutions of the
21 chamber of origin; and

22 2. to determine the germaneness of all conference committee
23 substitutes as well as any other changes made within a conference
24

1 committee report to the bills and joint resolutions of the chamber
2 of origin.

3 5.2 - Joint Conference Calendar.

4 (a) The President Pro Tempore of the Senate and the Speaker of
5 the House of Representatives may establish a joint calendar for
6 publication of conference committee reports.

7 (b) Unless otherwise established by agreement between the
8 Speaker of the House of Representatives and the President Pro
9 Tempore of the Senate, a conference committee report, upon filing
10 with the chief legislative officer of the chamber of origin, may be
11 published to the Joint Conference Calendar. When published to the
12 Joint Conference Calendar, said report shall be distributed to the
13 members of the House of Representatives and Senate and shall be made
14 available to the public on a legislative day prior to consideration
15 in the chamber of origin.

16 RULE SIX

17 RECALL OF MEASURES FROM GOVERNOR

18 Bills and joint resolutions presented to the Governor, and on
19 which action by the Governor is pending, may be recalled only by a
20 concurrent resolution introduced in the chamber of origin of said
21 bill or joint resolution and adopted by both chambers; provided,
22 however, bills and joint resolutions may be recalled from the
23 Governor upon a joint request of the presiding officers of both
24 chambers for the exclusive purpose of correcting typographical and

1 grammatical errors therein when such request for recall identifies
2 the errors to be corrected. The amendment of such bill or joint
3 resolution recalled on request of the presiding officers shall be
4 limited to the correction of errors as stated in the recall request.
5 The recall request shall be printed in full in the journal of each
6 chamber.

7 RULE SEVEN

8 LEGISLATIVE SCHEDULE

9 (a) The First Regular Session of the 58th Oklahoma Legislature
10 shall adhere to the following procedure schedule:

11 1. January 21, 2021, no later than 4:00 p.m., shall be the
12 deadline for introduction of bills and joint resolutions in the
13 Senate and House of Representatives for consideration on the floor
14 of the House of Representatives or Senate during the First Regular
15 Session.

16 2. March 11, 2021, shall be the final legislative day for Third
17 Reading and Final Passage of a bill or joint resolution in the
18 chamber of origin.

19 3. April 22, 2021, shall be the final legislative day for Third
20 Reading and Final Passage of a bill or joint resolution in the
21 chamber opposite the chamber of origin.

22 4. The First Regular Session of the 58th Oklahoma Legislature
23 shall adjourn sine die not later than 5:00 p.m. on May 28, 2021.
24

1 5. Upon a two-thirds (2/3) vote of the membership of both
2 chambers, a bill or joint resolution may be exempted from all
3 deadline dates in both chambers; provided, each chamber may adopt
4 rules which supersede the provisions of this Rule.

5 (b) The Second Regular Session of the 58th Oklahoma Legislature
6 shall adhere to the following procedure schedule:

7 1. December 10, 2021, shall be the final date for requesting
8 the drafting of bills and joint resolutions in the House of
9 Representatives and Senate for introduction for consideration during
10 the Second Regular Session.

11 2. January 20, 2022, no later than 4:00 p.m., shall be the
12 deadline for introduction of bills and joint resolutions in the
13 Senate and House of Representatives for consideration on the floor
14 of the House of Representatives or Senate during the Second Regular
15 Session.

16 3. The Second Regular Session of the 58th Oklahoma Legislature
17 shall convene at twelve noon on February 7, 2022.

18 4. March 24, 2022, shall be the final legislative day for Third
19 Reading and Final Passage of a bill or joint resolution in the
20 chamber of origin.

21 5. April 28, 2022, shall be the final legislative day for Third
22 Reading and Final Passage of a bill or joint resolution in the
23 chamber opposite the chamber of origin.

1 6. The Second Regular Session of the 58th Oklahoma Legislature
2 shall adjourn sine die not later than 5:00 p.m. on May 27, 2022.

3 7. Upon a two-thirds (2/3) vote of the membership of both
4 chambers, a bill or joint resolution can be exempted from all
5 deadline dates in both chambers; provided, each chamber may adopt
6 rules which supersede the provisions of this Rule.

7 (c) This schedule may be amended or modified by the adoption of
8 a concurrent resolution by a majority vote of the membership of each
9 chamber.

10 (d) This schedule shall be inapplicable to any joint resolution
11 introduced for the purpose of disapproving or approving agency rules
12 pursuant to the provisions of the Administrative Procedures Act, or
13 for the purpose of disapproving or approving standards adopted by
14 the State Board of Education as set forth in Section 11-103.6a-1 of
15 Title 70 of the Oklahoma Statutes.

16 (e) This schedule shall be inapplicable to any bills introduced
17 for the purposes of incorporating and merging different versions of
18 a statute amended in more than one measure at the same or different
19 sessions of the Legislature as set forth in Section 23.1 of Title 75
20 of the Oklahoma Statutes.

21 (f) This schedule shall be inapplicable to any bill or joint
22 resolution introduced for the purpose of approving, disapproving,
23 repealing or modifying rules of the Ethics Commission pursuant to
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1 the provisions of Section 3 of Article XXIX of the Oklahoma
2 Constitution.

3 (g) This schedule shall be inapplicable to any bill or joint
4 resolution which proposes a special or local law and for which
5 notice of intended introduction is published in a newspaper for four
6 consecutive weeks pursuant to the provisions of Section 32 of
7 Article V of the Oklahoma Constitution.

8 (h) The dates specified in this Rule for introduction of bills
9 or joint resolutions shall be inapplicable to any bill or joint
10 resolution which contains an "RB" number pursuant to the provisions
11 of the Oklahoma Pension Legislation Actuarial Analysis Act. Such
12 measures shall be submitted to the legislative actuary not later
13 than such dates, and may be introduced not later than the first
14 Monday in February following such submission.

15 (i) This schedule shall be inapplicable to any bill or joint
16 resolution authored by the chairs and vice-chairs of the Senate
17 Appropriations Committee and the House Appropriations and Budget
18 Committee which affects the receipt, expenditure or budgeting of
19 state funds or funds under the control of an entity created by state
20 law.

21 (j) This schedule shall be inapplicable to any bill or joint
22 resolution authored by the President Pro Tempore of the Senate and
23 the Speaker of the House of Representatives which is deemed by them
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1 to be necessary for the preservation of public peace, health or
2 safety.

3 (k) This schedule shall be inapplicable to any bill or joint
4 resolution authored by the President Pro Tempore of the Senate and
5 the Speaker of the House of Representatives which provides for
6 redistricting.

7 RULE EIGHT

8 ADOPTION, AMENDMENT OR SUSPENSION OF JOINT RULES

9 (a) Joint Rules shall be adopted by a concurrent resolution by
10 a majority vote of the membership of each chamber. Thereafter,
11 except as provided in paragraph (c) of Rule Seven, said Rules may be
12 amended, modified or repealed only by the adoption of a concurrent
13 resolution by a two-thirds (2/3) vote of the membership of each
14 chamber.

15 (b) Any Joint Rule or a portion thereof, except such joint
16 rules as are expressions of requirements contained within the
17 Oklahoma Constitution, may be suspended by a two-thirds (2/3) vote
18 of the membership of each chamber; provided, a joint rule that does
19 not express a constitutional requirement may be suspended by a two-
20 thirds (2/3) vote of the membership of a single chamber on a matter
21 affecting actions of that chamber only. In the event a joint rule
22 is suspended in one chamber pursuant to this provision, the chamber
23 adopting the suspension shall immediately notify the opposite
24 chamber by message.

1 RULE NINE

2 OVERSIGHT COMMITTEE FOR THE LEGISLATIVE OFFICE FOR FISCAL
3 TRANSPARENCY

4 9.1 - Composition and Title.

5 There shall be constituted an oversight committee whose
6 membership is composed of members of the House of Representatives
7 and of the Senate. The oversight committee as set forth in Section
8 8013 of Title 62 of the Oklahoma Statutes shall be styled as the
9 Oversight Committee for the Legislative Office of Fiscal
10 Transparency and shall be hereinafter referenced in this Rule as the
11 "LOFT Oversight Committee".

12 9.2 - Timing of Meetings.

13 The dates, times and locations of meetings shall be determined
14 by the Co-Chairs of the LOFT Oversight Committee.

15 9.3 - Notice of Meetings.

16 The notice and agenda for each meeting shall be determined by
17 the Co-Chairs and shall be made available to the public, by posting
18 on the Senate and House of Representatives websites, at least
19 twenty-four (24) hours prior to the time of the meeting.

20 9.4 - Authority of the Co-Chairs.

21 (a) The Co-Chairs of the LOFT Oversight Committee shall have
22 all authority necessary to maintain order and decorum and to ensure
23 efficient operation of the LOFT Oversight Committee.

1 (b) Except as otherwise provided for by this Rule, Mason's
2 Manual of Legislative Procedure shall govern the conduct of meetings
3 of the LOFT Oversight Committee; provided, the Co-Chairs may
4 establish procedures for the conduct of meetings of the Committee.

5 9.5 - Quorum.

6 A quorum of the LOFT Oversight Committee shall consist of at
7 least eight (8) members; provided, any action by the Committee shall
8 require the vote of at least four (4) members from each house of the
9 Legislature.

10 9.6 - Voting.

11 (a) All votes cast in the LOFT Oversight Committee shall be
12 conducted in open, public meetings.

13 (b) Only those committee members present may vote on any
14 matter.

15 (c) Any action by the LOFT Oversight Committee shall require
16 the vote of at least four (4) members from each house of the
17 Legislature in favor of the question to be considered adopted.

18 9.7 - Requests for Action.

19 (a) The Legislative Office of Fiscal Transparency shall be
20 required to submit a proposed work plan to the LOFT Oversight
21 Committee for approval. If the LOFT Oversight Committee adopts the
22 proposed work plan, LOFT shall be authorized to conduct any
23 necessary action to complete the work plan.

1 (b) No member of the Legislature shall be authorized to use
2 LOFT resources to conduct investigations, evaluations or audits
3 except as otherwise approved by the LOFT Oversight Committee or
4 allowed by law.

5 9.8 - Executive Director.

6 (a) The LOFT Oversight Committee shall make an annual
7 recommendation to both the Speaker of the House of Representatives
8 and the President Pro Tempore of the Senate for retention or
9 termination of the Executive Director.

10 (b) The LOFT Executive Director shall be evaluated annually and
11 must be retained by both the Speaker of the House of Representatives
12 and the President Pro Tempore of the Senate.

13 RULE TEN

14 DURATION OF JOINT RULES

15 Joint Rules adopted in the First Regular Session of a Legislature
16 shall be in full force and effect during both regular sessions of
17 the same Legislature, unless amended, modified, or repealed as
18 provided herein.

19 RULE ELEVEN

20 SPECIAL SESSIONS

21 11.1 - Legislative Deadlines.

22 Any legislative deadlines or timing requirements established by
23 either Chamber of the Legislature or these Joint Rules shall be

24

1 inapplicable to any measure under consideration in the 2nd
2 Extraordinary Session of the 58th Oklahoma Legislature.

3 Adopted by the Senate the 20th day of May, 2022.

4

5

Presiding Officer of the Senate

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7 Adopted by the House of Representatives the ____ day of _____,
8 2022.

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Presiding Officer of the House
of Representatives

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1 ENGROSSED HOUSE
2 BILL NO. 1022

By: Worthen of the House

3 and

4 Weaver of the Senate
5
6

7 An Act relating to criminal procedure; amending 22
8 O.S. 2011, Section 1115.1A, as last amended by
9 Section 1, Chapter 61, O.S.L. 2013 (22 O.S. Supp.
10 2020, Section 1115.1A), which relates to the State
11 and Municipal Traffic, Water Safety, and Wildlife
12 Bail Bond Procedure Act; stating effect of paying
13 traffic fines and costs when guilty plea is not
14 indicated on citation form; and providing an
15 effective date.

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

17 SECTION 2. AMENDATORY 22 O.S. 2011, Section 1115.1A, as
18 last amended by Section 1, Chapter 61, O.S.L. 2013 (22 O.S. Supp.
19 2020, Section 1115.1A), is amended to read as follows:

20 Section 1115.1A A. In addition to other provisions of law for
21 posting bail, any person, whether a resident of this state or a
22 nonresident, who is arrested by a law enforcement officer solely for
23 a misdemeanor violation of a state traffic law or municipal traffic
24 ordinance, shall be released by the arresting officer upon personal
recognizance if:

1 1. The arrested person has been issued a valid license to
2 operate a motor vehicle by this state, another state jurisdiction
3 within the United States, which is a participant in the Nonresident
4 Violator Compact or any party jurisdiction of the Nonresident
5 Violator Compact;

6 2. The arresting officer is satisfied as to the identity of the
7 arrested person and certifies the date and time and the location of
8 the violation, as ~~evidence~~ evidenced by the electronic signature of
9 the officer;

10 3. The arrested person acknowledges, as evidenced by the
11 electronic signature of the person, a written promise to appear as
12 provided for on the citation, unless the person is unconscious or
13 injured and requires immediate medical treatment as determined by a
14 treating physician; and

15 4. The violation does not constitute:

- 16 a. a felony,
- 17 b. negligent homicide,
- 18 c. driving or being in actual physical control of a motor
19 vehicle while impaired or under the influence of
20 alcohol or other intoxicating substances, unless the
21 person is unconscious or injured and requires
22 immediate medical treatment as determined by a
23 treating physician,

- 1 d. eluding or attempting to elude a law enforcement
2 officer,
- 3 e. operating a motor vehicle without having been issued a
4 valid driver license or while the driving privilege
5 and driver license is under suspension, revocation,
6 denial or cancellation,
- 7 f. an arrest based upon an outstanding warrant, or
- 8 g. a traffic violation coupled with any offense stated in
9 subparagraphs a through f of this paragraph.

10 B. If the arrested person is eligible for release on personal
11 recognizance as provided for in subsection A of this section, then
12 the arresting officer shall on the citation:

- 13 1. Designate the traffic charge;
- 14 2. Record information from the driver license of the arrested
15 person on the citation form, including the name, address, date of
16 birth, physical description, type of driver license, driver license
17 number, issuing state, and expiration date;
- 18 3. Record the motor vehicle make, model and tag information;
- 19 4. Record the date and time on which, or before which, the
20 arrested person promises, as evidenced by the electronic signature
21 of the person, to contact, pay, or appear at the court, as
22 applicable to the court;
- 23
- 24

1 5. Record the electronic signature of the arrested person which
2 shall serve as evidence and acknowledgment of a promise to contact,
3 pay, or appear at the court, as provided for in the citation; and

4 6. Record the electronic signature of the arrested person which
5 shall serve as evidence to certify the date and time and the
6 location that the arrested person was served with a copy of the
7 citation and notice to appear,

8 after which, the arresting officer shall then release the person
9 upon personal recognizance based upon the acknowledged promise to
10 appear. The citation shall contain a written notice to the arrested
11 person that release upon personal recognizance based upon an
12 acknowledged promise to appear, as evidenced by the electronic
13 signature of the person, for arraignment is conditional and that
14 failure to timely appear for arraignment shall result in the
15 suspension of the driving privilege and driver license of the
16 arrested person in this state, or in the home state of the
17 nonresident pursuant to the Nonresident Violator Compact.

18 C. The court, or the court clerk as directed by the court, may
19 continue or reschedule the date and time of arraignment at the
20 discretion of the court or upon request of the arrested person or
21 the attorney for that person. If the arraignment is continued or
22 rescheduled, the arrested person shall remain on personal
23 recognizance and acknowledged promise to appear until such
24 arraignment, in the same manner and with the same consequences as if

1 the continued or rescheduled arraignment was entered on the citation
2 by the arresting officer and electronically signed by the defendant.
3 An arraignment may be continued or rescheduled more than one time.
4 Provided, however, the court shall require an arraignment to be had
5 within a reasonable time. It shall remain the duty of the defendant
6 to appear for arraignment unless the citation is satisfied as
7 provided for in subsection D of this section.

8 D. A defendant released upon personal recognizance may elect to
9 enter a plea of guilty or nolo contendere to the violation charged
10 at any time before the defendant is required to appear for
11 arraignment by indicating such plea on the copy of the citation
12 furnished to the defendant or on a legible copy, together with the
13 date of the plea and signature of the defendant, or such plea may be
14 entered by the defendant using an electronic method provided by the
15 court for such purposes, either through the website of the court or
16 otherwise. The defendant shall be responsible for assuring full
17 payment of the fine and costs to the appropriate court clerk.
18 Payment of the fine and costs may be made by personal, cashier's,
19 traveler's, certified or guaranteed bank check, postal or commercial
20 money order, or other form of payment approved by the court in an
21 amount prescribed as bail for the offense. Provided, however, the
22 defendant shall not use currency for payment by mail. ~~If the~~
23 ~~defendant has entered a~~ Payment of the fine and costs which is not
24 accompanied by a written plea of guilty or nolo contendere shall

1 constitute a plea of nolo contendere entered by the defendant as
2 allowed by law, and shall function as a written, dated and signed
3 citation form acceptable to the court. A plea of guilty or nolo
4 contendere as provided for in this subsection, ~~such plea~~ shall be
5 accepted by the court and the amount of the fine and costs shall be:

6 1. As prescribed in Section 1115.3 of this title as bail for
7 the violation;

8 2. In case of a municipal violation, as prescribed by municipal
9 ordinance for the violation charged; or

10 3. In the absence of such law or ordinance, then as prescribed
11 by the court.

12 E. 1. If, pursuant to the provisions of subsection D of this
13 section, the defendant does not timely elect to enter a plea of
14 guilty or nolo contendere and fails to timely appear for
15 arraignment, the court may issue a warrant for the arrest of the
16 defendant. The municipal or district court clerk, within one
17 hundred twenty (120) calendar days from the date the citation was
18 issued by the arresting officer, shall notify the Department of
19 Public Safety that:

20 a. the defendant was issued a traffic citation and
21 released upon personal recognizance after
22 acknowledging a written promise to appear for
23 arraignment as provided for in the citation,
24

1 b. the defendant has failed to appear for arraignment
2 without good cause shown,

3 c. the defendant has not posted bail, paid a fine, or
4 made any other arrangement with the court to satisfy
5 the citation, and

6 d. the citation has not been satisfied as provided by
7 law.

8 Additionally, the court clerk shall request the Department of Public
9 Safety to either suspend the driving privilege and driver license of
10 the defendant to operate a motor vehicle in this state, or notify
11 the home state of the defendant and request suspension of the
12 driving privilege and driver license of the defendant in accordance
13 with the provisions of the Nonresident Violator Compact. The notice
14 and request shall be on a form approved or furnished by the
15 Department of Public Safety.

16 2. The court clerk shall not process the notification and
17 request provided for in paragraph 1 of this subsection if, with
18 respect to such charges:

19 a. the defendant was arraigned, posted bail, paid a fine,
20 was jailed, or otherwise settled the case,

21 b. the defendant was not released upon personal
22 recognizance upon an acknowledged written promise to
23 appear as provided for in this section or if released,
24

1 was not permitted to remain on such personal
2 recognizance for arraignment,

3 c. the violation relates to parking or standing, or

4 d. a period of one hundred twenty (120) calendar days or
5 more has elapsed from the date the citation was issued
6 by the arresting officer.

7 F. Following receipt of the notice and request from the court
8 clerk for driving privilege and driver license suspension as
9 provided for in subsection E of this section, the Department of
10 Public Safety shall proceed as provided for in Section 1115.5 of
11 this title.

12 G. The municipal or district court clerk shall maintain a
13 record of each request for driving privilege and driver license
14 suspension submitted to the Department of Public Safety pursuant to
15 the provisions of this section. When the court or court clerk
16 receives appropriate bail or payment of the fine and costs, settles
17 the citation, makes other arrangements with the defendant, or
18 otherwise closes the case, the court clerk shall furnish proof
19 thereof to the defendant, if the defendant personally appears, or
20 shall mail such proof by first-class mail, postage prepaid, to the
21 defendant at the address noted on the citation or at such other
22 address as is furnished by the defendant or by ~~e-mail~~ email if the
23 defendant has furnished an ~~e-mail~~ email address for such purposes.
24 Additionally, the court or court clerk shall notify the home

1 jurisdiction of the defendant as listed on the citation, if such
2 jurisdiction is a member of the Nonresident Violator Compact, and
3 shall, in all other cases, notify the Department of the resolution
4 of the case. The form of proof and the procedures for notification
5 shall be approved by the Department of Public Safety. Provided
6 however, failure by the court or court clerk to furnish such proof
7 or notice in the manner provided for in this subsection shall in no
8 event create any civil liability upon the court, the court clerk,
9 the State of Oklahoma or any political subdivision thereof, or any
10 state department or agency or any employee thereof but duplicate
11 proof shall be furnished to the person entitled to such proof or
12 notice upon request.

13 H. For purposes of this section, "electronic signature" shall
14 have the same meaning as defined in Section 15-102 of Title 12A of
15 the Oklahoma Statutes.

16 SECTION 3. This act shall become effective November 1, 2021.
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24

1 Passed the House of Representatives the 1st day of March, 2021.

2
3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2021.

6
7
8 _____
9 Presiding Officer of the Senate