

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE JOINT  
4 RESOLUTION 13

By: Paxton

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection a proposed amendment to Section 1 of  
10 Article VIII of the Oklahoma Constitution; making  
11 district attorneys subject to impeachment  
12 proceedings; updating language; making language  
13 gender neutral; providing ballot title; and directing  
14 filing.

15 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
16 1ST SESSION OF THE 59TH OKLAHOMA LEGISLATURE:

17 SECTION 1. The Secretary of State shall refer to the people for  
18 their approval or rejection, as and in the manner provided by law,  
19 the following proposed amendment to Section 1 of Article VIII of the  
20 Oklahoma Constitution to read as follows:

21 Section 1. The Governor, ~~and~~ other elective state officers,  
22 including the Justices of the Supreme Court, and district attorneys  
23 shall be liable and subject to impeachment for ~~wilful~~ willful  
24 neglect of duty, corruption in office, habitual drunkenness,  
incompetency, or any offense involving moral turpitude committed

1 while in office. All elected state officers, including Justices of  
2 the Supreme Court and Judges of the Court of Criminal Appeals, and  
3 district attorneys shall be automatically suspended from office upon  
4 their being declared guilty of a felony by a court of competent  
5 jurisdiction and their pay and allowances, otherwise payable to such  
6 official, shall be withheld during the period of such suspension.  
7 In the event such verdict of guilty is reversed by a court of  
8 competent jurisdiction on appeal, such accumulated pay and  
9 allowances which have been withheld shall be paid to such official  
10 and he or she shall be automatically reinstated in office to serve  
11 the remaining part of the term for which he or she was elected.  
12 Such official shall not be entitled to any pay or allowances for a  
13 period of time after the term of office would otherwise have expired  
14 and he or she shall not be entitled to reinstatement in office after  
15 the expiration of the term for which he or she was elected.  
16 Whenever any Justice of the Supreme Court or Judge of the Court of  
17 Criminal Appeals is suspended by reasons of this section, the  
18 Governor shall be authorized to appoint a temporary Justice or Judge  
19 to serve during the period of such suspension and such temporary  
20 Justice or Judge shall be paid for his or her services the  
21 compensation allowed for such regular Justice or Judge.

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

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure will amend Section 1 of Article 8 of the Oklahoma Constitution. The measure will make district attorneys subject to impeachment proceedings for criminal conduct while in office.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES \_\_\_\_\_

AGAINST THE PROPOSAL - NO \_\_\_\_\_

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

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