

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE JOINT
4 RESOLUTION 23

By: Dahm

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 I of the Oklahoma Constitution; clarifying
11 authority of the United States Constitution;
12 authorizing the state to exercise certain powers;
13 prohibiting use of certain personnel and resources
14 for certain actions; providing ballot title; and
15 directing filing.

16 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
17 1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

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

22 Section 1. A. The State of Oklahoma is an inseparable part of
23 the Federal Union, and the Constitution of the United States is the
24 supreme law of the land to which all government, state and federal,
is subject.

1 B. To protect the people's freedom and to preserve the checks
2 and balances of the United States Constitution, this state may
3 exercise its sovereign authority to restrict the actions of its
4 personnel and the use of its financial resources to purposes that
5 are consistent with the Constitution by doing any of the following:

6 1. Passing an initiative and referendum pursuant to Section 1
7 et seq. of Article V of the Oklahoma Constitution;

8 2. Passing a bill or resolution pursuant to Sections 33, 34,
9 and 35 of Article V of the Oklahoma Constitution; and

10 3. Pursuing any other available legal remedy.

11 C. If the people or their representatives exercise their
12 authority pursuant to this section, this state and all political
13 subdivisions of this state are prohibited from using any personnel
14 or financial resources to enforce, administer or cooperate with the
15 designated federal action or program.

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

19 BALLOT TITLE

20 Legislative Referendum No. _____ State Question No. _____

21 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

22 This measure amends Section 1 of Article 1 of the state

23 constitution. This section declares the United States

24 Constitution as the supreme law of the land. This measure

1 clarifies that the state and federal government are subject to
2 the United States Constitution. The state and its political
3 subdivisions will be prohibited from using any personnel or
4 financial resources for a federal action or program when the
5 state's people or representatives exercise their authority
6 authorized by Section 1 of Article 1 of the Oklahoma
7 Constitution to prohibit a federal action or program.

8 SHALL THE PROPOSAL BE APPROVED?

9 FOR THE PROPOSAL - YES _____

10 AGAINST THE PROPOSAL - NO _____

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

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