

Oklahoma Intercollegiate Legislature
2nd Session of the 56th Legislature (2025)

Senate Joint Resolution No. OSU-101

By: Hurlbut (OSU)

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection of a proposed amendment to Article V, Section 11-A of the Constitution of the State of Oklahoma; modifying the makeup of the Bipartisan Commission on Legislative Apportionment and establishing the Commission as the primary authority for legislative apportionment; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 56TH OKLAHOMA INTERCOLLEGIATE 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 Article X of the Constitution of the State of Oklahoma, adding section 44 to read as follows:

~~SECTION V-11A: Legislature to apportion Legislature - Failure to make apportionment - Apportionment Commission - Commission to apportion Legislature.~~

The apportionment of the Legislature shall be accomplished by ~~the Legislature according to the provisions of this article, within ninety (90) legislative days after the convening of the first regular session of the Legislature following each Federal Decennial Census. If the Legislature shall fail or refuse to make such apportionment within the time provided herein, then such apportionment shall be accomplished by~~ the Bipartisan Commission on Legislative Apportionment, according to the provisions of this article. The Commission shall be composed of ~~seven (7)~~ fifteen (15) members as follows: the Lieutenant Governor, who shall be nonvoting and the chair of the Commission; two members, one republican and one democrat, appointed by the President Pro Tempore of the Senate; two members, one republican and one democrat, appointed by the Speaker of the House of Representatives; ~~and two members, one republican and one democrat, appointed by the Governor-;~~ four (4) members, two republican and two democrat, selected randomly from a pool of applicants by the secretary of state, and who shall not have, at any point in the six (6) years prior, served as a partisan officeholder nor candidate, nor worked as an employee of a partisan officeholder nor candidate, nor been registered as a lobbyist; and four (4) members, who shall not have, at any point in the six (6) years prior, been affiliated with either the republican or democratic party, selected randomly from a

pool of applicants by the secretary of state, and who shall not have, at any point in the six (6) years prior, served as a partisan officeholder nor candidate, nor worked as an employee of a partisan officeholder nor candidate, nor been registered as a lobbyist.

SECTION V-11C. Review of Apportionment Orders - Failure to Seek Review

Any qualified elector may seek a review of any apportionment order of the Commission; ~~or apportionment law of the legislature~~, within sixty days from the filing thereof, by filing in the Supreme Court of Oklahoma a petition which must set forth a proposed apportionment more nearly in accordance with this Article. Any apportionment of either the Senate or the House of Representatives, as ordered by the Commission, ~~or apportionment law of the legislature~~, from which review is not sought within such time, shall become final. The court shall give all cases involving apportionment precedence over all other cases and proceedings; and if said court be not in session, it shall convene promptly for the disposal of the same.

SECTION V-11D. Determination by Supreme Court

Upon review, the Supreme Court shall determine whether or not the apportionment order of the Commission ~~or act of the legislature~~ is in compliance with the formula as set forth in this Article and, if so, it shall require the same to be filed or refiled as the case may be with the Secretary of State forthwith, and such apportionment shall become final on the date of said writ. In the event the Supreme Court shall determine that the apportionment order of said Commission ~~or legislative act~~ is not in compliance with the formula for either the Senate or the House of Representatives as set forth in this Article, it will remand the matter to the Commission with directions to modify its order to achieve conformity with the provisions of this Article.

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

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure sets a hybrid bipartisan/non-partisan commission as the primary authority for legislative apportionments, which would be comprised both of political appointees and non-political applicants, replacing the current vesting of such primary authority in the incumbent legislature.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

_____ YES, FOR THE AMENDMENT

_____ NO, AGAINST THE AMENDMENT

Section 3: The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall 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.