

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE JOINT
RESOLUTION 12

By: McCortney

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution by adding a new Section 54 to Article V; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 59TH 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 the Oklahoma Constitution by adding a new Section 54 to Article V to read as follows:

Section 54. A. The Legislature, state agency, department, or commission shall not implement any mandate to any political subdivision of this State, unless a specific appropriation is made to fund the political subdivision for all costs related to the mandate. If no appropriation is made to the political subdivisions, the mandate shall be considered an unfunded mandate and unenforceable. Any financial impact of any size determined to exist

1 by the political subdivision shall be sufficient to deem as an
2 unfunded mandate. Financial increases related to clerical work,
3 office supplies, and creating and submitting reports, shall be
4 exempt from this section.

5 B. As used in this section, "unfunded mandate" means any act,
6 law, order, decision, policy, or official action implemented by the
7 Legislature, state agency, department, or commission that mandates a
8 political subdivision, by action or inaction to expend funds to
9 implement or eliminate any policy, ordinance, program, or activity
10 without being fully appropriated.

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

14 BALLOT TITLE

15 Legislative Referendum No. _____ State Question No. _____

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

17 This measure adds Section 54 of Article 5 of the Oklahoma
18 Constitution to prohibit the Legislature, state agency,
19 department, or commission from implementing any unfunded mandate
20 to any political subdivision of this state.

21 SHALL THE PROPOSAL BE APPROVED?

22 FOR THE PROPOSAL - YES _____

23 AGAINST THE PROPOSAL - NO _____

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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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