



**FILED**

AUG 12 2020

OKLAHOMA SECRETARY  
OF STATE

J. Kevin Stitt  
Office of the Governor  
State of Oklahoma

**EXECUTIVE DEPARTMENT  
EXECUTIVE PROCLAMATION**

I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the provisions of Section 1 of Article V of the Oklahoma Constitution, Sections 12 and 25 of Title 34 of the Oklahoma Statutes, and the referral by the Secretary of State, do hereby declare that Initiative Petition Number 421, State Question 805, be submitted to qualified electors of the State of Oklahoma for their approval or rejection at a special election to be held statewide on the general election date of Tuesday, November 3, 2020.

The substance of the measure is as follows:

The measure seeks to add a new Article II-A to the Oklahoma Constitution. The new Article excepts and does not apply to persons who have ever been convicted of a violent felony. It would prohibit the use of a former felony conviction to increase the statutorily allowable base range of punishment for a person subsequently convicted of a felony. Individuals who are currently incarcerated for felony sentences that were enhanced based on one or more former felony convictions, and whose sentences are greater than the maximum sentence that may currently be imposed for such felonies, may seek sentence modification in court. The new Article sets forth a detailed process for such sentence modification, including but not limited to requirements for a hearing, appointment of counsel for indigent petitioners, and notification of victims, and requires that the court impose a modified sentence no greater than the current maximum sentence which may be imposed on a person convicted of the same felony with no former felony convictions, and which results in no greater time served in prison than under the original sentence. The measure establishes an appeal procedure, provides an effective date, and contains a severability clause.

Copies of this Executive Proclamation shall be delivered to the Secretary of State, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Secretary of the State Election Board.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 12<sup>th</sup> day of August, 2020.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

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J. KEVIN STITT

ATTEST  
  
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MICHAEL ROGERS, Secretary of State  
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