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# A Resolution

ENROLLED SENATE JOINT  
RESOLUTION NO. 15

BY: LAND

S. J. 401.

Ref 132

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA AMENDING §20 OF ARTICLE II, WHICH ESTABLISHES THE RIGHTS OF AN ACCUSED IN CRIMINAL PROSECUTIONS, BY PROVIDING THAT WHERE UNCERTAINTY EXISTS AS TO THE COUNTY IN WHICH A CRIME WAS COMMITTED THE ACCUSED MAY BE TRIED IN ANY COUNTY IN WHICH THE EVIDENCE INDICATES THE CRIME MIGHT HAVE BEEN COMMITTED; PROVIDING A BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

Correctly Enrolled:  Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

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4 A JOINT RESOLUTION DIRECTING THE SECRETARY OF  
5 STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL  
6 OR REJECTION A PROPOSED AMENDMENT TO THE CONSTI-  
7 TUTION OF THE STATE OF OKLAHOMA AMENDING §20 OF  
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9 ACCUSED IN CRIMINAL PROSECUTIONS, BY PROVIDING  
10 THAT WHERE UNCERTAINTY EXISTS AS TO THE COUNTY IN  
11 WHICH A CRIME WAS COMMITTED THE ACCUSED MAY BE  
12 TRIED IN ANY COUNTY IN WHICH THE EVIDENCE INDI-  
13 CATES THE CRIME MIGHT HAVE BEEN COMMITTED; PRO-  
14 VIDING A BALLOT TITLE; AND ORDERING A SPECIAL  
15 ELECTION.

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17 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
18 TWENTY-EIGHTH LEGISLATURE OF THE STATE OF OKLAHOMA:

19 SECTION 1. The Secretary of State shall refer to the people for  
20 their approval or rejection, as and in the manner provided by law,  
21 an amendment to the Constitution of the State of Oklahoma, amending  
22 §20, Article II, thereof to read as follows:

23 §20. In all criminal prosecutions the accused shall have the  
24 right to a speedy and public trial by an impartial jury of the county  
25 in which the crime shall have been committed or, where uncertainty  
26 exists as to the county in which the crime was committed, the accused  
27 may be tried in any county in which the evidence indicates the crime  
28 might have been committed. Provided, that the venue may be changed  
29 to some other county of the state, on the application of the accused,  
30 in such manner as may be prescribed by law. He shall be informed  
31 of the nature and cause of the accusation against him and have a copy  
32 thereof, and be confronted with the witnesses against him, and have  
33 compulsory process for obtaining witnesses in his behalf. He shall  
34 have the right to be heard by himself and counsel; and in capital  
35 cases, at least two days before the case is called for trial, he shall  
36 be furnished with a list of the witnesses that will be called in chief,  
to prove the allegations of the indictment or information, together  
with their postoffice addresses.

SECTION 2. The ballot title for said proposed amendment shall  
be in the following form:

CORRECTLY ENGROSSED  
CORRECTLY ENROLLED  
Chairman, Committee on Engrossed and Enrolled Bills

BALLOT TITLE

Legislative Referendum No. ~~461~~ 132

State Question No. 401

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a constitutional amendment

amending §20, Article II of the Constitution of the State of Oklahoma, which establishes the rights of an accused in criminal prosecutions, by providing that where uncertainty exists as to the county in which a crime was committed the accused may be tried in any county in which the evidence indicates the crime might have been committed

be approved by the people?

YES

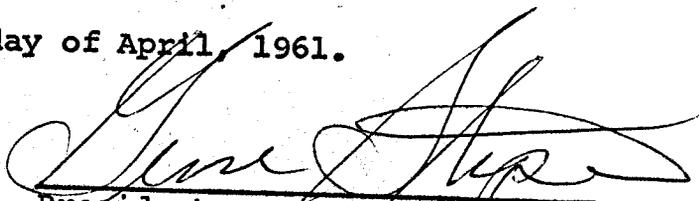
SHALL THE PROPOSED AMENDMENT BE APPROVED?

NO

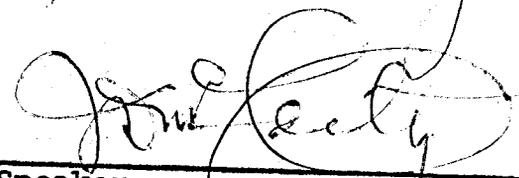
SECTION 3. The President of the Senate shall immediately after the adoption of this resolution prepare and file one copy thereof, including the above ballot title, with the Secretary of State and one copy with the Attorney General of the State of Oklahoma.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next ensuing special election held throughout this state, or on the date of the next ensuing statewide primary election, whichever is the earlier, at which the proposed amendment to the Constitution of the State of Oklahoma, set forth in SECTION 1 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

Passed the Senate the 26th day of April 1961.

  
Arthur Collins President of the Senate

Passed the House of Representatives the 10th day of July 1961.

  
Speaker of the House of Representatives

CORRECTLY ENGROSSED  
Chairman, Committee on Engrossed and Referred Bills

ENR. S. J. R. NO. 15

Passed the Senate the 26th day of April, 1961, and correctly enrolled the 10th day of July, 1961.

*By* *Byrd Spauld*  
President of the Senate

Passed the House of Representatives the 10th day of July, 1961.

*W. H. C. [Signature]*  
Speaker of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 12  
day of July, 1961,  
at 2:20, o'clock P. M.

By: *Pat Thacker*

Approved by the Governor of the State of Oklahoma the 18 day of

July, 1961. 12:13pm

*Howard Edmundson*  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 18  
day of July, 1961,  
at 2:30, o'clock P. M.

*William N. Christian*  
By: *A. Jones*

Correctly Enrolled: *Charles [Signature]* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)



MAC Q. WILLIAMSON  
ATTORNEY GENERAL

STATE OF OKLAHOMA  
OFFICE OF THE ATTORNEY GENERAL  
OKLAHOMA CITY

August 4, 1961

*29401*

Honorable William N. Christian  
Secretary of State  
B U I L D I N G

Dear Sir:

You are advised that on July 31, 1961, the Attorney General received from Louise Stockton, Chief Clerk of the House of Representatives, a duly authenticated copy of Enrolled Senate Joint Resolution No. 15 of the regular session of the 28th Legislature of the State of Oklahoma, wherein is set forth a proposed amendment of Section 20 of Article II of the Oklahoma Constitution, together with a proposed ballot title as follows:

BALLOT TITLE

LEGISLATIVE REFERENDUM NO. 132

STATE QUESTION NO. 401

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

amending Section 20, Article II of the Constitution of the State of Oklahoma, which establishes the rights of an accused in criminal prosecutions, by providing that where uncertainty exists as to the county in which a crime was committed the accused may be tried in any county in which the evidence indicates the crime might have been committed

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

.....  
. . . Yes.  
.....

.....  
. . . No.  
.....

August 4, 1961

Pursuant to the duty imposed upon him by 34 O. S. 1951 §9, the Attorney General has examined said ballot title and finds that same is in legal form and in harmony with the law.

Yours very truly,

FOR THE ATTORNEY GENERAL

*Sam H. Lattimore*

Sam H. Lattimore  
Assistant Attorney General

SHL:lc