A Resolution

ENROLLED SENATE JOINT RESOLUTION NO. 23  
BY: YOUNG of the SENATE
and
HANCOCK of the HOUSE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO ARTICLE II, SECTION 18, OF THE CONSTITUTION OF THE STATE OF OKLAHOMA; PROVIDING FOR THE COMPOSITION OF A GRAND JURY AND THE NUMBER CONCURRING TO FIND AN INDICTMENT OR TRUE BILL; PROVIDING FOR CONVENING OF A GRAND JURY ON ORDER OF DISTRICT JUDGE UPON HIS OWN MOTION, UPON PETITION OF QUALIFIED ELECTORS, OR UPON APPLICATION OF THE ATTORNEY GENERAL; PROVIDING NUMBER REQUIRED ON PETITION; AND PROVIDING THAT GRAND JURY REQUESTED BY ATTORNEY GENERAL MAY INVESTIGATE MULTICOUNTY CRIMINAL ACTIVITIES; PROVIDING FOR A BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.
ENGROSSED SENATE
J O I N T R E S O L U T I O N N O . 2 3

BY: YOUNG of the SENATE
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OR REJECTION A PROPOSED AMENDMENT TO ARTICLE II,
SECTION 18, OF THE CONSTITUTION OF THE STATE OF
OKLAHOMA; PROVIDING FOR THE COMPOSITION OF A GRAND
JURY AND THE NUMBER CONCURRING TO FIND AN INDICTMENT
OR TRUE BILL; PROVIDING FOR CONVENCING OF A GRAND
JURY ON ORDER OF DISTRICT JUDGE UPON HIS OWN MOTION,
UPON PETITION OF QUALIFIED ELECTORS, OR UPON
APPLICATION OF THE ATTORNEY GENERAL; PROVIDING NUMBER
REQUIRED ON PETITION; AND PROVIDING THAT GRAND JURY
REQUESTED BY ATTORNEY GENERAL MAY INVESTIGATE
MULTICOUNTY CRIMINAL ACTIVITIES; PROVIDING FOR A
BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
1ST SESSION OF THE 33RD 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 Article II, Section 18, of
the Constitution of the State of Oklahoma:

$ 18. A grand jury shall be composed of twelve (12) persons,
any nine (9) of whom concurring may find an indictment or true bill.
A grand jury shall be convened upon the order of a district judge of
a court having the power to try and determine felonies, upon his own
motion; or such grand jury shall be ordered by such a district judge
upon the filing of a petition therefor signed by qualified electors
of the county equal to one percent (1%) of the population of the
county according to the last preceding Federal Decennial Census, with
the minimum number of required signatures being two hundred (200)
and the maximum being five hundred (500); and further providing that
in any calendar year in which a grand jury has been convened pursuant
to a petition therefor, then any subsequent petition filed during the
same calendar year shall require double the minimum number of signa-
tures as were required hereunder for the first petition; or such
grand jury shall be ordered convened upon the filing of a verified
application by the Attorney General of the State of Oklahoma who shall
have authority to conduct the grand jury in investigating crimes which
are alleged to have been committed in said county or involving multi-
county criminal activities; when so assembled such grand jury shall
have power to inquire into and return indictments for all character
and grades of crime. All other provisions of the Constitution or
the laws of this state in conflict with the provisions of this constitu-
tional amendment are hereby expressly repealed.

SECTION 2. The ballot title for the proposed constitutional
amendment set forth in SECTION 1 of this Resolution shall be in
the following form:

BALLOT TITLE

Legislative Referendum No. 189 State Question No. 483

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a constitutional amendment
amending Article II, Section 18, of the Constitution of
the State of Oklahoma to provide for composition of grand
juries and means of convening grand juries on order of
district judge or on petition; providing that grand jury
convened on application of Attorney General may investigate
multicounty criminal activities and return indictments for
all character and grades of crime

be approved by the people?

☐ YES

☐ NO

SHALL THE PROPOSED AMENDMENT BE APPROVED?

SECTION 3. The President Pro Tempore 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.

SECTION 4. This proposed amendment to the Constitution of the
State of Oklahoma as set forth in SECTION 1 of this Resolution shall
be submitted to the people of Oklahoma at the next special election
for their approval or rejection as and in the manner provided by law.
Passed the Senate the 20th day of May, 1971.

[Signature]

President of the Senate

Passed the House of Representatives the ___ day of

[Signature]

Speaker of the House of Representatives
ENR. S. J. R. NO. 23

Passed the Senate the 20th day of May, 1971, and correctly enrolled the 8th day of June, 1971.

 Acting President Pro Tempore of the Senate

Passed the House of Representatives the 8th day of June, 1971.

Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE
Received by the Secretary of State this 10th day of June, 1971, at 9:30 a.m.

By: John Rogers

rp
June 13, 1971

Hon. John Rogers
Secretary of State
State Capitol Building
Oklahoma City, Oklahoma 73105

Dear Mr. Rogers:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by 34 O.S. Supp. 1970, §9, we have examined the proposed ballot title to Enrolled Senate Joint Resolution No. 23, as passed by the first regular session of the 33rd Oklahoma Legislature, which, together with a copy of said Resolution, was delivered to him on June 10, 1971, and from said examination find that the said ballot title, as set forth therein, is not in legal form and harmony with the law. Particularly, that the ballot title as shown in said Resolution does not accurately reflect the gist of said proposal. The proposed ballot title should read, as follows:

BALLOT TITLE

Legislative Referendum Petition 189 State Question No. 483

Shall a Constitutional Amendment:

amending Article II, §18, of the Constitution of the State of Oklahoma to provide for composition of grand juries; providing that grand juries be convened upon the filing of a petition signed by the qualified electors of a county; establishing numerical signature requirements for the sufficiency of such petitions; allowing the Attorney General to convene and conduct grand juries, upon the filing of a verified application, to
investigate crimes alleged to have been committed in one county or involving multi-county criminal activities; granting such grand juries power to indict for all character and grades of crimes.

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?  YES ☐

NO ☐

Yours very truly,
FOR THE ATTORNEY GENERAL

MICHAEL D. TINNEY
ASSISTANT ATTORNEY GENERAL

MDT: CW