

# Oklahoma Legislative Process



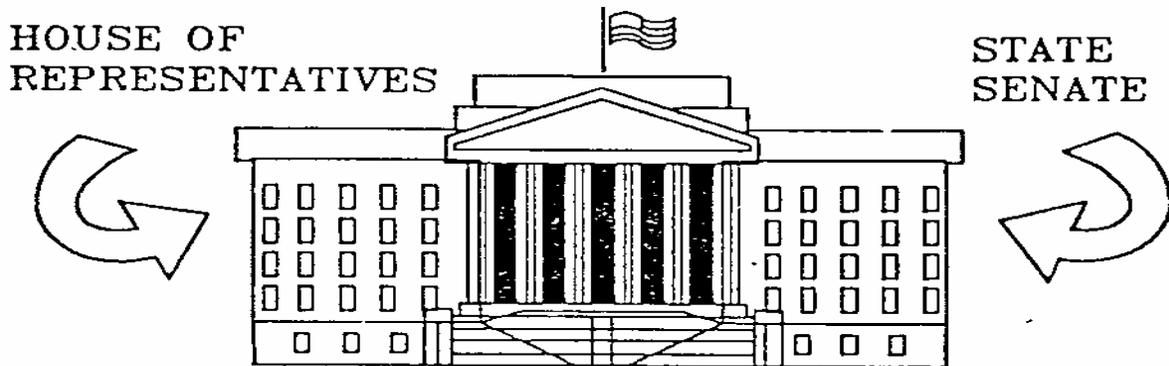
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# The Oklahoma Legislature

## Oklahoma's Legislature is BICAMERAL

(Having two chambers)



- The Oklahoma Constitution states that the State Senate has 48 members.
- The number of members in the House of Representatives is based on Oklahoma's population and established by a formula in the Oklahoma Constitution. The number of members in the House of Representatives currently is 101.

Each chamber organizes independently to function during and between the Regular Legislative Sessions. Joint staff and joint committees are maintained in only a few limited areas.

## Session

Legislatures are two years in length and are identified by consecutive numbers for example:

The 2003 Session is known as the First Session of the 49<sup>th</sup> Legislature.

The 2004 Session will be known as the Second Session of the 49<sup>th</sup> Legislature.

**Regular Sessions** convene annually beginning at twelve o'clock noon on the first Monday in February and shall be adjourned sine die not later than five o'clock p.m. on the last Friday in May of each year.

The legislature shall also meet at twelve o'clock on the first Tuesday after the first Monday in January of each odd numbered year, for that day only, for the purposes of organization and administration.

**Interim Sessions** occur between the Regular Legislative Sessions. During this time the legislative branch is without law making authority. Public hearings, committee studies, investigations, and program preparation occur during this the Interim Session.

**Special Sessions**, also called Extraordinary Sessions, are called by the Governor or 2/3 of the House of Representatives and State Senate to deal with a specific issue. Special Sessions are called in addition to the Regular 90 Day Sessions and have law making authority. The Special Session is limited to the issues set out when the session is called and has no time limits.

- have the force and effect of law

# House of Representatives

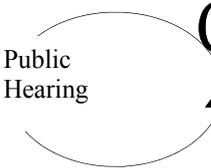
Preparation



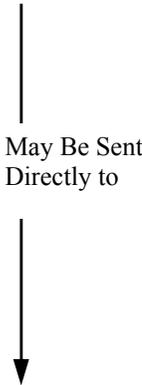
1st Reading



2nd Reading



Committee Action



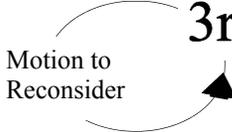
Printing

Consent Calendar

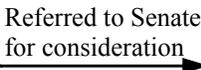
General Order

Floor Action

Engrossment



3rd Reading





# Types of Legislation

## BILLS



- must be passed by both chambers
- must be signed by the Governor
- generally propose new statutes or amendments to existing statutes
- are used when the measure needs long term applicability

## JOINT RESOLUTIONS



- have the force and effect of law
- must be passed by both chambers
- must be signed by the Governor (except when the measure submits a question to a vote of the people)
- usually will not become part of the state statutes
- are used when the measure has a short term applicability

## CONCURRENT RESOLUTIONS



- do not have the force and effect of law
- must be passed by both chambers
- are not signed by the Governor
- will not become part of the state statutes
- are used to express the will or opinion of both chambers

## SIMPLE RESOLUTIONS



- do not have the force and effect of law
- must pass only the chamber which introduced the measure
- are not signed by the Governor
- will not become part of the state statutes
- are used only to express the will or opinion of one chamber

Legislation which originates in the Senate is numbered consecutively beginning with “1”:

SB 1 □ SJR 1 □ SCR 1 □ SR 1

Legislation which originates in the House of Representatives is numbered consecutively beginning with “1001”:

HB 1001 □ HJR 1001 □ HCR 1001 □ HR 1001

# List of Titles

## Oklahoma Statutes 1981

1 Abstracting	31 Homestead & Exemptions	59 Professions & Occupations
2 Agriculture	32 Husband & Wife	60 Property
3 Aircraft and Airports	33 Inebriates	61 Public Buildings & Public Works
3A Amusements & Sports	See 63, Public Health & Safety	62 Public Finance
4 Animals	34 Initiative & Referendum	63 Public Health & Safety
5 Attorneys & State Bar	35 Insane & Feeble Minded Persons	64 Public Lands
6 Banks & Trust Companies	See 43A, Mental Health	65 Public Libraries
7 Blind Persons	36 Insurance	66 Railroads
8 Cemeteries	37 Intoxicating Liquors	67 Records
9 Census	38 Jurors	68 Revenue & Taxation
10 Children	39 Justices & Constables	69 Roads, Bridges & Ferries
11 Cities & Towns	40 Labor	70 School
12 Civil Procedure	41 Liens	71 Securities
12A Commercial Code	42 Marriage	72 Soldiers & Sailors
13 Common Carriers	43 Mental Health	73 State Capitol & Capitol Building
14 Congressional & Legislative Districts	44 Militia	74 State Government
15 Contracts	45 Mines & Mining	75 Statutes & Reports
16 Conveyances	46 Mortgages	76 Torts
17 Corporations	47 Motor Vehicles	77 Townships & Township Officers
18 Corporation Commission	48 Negotiable Instruments	78 Trade Marks & Labels
19 Counties & County Officers	See 12A, Commercial Code	79 Trusts & Pools
20 Courts	49 Notaries Public	80 United States
21 Crimes & Punishments	50 Nuisances	81 Warehouses
22 Criminal Procedure	51 Officers	See 12A, Commercial Code
23 Damages	52 Oil & Gas	82 Waters & Water Rights
24 Debtor & Creditor	53 Oklahoma Historical Societies and Associations	83 Weights & Measures
25 Definitions & General Provisions	54 Partnership	84 Wills & Succession
26 Elections	55 Pledges	85 Workers' Compensation
27 Eminent Domain	56 Poor Persons	
28 Fees	57 Prisons & Reformatories	
29 Game & Fish	58 Probate Procedure	
30 Guardian & Ward		

# Reading a Bill or Resolution

Measures being considered by the Oklahoma State Legislature pass through a variety of forms:

■ **INTRODUCED VERSION**

The bill or resolution, as filed, is printed on legal size paper. The measure is introduced in this form and remains this way until it is reported out of committee in the first chamber.

■ **COMMITTEE VERSION**

After a measure has been heard in committee in the first chamber and reported to the floor for further consideration, it is printed in booklet form (6" X 9").

■ **ENGROSSED VERSION**

A verified copy of the bill or resolution, complete with any committee or floor amendments, is executed before Third Reading and subsequently as needed. An ENGROSSED VERSION passed by one chamber is printed on legal size paper for committee work in the second chamber; then in booklet form for floor action.

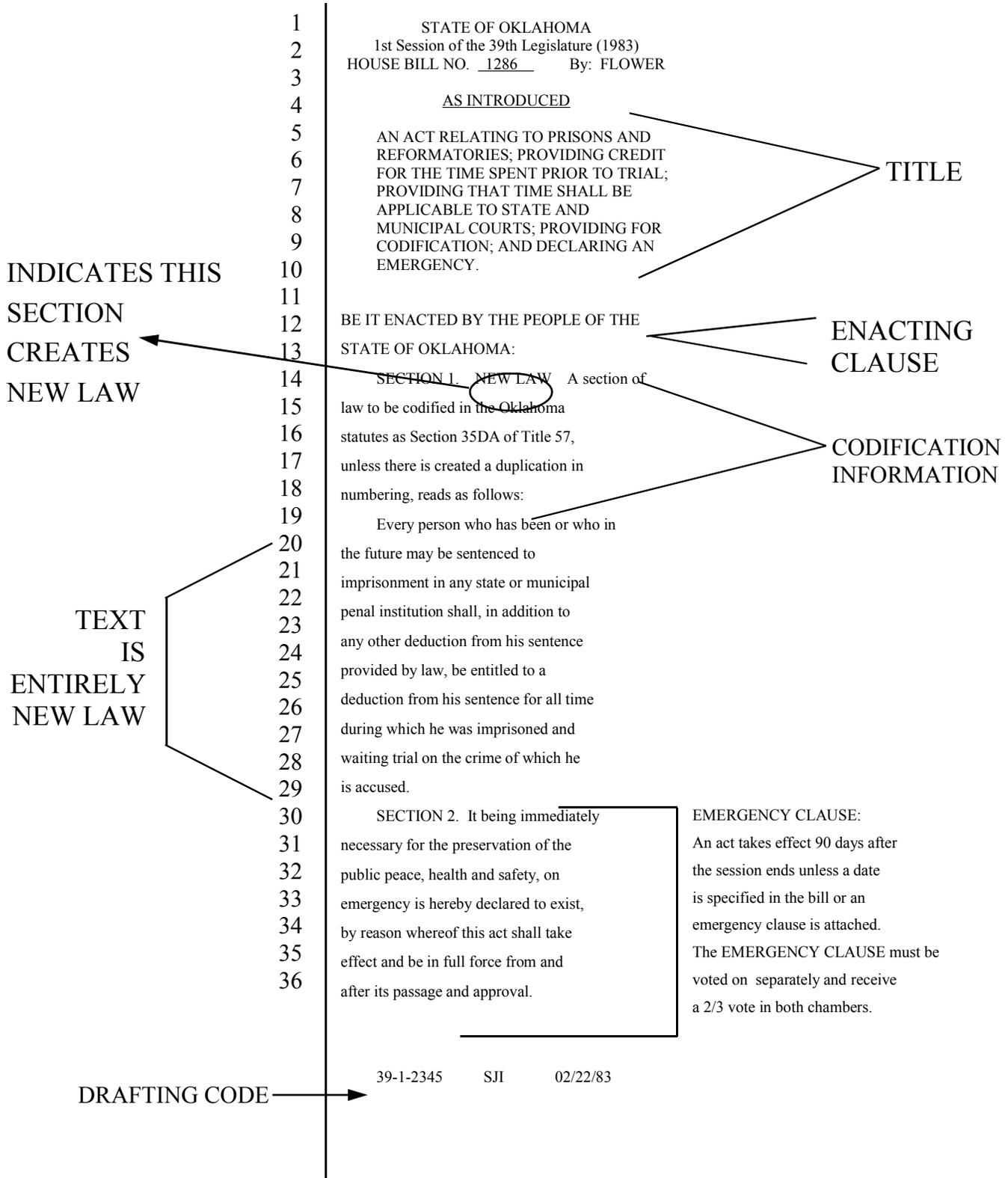
■ **ENROLLED VERSION**

A verified final copy of the identical bill or resolution passed by both chambers and ready for the Governor's signature is printed, single spaced, on legal paper.

Bills being considered by the Legislature can do any one or any combination of the following:

**Create New Law**  
**Amend Existing Law**  
**Repeal Existing Law**

# CREATING NEW LAW



# AMENDING EXISTING LAW

1 STATE OF OKLAHOMA  
2 1st Session of the 39th Legislature (1983)  
3 SENATE BILL NO. 63 By: BAMBI  
4

5 AS INTRODUCED

6  
7 AN ACT RELATING TO REVENUE AND  
8 TAXATION, AMENDING 68 O.S.  
9 1981, SECTION 2407; RELATING TO  
10 HOMESTEAD AD VALOREM TAXATION;  
11 AND PROVIDING FOR AN EFFECTIVE  
12 DATE.

INDICATES THIS  
SECTION  
AMENDS  
CURRENT LAW

13 BE IT ENACTED BY THE PEOPLE OF THE  
14 STATE OF OKLAHOMA:  
15 SECTION 1. AMENDATORY 68 O.S.

16 1981, Section 2407, is amended to read  
17 as follows:

18 Section 2407. Homesteads, as  
19 defined in the preceding section, are  
20 hereby classified for the purpose of  
21 taxation as provided in Section 22,  
22 Article 10 of, and subsequent amendments  
23 to, the Constitution of the State of  
24 Oklahoma; and all homesteads in this  
25 state shall be assessed as other real  
26 property therein, except that each  
27 homestead, as defined in the preceding  
28 section, shall be exempted from all  
29 forms of ad valorem taxation to the  
30 extent of one thousand dollars  
31 ~~(\$1,000.00)~~ two thousand dollars  
32 ~~(\$2,000.00)~~ of the assessed valuation  
33 thereof, as hereinafter provided.

TEXT  
CONSISTS  
OF  
EXISTING  
LAW

The language  
being removed  
is crossed out

The new  
language  
being added  
is underlined

34 SECTION 2. This act shall ~~become~~  
35 effective January 1, 1984.  
36

EFFECTIVE DATE

39-1-0111 SBD 02/15/83

# REPEALING EXISTING LAW

INDICATES THIS SECTION REPEALS CURRENT LAW

TEXT BEING REPEALED IS NOT INCLUDED

1 STATE OF OKLAHOMA  
2 1st Session of the 39th Legislature (1983)  
3 SENATE BILL NO. 115 By: THUMPER  
4  
5  
6  
7  
8  
9 AS INTRODUCED  
10 AN ACT RELATING TO MENTAL  
11 HEALTH; REPEALING 43A O.S.  
12 1981, SECTIONS 341, 342, 343,  
13 344, 345 AND 346, RELATING TO  
14 TREATMENT OF EPILEPTICS, MENTAL  
15 PATIENTS AND HABITUAL  
16 CRIMINALS; PROVIDING FOR AN  
17 EFFECTIVE DAE; AND DECLARING  
18 AN EMERGENCY.  
19  
20 BE IT ENACTED BY THE PEOPLE OF THE  
21 STATE OF OKLAHOMA:  
22 SECTION 1. REPEALER 43A O.S.  
23 1981, Sections 341, 342, 343, 344, 345  
24 and 346, are hereby repealed.  
25 SECTION 2. This act shall become  
26 effective July 1, 1984.  
27 SECTION 3. It being immediately  
28 necessary for the preservation of the  
29 public peace, health and safety, an  
30 emergency is hereby declared to exist,  
31 by reason whereof this act shall take  
32 effect and be in full force from and  
33 after its passage and approval.  
34  
35 39-1-2345 SBD 11/30/82  
36

EFFECTIVE DATE

EMERGENCY CLAUSE:  
An Act must include  
an EMERGENCY CLAUSE if  
the EFFECTIVE DATE is  
within 90 days of the  
Legislature's

# Committee Recommendations

The Standing and Special Committees in the House of Representatives and the Senate are assigned bills and resolutions to thoroughly study and investigate. This process results in the committee making a recommendation to their respective chamber of action on the measure.

## Senate Recommendations

- Do Pass
- Do Pass – As Amended

## House Recommendations

- Do Pass
- Do Pass – As Amended
- Do Not Pass

If numerous amendments are made by a committee, the measure may be redrafted in its entirety and offered for floor action as a “COMMITTEE SUBSTITUTE”.

The House of Representatives has a provision whereby a member of a committee can file a MINORITY REPORT opposing the position of the majority of the committee. This report must be filed within one legislative day after the MAJORITY REPORT is filed. The full House of Representatives debates and accepts or rejects this report.

By making a motion to “REPORT PROGRESS” both the House and Senate Committees can indefinitely delay making a recommendation on a bill or resolution.

# Reconsideration

Any bill or resolution that passes or fails to pass may be held on a MOTION TO RECONSIDER.

- Any Member may serve notice that he or she intends to ask that a vote be reconsidered.
- Notice of intent to reconsider must be served on the same day the original vote is taken. In the House of Representatives such intent must be served immediately after the original vote and before any other business undertaken.
- A bill or resolution may not be reconsidered on the same day the vote was originally taken.
- If the MOTION TO RECONSIDER is pressed and fails, the original vote on the bill or resolution stands as taken.
- If the MOTION TO RECONSIDER is pressed and passes, the vote on the bill or resolution is taken again.
- A MOTION TO RECONSIDER is the sole property of the member who served such notice on the first and second day. Anyone can press for a vote on a MOTION TO RECONSIDER during the third day.
- If the MOTION TO RECONSIDER is not brought up within three legislative days, the motion is considered to have failed and the original vote on the bill or resolution stands as taken.

Rules for reconsidering votes may be adjusted in the final days of the Legislative Session to permit immediate reconsideration if sine die adjournment is near.

# Conference Committee

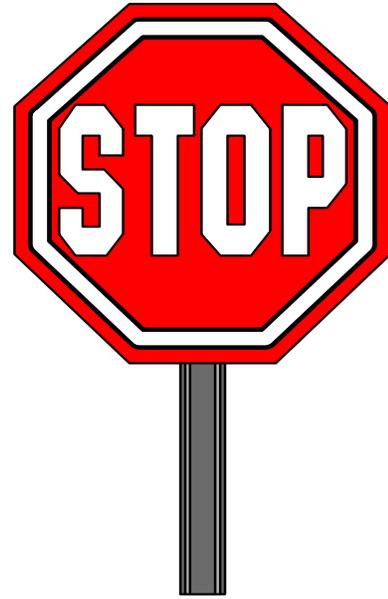
When a bill or resolution is returned by either chamber to the other with amendments and the chamber which originated the measure refused to concur, a majority of those present may request a CONFERENCE.

- A CONFERENCE COMMITTEE generally consists of three members of the Senate and three members of the House.
- The CONFERENCE COMMITTEE develops a report consisting of amendments to the measure which they feel will be acceptable to both chambers.
- If a majority of the CONFERENCE COMMITTEE members appointed from each chamber agree, the report is sent to the floors of each house for consideration.
- The CONFERENCE COMMITTEE REPORT (CCR) is returned first to the chamber which originated the measure.
- When the CONFERENCE COMMITTEE REPORT is returned to the floor it cannot be amended.
- If either chamber fails to adopt the report, the bill or resolution is dead unless further conference is requested.
- If the conferees are unable to agree, a CONFERENCE COMMITTEE REPORT may be prepared to indicate such, and the measure reverts to the status it occupied before being sent to CONFERENCE. (The measure is returned to the Calendar of the originating chamber awaiting further consideration of the amendments initially sent over by the other chamber.)
- Bills and resolutions pending in CONFERENCE COMMITTEE when the First Session adjourns do not carry over to the Second Session.



# Final Action

FINAL ACTION is the last action that can be taken by the House of Representatives on any given measure. IT can either pass or defeat a bill or resolution. If FINAL ACTION is such as to defeat a bill or resolution in the House, no other bill or resolution having the same effect and covering the same specific subject matter can be considered by the House of Representatives during either session of the current legislature. The Oklahoma State Senate has no provision for FINAL ACTIONS. House FINAL ACTIONS include:



- A committee recommendation of “Do Not Pass” when there is not a minority report filed.
- Acceptance of a majority committee report containing a recommendation of “Do Not Pass” when a minority committee report is also filed.
- A vote is taken on Third or Fourth Reading when no notice is served to reconsider
- A Motion to Reconsider the vote on Third or Fourth Reading which fails to prevail
- A motion to table the Motion to Reconsider which prevails

# Governor's Actions

Upon receiving a Bill that has passed both chambers of the Oklahoma Legislature, the Governor may:

■ **APPROVE THE BILL**

—by signing it within five days from receipt

■ **ALLOW THE BILL TO BECOME LAW WITHOUT APPROVAL**

—by keeping it five days (Sundays excepted) without taking official action

—the Legislature must be in session

■ **VETO THE BILL**

—by returning it within five days with objections

—the Legislature has an opportunity to override

■ **POCKET VETO THE BILL**

—by keeping it fifteen days after the Legislature has adjourned without taking official action

—the Legislature has no opportunity to override

# Legislative Terms & Definitions

ACT: a bill or resolution passed into law

ADJOURN: to close the session of the Legislative Day

AGENDA: a list of bills and resolutions which are scheduled for consideration; the number of measures actually considered on the House Floor during a Legislative Day is limited to 25 (not counting those on the Consent Calendar, those being reconsidered or appropriations bills); the Senate has no such limit

AMENDMENT: any change in a bill or resolution

Committee Amendment: changes made in a committee meeting

Floor Amendment: changes made while the measure is on General Order in the House or Senate

APPROPRIATION: Legislative authorization for the expenditure of funds for a specific purpose

AUTHOR: A member of the Legislature who introduces a bill or resolution for consideration by the Legislature; sometimes called “principal author”

BILL: draft of a proposed law

CALENDAR: complete list of bills and resolutions which are ready for consideration

CARRYOVER LEGISLATION: Legislation held over from the First Regular Session to the Second Regular Session; all bills and joint resolutions not subjected to Final Action or left in Conference Committee at the end of the Session can be considered further during the Second Session; Simple and Concurrent Resolutions do not carryover

CERTIFICATION: process by which the Board of Equalization determines, according to constitutional formula, how much money the Legislature has available to appropriate for the ensuing fiscal year

COAUTHOR: a member of the Legislature who joins the author in sponsorship of a measure

CODIFICATION: process of systematically arranging laws by subject in the Oklahoma Statutes

COMMITTEE OF THE WHOLE: provision, under State Senate Rules, whereby the entire chamber can organize itself into a committee to consider introduced legislation and refer the measure directly to Third Reading for floor action

COMMITTEE REPORT: recommendation for action on a bill or resolution made by a committee to the floor of the House or Senate

COMMITTEE SUBSTITUTE: committee report sent to the floor for action which eliminates the original contents of the bill or resolution and substitutes new language

CONCURRENT RESOLUTION: a legislative measure which does not have the force and effect of Law expressing the opinion or will of both chambers

CONFERENCE COMMITTEE: a committee with members from each chamber appointed to settle disagreements between the chamber on amendments or resolutions

CONSENT CALENDAR: a place on the House Calendar where a House Committee or the Speaker of the House can put a bill or resolution where it is subject to no floor amendments or debates; a measure must stay on the Consent Calendar for four days and be voted on the fifth day; any single Representative can object and send the measure to General Order

CONSTITUENT: a person who resides in a geographical area represented by an elected official

CONTINGENCY REVIEW BOARD: a board consisting of the Governor, the Speaker of the House, and the President Pro Tempore of the Senate with the power to make changes in agency appropriation and expenditure limits when the Legislature is not in session

CRIPPLE (OR STRIKE) THE TITLE: legislation is required to have a Title and an Enacting or Resolving Clause; a motion to Strike or Cripple the Title will prevent final passage of a measure and require that it be returned to the originating chamber for further action or be sent to Conference Committee

DEBATE: the formal expression of a member’s views for or against a matter; House Rules limit debate to one hour, divided evenly between proponents and opponents of a measure; Senate Rules do not limit debate, although debate can be limited by a floor motion

EMERGENCY CLAUSE: a law cannot take effect until 90 days after the session ends unless an Emergency Clause is attached; an Emergency Clause is a provision that allows the measure to become effective upon the signature of the Governor, it must be voted on separately from the measure and receive a 2/3 vote

ENACTING CLAUSE: clause at the beginning of the bill or resolution which states the authority by which it is made

ENGROSSED: a verified copy of a bill or resolution complete with any committee or floor executed before Third Reading and subsequently as needed

ENROLLED: a verified, final copy of the identical bill or resolution posted by both chambers and ready for the Governor's signature

FILIBUSTER: prolonged debate for the purpose of delaying or preventing action by the Legislature; possible in the State Senate but prevented in the House of Representatives because of their rule which automatically limits debate to an hour

FLOOR SUBSTITUTE: a version of a measure offered during floor consideration which eliminates the contents of the bill or resolution as received by the floor and substitutes new language

GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS (GCCA): joint appropriations committee made up of members from both chambers to resolve differences between House and Senate passed appropriations measures; work is done in subcommittees grouping similar agency appropriation bills

GENERAL ORDER: print In the legislative process where the full chamber hears a measure explained, then discusses and/or amends it prior to the first action they will take an Third Reading

GRANDFATHER CLAUSE: wording inserted into a measure making the provisions not apply to activities or personnel involved prior to its enactment

HOUSE RESOLUTION: a legislative measure which does not have the force and effect of Law expressing the opinion or will of the Oklahoma House of Representatives

INITIATIVE PETITION: method by which the people can pass a statute or constitutional amendment or act on a Legislative bill; a property drafted petition, with sufficient signatures, results in a state question that is placed on the ballot for a vote of the people

INTERIM: the interval of time between Legislative Sessions; beginning at sine die of one Regular Legislative Session and lasting until the next Regular Legislative Session begins

JOINT COMMITTEE: a committee composed of members from both chambers of the Legislature

JOINT RESOLUTION: a legislative measure which has the force and effect of law; because its content is of temporary character or it proposes a constitutional amendment is not codified into the Oklahoma Statutes

JOURNAL: the official record of legislative proceedings; each chamber issues its own journal daily; a corrected, indexed and bound permanent journal is produced for each chamber at the close of each Regular Legislative Session

LAW: a bill which has been passed by both chambers and approved by the Governor, therefore is binding upon the citizens

LEGISLATIVE DAY: a day on which the Legislature convenes and engages in business

LEGISLATIVE HISTORY: information on the background of legislation that may be used to determine "intent"; Oklahoma does not systematically make provision for such reporting, but legislative intent is sometimes incorporated directly in a bill

LEGISLATOR: a member of the House of Representatives or State Senate

LEGISLATURE: the House of Representative or the State Senate  
or  
the two year term for which both chambers meet and consider state business

LOBBYIST: a person, voluntarily or for a fee, representing any individual, organization or corporation in opposing or furthering legislation

MAJORITY: more than half

MEASURE: a bill, joint resolution, concurrent resolution or simple resolution

MINORITY: less than half

MOTION: proposition presented for action by a legislative body

OVERRIDE: to pass a bill after the Governor has vetoed it; requires 2/3 vote of each chamber (3/4 if it contains an emergency clause)

POCKET VETO: failure of the Governor to sign a measure within fifteen days after the Legislature has adjourned, killing the bill while preventing an override attempt

POINT OF ORDER: an objection raised by a legislator charging that procedural rules have been violated

PRESIDENT OF THE SENATE: Lieutenant Governor of the State of Oklahoma

PRESIDENT PRO TEMPORE OF THE SENATE: a Senator elected by fellow members to preside over the State Senate with powers and duties prescribed by statute and Senate Rules

PUBLICATION OF-LAWS: official records of state law

Oklahoma Session Law: contains bills and joint resolutions passed into law during the session; published after each session

Oklahoma Statutes: official state law; revised and rearranged every ten years to include relevant session law

Oklahoma Statutes, Supplement: published each year to list statutory changes from the previous session

QUORUM: a majority of the membership of a legislative body required to hold a legal meeting

READING: the Oklahoma Constitution requires that every bill must be read on three different days in each chamber

First Reading: the measure is introduced and read by Title only

Second Reading: the Title is read for a second time and the measure is referred to committee

Third Reading: the measure is read at length before the vote is taken on the floor

Fourth Reading: any reading after the measure has been Enrolled

RECONSIDERATION: to consider again a vote any action previously taken by the Legislature

REFERENDUM: to refer a statute or constitutional amendment prepared by the Legislature to a vote of the people for their approval or defeat

REPEAL: to delete existing law from the statutes

REPORT PROGRESS: to table consideration of a measure indefinitely

RESOLVING CLAUSE: the formal expression by the House or the Senate to denote the adoption of a simple or concurrent resolution

RULES: provisions for the procedure, organization, officers and committees of the legislature; each chamber adopts Rules each session to govern matters affecting themselves; Joint Rules governing matters pertaining to both chambers are adopted jointly

SENATE RESOLUTION: a legislative measure which does not have the force and effect of law expressing the opinion or will of the Oklahoma State Senate

SESSION: the period during which the Legislature meets

Daily Session: each day's legislative meeting

Regular Session: the series of connected daily sessions held annually

Joint Session: a meeting of both chambers together

Extraordinary Session (or Special Session): legislative meetings with law-making authority occurring in addition to the Regular Session; called by the Governor or the Legislature to address specific limited issues

SINE DIE ADJOURNMENT: the close of the session; adjournment "without day" being set for reconvening; final adjournment

SPEAKER OF THE HOUSE: a Representative elected by fellow members to preside over the House of Representatives. with powers and duties prescribed by statute and House Rules

SPEAKER PRO TEMPORE OF THE HOUSE: a representative elected by fellow members to preside over the House of Representatives in the absence of the Speaker

SUNSET: the automatic termination of specific boards, commissions and agencies created by statute, unless the Legislature decides to continue their existence

TABLE: to remove a measure from consideration indefinitely

TITLE: a concise statement accurately expressing the subject of a bill or resolution; required by the Oklahoma Constitution

UNANIMOUS CONSENT: action taken when no member objects

VETO: action taken by the Governor to disapprove a measure sent for his signature