Outline of the Oklahoma Legislative Referendum Process



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Sequential Process Steps

Step 1: Legislative Filing

- **Action:** The Legislature files a Joint Resolution calling a State Question with the Oklahoma Secretary of State (SOS) during the legislative session.

Step 2: Number Assignment

- **Action:** SOS logs the measure and assigns an official State Question (SQ) number and Legislative Referendum (LR) number.
- **Legal Authority:** 34 O.S. § 7

Step 3: Attorney General Transmittal

- **Action:** SOS submits a Notice of Filing and the Suggested Ballot Title to the Office of the Attorney General (AG).
- **Legal Authority:** 34 O.S. § 9(C)

Step 4: Attorney General Review Period

- **Action:** The AG's office evaluates the Suggested Ballot Title within 5 business days of receipt to determine legal compliance.
- **Legal Authority:** 34 O.S. § 9(C)(1)

Step 5: Attorney General Determination

Depending on whether the Suggested Ballot Title complies with the law, proceed to **Option A** or **Option B**:

Option A: Title Complies with Law

- **Step 5A: Approval**
  - **Action:** AG files the Suggested Ballot Title with SOS as the Official and Final Ballot Title within 5 business days of receipt.
  - **Legal Authority:** 34 O.S. § 9(C)(1)

Option B: Title Does Not Comply with Law

- **Step 5B-1: Preliminary Title**
  - **Action:** AG issues a Preliminary Ballot Title within 10 business days of determining non-compliance.
  - **Legal Authority:** 34 O.S. § 9(C)(1)
- **Step 5B-2: Legislative Comment Period**
  - **Action:** AG allows 5 business days to consider comments from the Speaker of the House or Senate President Pro Tempore.
  - **Note:** Ballot titles of legislative referrals are exempt from court appeal under 34 O.S. § 10(B).
  - **Legal Authority:** 34 O.S. § 9(C)(1)
- **Step 5B-3: Final Title Filing**
  - **Action:** AG responds to comments and files the Final Ballot Title with SOS no later than 15 business days after issuing the Preliminary Ballot Title.
  - **Legal Authority:** 34 O.S. § 9(C)(1)

Subsequent Process Steps

Step 6: Election Board Transmittal

- **Action:** Within 5 business days of receiving the Final/Official Ballot Title, SOS transmits an attested copy of the measure and title to the State Election Board.
- **Legal Authority:** 34 O.S. § 9(C)(2)

Step 7: Election Proclamation (Exemption)

- **Action:** A gubernatorial proclamation is not legally required for a Legislative Referendum to appear on the ballot.
- **Reference:** 34 O.S. § 17; Okla. Const. art. V, § 3

Step 8: Public Notification

- **Action:** SOS publishes notice of approved State Questions being referred to the people across all Oklahoma counties no less than 5 business days prior to any statewide election.
- **Legal Authority:** 34 O.S. § 17

Key Statutory Summary

Phase	Responsible Agency	Statutory Reference	Action
Intake	Secretary of State	34 O.S. § 7	Assign SQ number to Joint Resolution
Legal Review	Attorney General	34 O.S. § 9(C)	Review or draft Final Ballot Title
Certification	Secretary of State	34 O.S. § 9(C)(2)	Transmit measure to State Election Board
Public Notice	Secretary of State	34 O.S. § 17	Publish statewide newspaper notices prior to election

External Resources & Information

To review active legislative referrals, access public record logs, or view general voting procedures, check official election portals:

- Oklahoma Secretary of State Executive Legislative Records Division Portal — View administrative procedures, public record logs, and official filings.
- Oklahoma State House of Representatives — View proposed legislation, legislative calendars, live legislative sessions and committee meetings.
- Oklahoma State Senate — View proposed legislation, legislative calendars, live legislative sessions and committee meetings.
- Oklahoma State Election Board Portal — Access voter services, sample ballots, and statewide election schedules.