

Bond Case Briefs

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REFERENDA - OKLAHOMA

Save the Illinois River, Inc. v. State ex. rel. Oklahoma State Election Board

Supreme Court of Oklahoma - August 8, 2016 - P.3d - 2016 WL 4189500 - 2016 OK 86

Concerned citizen group filed petition urging that a legislatively proposed constitutional amendment was facially unconstitutional.

Defendants filed a motion to dismiss, submitting that the challenge was untimely. The District Court granted the motion finding the challenge was untimely and was not facially unconstitutional. Citizen group appealed.

The Supreme Court of Oklahoma held that district court properly dismissed citizen group's petition but should have done so on basis that it should abstain from addressing a legislative referendum before voted on by the people.