

2021 Regular Session

SENATE BILL NO. 163

BY SENATORS MCMATH AND HARRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS. Constitutional Amendment to increase the composition of the Louisiana Supreme Court from six to eight associate justices. (2/3 - CA13s1(A))

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A JOINT RESOLUTION

Proposing to amend Article V, Sections 3 and 4 of the Constitution of Louisiana, relative to composition of the Louisiana Supreme Court; to provide for two additional justices to the court; to provide for reapportionment in accordance with most recent decennial federal census; to require districts be as equal as practicable in population; to specify an election for submission of the proposition to electors; and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article V, Sections 3 and 4 of the Constitution of Louisiana, to read as follows:

§3. Supreme Court; Composition; Judgments; Terms

Section 3. The supreme court shall be composed of a chief justice and ~~six~~ **eight** associate justices, ~~four~~ **five** of whom must concur to render judgment. The term of a supreme court judge shall be ten years.

§4. Supreme Court; Districts

Section 4.~~(A)~~ The state shall be divided into ~~at least six~~ supreme court districts, and ~~at least~~ **only** one ~~judge~~ **justice** shall be elected from each **district**. The

1 districts and the number of judges assigned to each justices elected therefrom on  
2 the effective date of ~~this constitution~~ the amendment to this Section are retained,  
3 subject to change by law enacted by two-thirds of the elected members of each house  
4 of the legislature.

5 (B) The legislature shall by law set forth the specific method of  
6 transitioning to nine single member supreme court districts to be drawn in  
7 accordance with the provisions of this Section. Notwithstanding any provision  
8 herein to the contrary, no supreme court justice in office at the time of the  
9 adoption of the amendment to this Section, nor his or her successor, shall, as a  
10 result of this amendment, have their term diminished or extended. The initial  
11 term for a new justice elected to a district that is drawn without an incumbent  
12 justice may be shorter than ten years. Any decision reached by a majority of  
13 the supreme court after the passage of this constitutional amendment, but  
14 before its full implementation by the legislature, shall be binding and be given  
15 full effect.

16 (C) By the end of the year following the year in which the population of  
17 this state is reported to the president of the United States for each decennial  
18 federal census, the legislature shall, in the same manner as provided for under  
19 Paragraph A of this Section, redistrict the supreme court districts to be as equal  
20 as practicable on the basis of population shown by the census.

21 (D) If the legislature fails to redistrict the supreme court when required  
22 by this Section, then redistricting shall occur in the same manner as specified  
23 in Article III, Section 6(B) of the Constitution of Louisiana.

24 Section 2. Be it further resolved that this proposed amendment shall be submitted  
25 to the electors of the state of Louisiana at a statewide election to be held on October 9, 2021.

26 Section 3. Be it further resolved if approved by the electors at the election held  
27 pursuant to Section 2 of this Resolution, that the proposed amendment to Article V, Section  
28 3 shall become effective on January 1, 2025. The remainder of the proposed amendment  
29 shall become effective pursuant to the provisions of Article XIII, Section 1(C).

