

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 5

2024 Third Extraordinary Session

Morris

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

COURTS. Constitutional amendment to provide for elections to fill newly-created judgeships and judicial vacancies. (2/3-CA13s1(A)) (Item #20)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Removes authority for exceptions concerning courts of limited or specialized jurisdiction upon request of the supreme court.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 5 Reengrossed

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Present constitution provides for calling a special election by the governor to fill a newly-created judgeship or vacancy in a judgeship within 12 months after the day the judgeship is created or the vacancy occurs, except when the vacancy occurs in the last 12 months of an existing term.

Proposed constitutional amendment provides for calling the special election on the date first available pursuant to law after the day the vacancy occurs or judgeship is established, except when the vacancy occurs in the last 12 months of a term.

Proposed constitutional amendment provides that if the date of the next gubernatorial or congressional election is within 12 months of the date when the vacancy occurred, then the special election shall be held at the next available gubernatorial or congressional election date, if the special election can be held on that date in accordance with applicable law.

Present constitution requires that until a vacancy is filled, the supreme court appoints a person meeting the qualifications for office, except domicile, to serve at its pleasure and that this appointee is not eligible as a candidate at the election to fill the vacancy or the newly-created judgeship.

Specifies submission of the amendment to the voters at the statewide election to be held on March 29, 2025.

(Amends Const. Art. V, Sec. 22(B))

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