

SENATE BILL NO. 5

BY SENATOR MORRIS AND REPRESENTATIVE MCMAKIN

## 1 A JOINT RESOLUTION

2 Proposing to amend Article V, Section 22(B) of the Constitution of Louisiana, relative to  
3 judicial elections; to provide for election dates for newly-created judgeships or  
4 vacancies in office of judge; and to specify an election for submission of the  
5 proposition to electors and provide a ballot proposition.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
7 elected to each house concurring, that there shall be submitted to the electors of the state, for  
8 their approval or rejection in the manner provided by law, a proposal to amend Article V,  
9 Section 22(B) of the Constitution of Louisiana, to read as follows:

10 §22. Judges; Election; Vacancy

11 Section 22.(A) Election.

12 \* \* \*

13 (B) Vacancy. A newly-created judgeship or a vacancy in the office of a judge  
14 shall be filled by special election called by the governor and held ~~within twelve~~  
15 ~~months~~ **on the election date first available pursuant to applicable law** after the  
16 day on which the vacancy occurs or the judgeship is established, except when the  
17 vacancy occurs in the last twelve months of an existing term. **If the date of the next**  
18 **gubernatorial or congressional election is within twelve months of the date when**  
19 **the vacancy occurred, then the special election shall be held at the next**  
20 **gubernatorial or congressional election, if the special election can be held on**  
21 **that date in accordance with applicable law.** Until the vacancy is filled, the  
22 supreme court shall appoint a person meeting the qualifications for the office, other  
23 than domicile, to serve at its pleasure. The appointee shall be ineligible as a  
24 candidate at the election to fill the vacancy or the newly-created judicial office. No

1 person serving as an appointed judge, other than a retired judge, shall be eligible for  
2 retirement benefits provided for the elected judiciary.

3 \* \* \*

4 Section 2. Be it further resolved that this proposed amendment shall be submitted to  
5 the electors of the state of Louisiana at the statewide election to be held on March 29, 2025.

6 Section 3. Be it further resolved that on the official ballot to be used at said election  
7 there shall be printed a proposition, upon which the electors of the state shall be permitted  
8 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
9 follows:

10 Do you support an amendment to provide for the use of the earliest election  
11 date to fill judicial vacancies?

12 (Amends Article V, Section 22(B))

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES