



General Assembly

**Senate Joint Resolution  
No. 7**

January Session, 2023

LCO No. 4843



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

**RESOLUTION PROPOSING A STATE CONSTITUTIONAL  
AMENDMENT TO PROVIDE FOR JUDICIAL REVIEW OF CONTESTED  
GENERAL ASSEMBLY ELECTIONS.**

Resolved by this Assembly:

1 Section 1. That the following be proposed as an amendment to the  
2 Constitution of the State, which, when approved and adopted in the  
3 manner provided by the Constitution, shall, to all intents and purposes,  
4 become a part thereof:

5 Section 7 of article third of the Constitution is amended to read as  
6 follows:

7 Sec. 7. The treasurer, secretary of the state, and comptroller shall  
8 canvass publicly the votes for senators and representatives. The person  
9 in each senatorial district having the greatest number of votes for  
10 senator shall be declared to be duly elected for such district, and the  
11 person in each assembly district having the greatest number of votes for  
12 representative shall be declared to be duly elected for such district. The  
13 general assembly shall provide by law the manner in which an equal  
14 and the greatest number of votes for two or more persons so voted for

15 senator or representative shall be resolved. The return of votes, and the  
16 result of the canvass, shall be submitted to the house of representatives,  
17 [and] to the senate and to the supreme court on the first day of the  
18 session of the general assembly. [Each house shall be the final judge of  
19 the election returns and qualifications of its own members] The judicial  
20 department shall have exclusive jurisdiction to adjudicate disputes or  
21 questions regarding the election return of members of the general  
22 assembly.

23       RESOLVED: That the foregoing proposed amendment to the  
24 Constitution be continued to the next session of the General Assembly  
25 elected at the general election to be held on November 5, 2024, and  
26 published with the laws passed at the present session, or be presented  
27 to the electors at the general election to be held on November 5, 2024,  
28 whichever the case may be, according to article sixth of the amendments  
29 to the Constitution. The designation of said proposed amendment to be  
30 used on the ballots at such election shall be "Shall the Constitution of the  
31 State be amended to provide for judicial review of disputes and  
32 questions regarding elections to the General Assembly?"

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors:    SEN. KELLY, 21st Dist.

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