

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 46

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TAYLOR (139).

0338H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Section 25(d) of Article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the nonpartisan judicial commissions.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2022, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article V of the Constitution of the state of Missouri:

Section A. Section 25(d), Article V, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as Section 25(d), to read as follows:

Section 25(d). Nonpartisan judicial commissions whose duty it shall be to nominate and submit to the governor names of persons for appointment as provided by sections 25(a)-(g) are hereby established and shall be organized on the following basis: For vacancies in the office of judge of the supreme court or of the court of appeals, there shall be one such commission, to be known as "The Appellate Judicial Commission"; for vacancies in the office of circuit judge or associate circuit judge of any circuit court subject to the provisions of sections 25(a)-(g) there shall be one such commission, to be known as "The _____ Circuit Judicial Commission", for each judicial circuit which shall be subject to the provisions of sections 25(a)-(g); the appellate judicial commission shall consist of a judge of the supreme court selected by the members of the supreme court, and the remaining members shall be chosen in the following manner: The members of the bar of this state residing in each court of appeals district shall elect

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 one of their number to serve as a member of said commission, and the governor shall appoint one
13 citizen, not a member of the bar, from among the residents of each court of appeals district, **by**
14 **and with the advice and consent of the senate**, to serve as a member of said commission, and
15 the members of the commission shall select one of their number to serve as chairman. Each
16 circuit judicial commission shall consist of five members, one of whom shall be the chief judge
17 of the district of the court of appeals within which the judicial circuit of such commission, or the
18 major portion of the population of said circuit is situated and the remaining four members shall
19 be chosen in the following manner: The members of the bar of this state residing in the judicial
20 circuit of such commission shall elect two of their number to serve as members of said
21 commission, and the governor shall appoint two citizens, not members of the bar, from among
22 the residents of said judicial circuit, **by and with the advice and consent of the senate**, to serve
23 as members of said commission, the members of the commission shall select one of their number
24 to serve as chairman; and the terms of office of the members of such commission shall be fixed
25 by law, but no law shall increase or diminish the term of any member then in office. No member
26 of any such commission other than a judge shall hold any public office, and no member shall
27 hold any official position in a political party. Every such commission may act only by the
28 concurrence of a majority of its members. The members of such commission shall receive no
29 salary or other compensation for their services but they shall receive their necessary traveling and
30 other expenses incurred while actually engaged in the discharge of their official duties. All such
31 commissions shall be administered, and all elections provided for under this section shall be held
32 and regulated, under such rules as the supreme court shall promulgate.

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