

SECOND REGULAR SESSION

**SENATE JOINT RESOLUTION NO. 30**

**101ST GENERAL ASSEMBLY**

INTRODUCED BY SENATOR HEGEMAN.

4041S.03I

ADRIANE D. CROUSE, Secretary

**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 nonpartisan judicial commissions.

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

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

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2 Missouri, is repealed and one new section adopted in lieu  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

Section 25(d). Nonpartisan judicial commissions whose  
2 duty it shall be to nominate and submit to the governor  
3 names of persons for appointment as provided by sections  
4 25(a)-(g) are hereby established and shall be organized on  
5 the following basis: For vacancies in the office of judge of  
6 the supreme court or of the court of appeals, there shall be  
7 one such commission, to be known as "The Appellate Judicial  
8 Commission"; for vacancies in the office of circuit judge or  
9 associate circuit judge of any circuit court subject to the  
10 provisions of sections 25(a)-(g) there shall be one such

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

11 commission, to be known as "The \_\_\_\_\_ Circuit Judicial  
12 Commission", for each judicial circuit which shall be  
13 subject to the provisions of sections 25(a)-(g); the  
14 appellate judicial commission shall consist of a judge of  
15 the supreme court selected by the members of the supreme  
16 court, and the remaining members shall be **[chosen] appointed**  
17 **by the governor** in the following manner: **[The members of the**  
18 **bar of this state residing in each court of appeals district**  
19 **shall elect one of their number to serve as a member of said**  
20 **commission, and the governor shall appoint one citizen, not**  
21 **a member of the bar,] two citizens** from among the residents  
22 of each court of appeals district, to serve as **[a member]**  
23 **members** of said commission, and the members of the  
24 commission shall select one of their number to serve as  
25 chairman. Each circuit judicial commission shall consist of  
26 five members, one of whom shall be the chief judge of the  
27 district of the court of appeals within which the judicial  
28 circuit of such commission, or the major portion of the  
29 population of said circuit is situated and the remaining  
30 four **citizen** members shall be **[chosen in the following**  
31 **manner: The members of the bar of this state residing in the**  
32 **judicial circuit of such commission shall elect two of their**  
33 **number to serve as members of said commission, and the**  
34 **governor shall appoint two citizens, not members of the**  
35 **bar,] appointed by the governor** from among the residents of  
36 said judicial circuit to serve as members of said  
37 commission, the members of the commission shall select one  
38 of their number to serve as chairman; and the terms of  
39 office of the members of such commission shall be fixed by  
40 law, but no law shall increase or diminish the term of any  
41 member then in office. No member of any such commission  
42 other than a judge shall hold any public office, and no

43 member shall hold any official position in a political  
44 party. Every such commission may act only by the  
45 concurrence of a majority of its members. The members of  
46 such commission shall receive no salary or other  
47 compensation for their services but they shall receive their  
48 necessary traveling and other expenses incurred while  
49 actually engaged in the discharge of their official duties.  
50 All such commissions shall be administered, and all  
51 elections provided for under this section shall be held and  
52 regulated, under such rules as the supreme court shall  
53 promulgate.

Section B. Pursuant to section 116.155, RSMo, and  
2 other applicable constitutional provisions and laws of this  
3 state authorizing the general assembly to adopt ballot  
4 language for the submission of a joint resolution to the  
5 voters of this state, the official summary statement of the  
6 amendment proposed in section A shall be as follows:

7 "Shall the Missouri Constitution be amended to  
8 provide for gubernatorial appointment of citizen  
9 members of the nonpartisan judicial commissions?"

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