

SENATE JOINT RESOLUTION 2

By Kelsey

A RESOLUTION proposing amendment of Article VI, Section 3 of the Constitution of Tennessee, relative to judges of the appellate courts.

WHEREAS, Senate Joint Resolution No. 710 of the One Hundred Seventh General Assembly, which proposed amendment of Article VI, Section 3 of the Constitution of Tennessee, relative to judges of the appellate courts, was considered and agreed to by a majority of all the members elected to each of the two houses, as shown by the yeas and nays entered on their journals; and

WHEREAS, on Sunday, May 6, 2012, such resolution proposing such amendment was published in compliance with Article XI, Section 3 of the Constitution of Tennessee; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a two-thirds majority of all the members elected to each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed that Article VI, Section 3 of the Constitution of Tennessee be amended by deleting the first and second sentences and by substituting instead the following:

Judges of the Supreme Court or any intermediate appellate court shall be appointed for a full term or to fill a vacancy by and at the discretion of the governor; shall be confirmed by the Legislature; and thereafter, shall be elected in a retention election by the qualified voters of the state. Confirmation by default occurs if the Legislature fails to reject an appointee within sixty calendar days of either the date of appointment, if made during the annual legislative session, or the convening date of the next annual

legislative session, if made out of session. The Legislature is authorized to prescribe such provisions as may be necessary to carry out Sections two and three of this article.

BE IT FURTHER RESOLVED, that in accordance with Article XI, Section 3 of the Constitution of Tennessee the foregoing proposed amendment shall be submitted to the people at the next general election in which a governor is to be chosen, the same being the 2014 November general election, and the secretary of state is directed to place such proposed amendment on the ballot for that election.

BE IT FURTHER RESOLVED, that the clerk of the senate is directed to deliver copies of this resolution to the secretary of state, with this final resolving clause being deleted from such copies.