

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))

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES