

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 28

99TH GENERAL ASSEMBLY

---

---

INTRODUCED BY SENATOR HEGEMAN.

Pre-filed December 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4243S.011

---

---

## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 25(a) of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the nonpartisan court plan.

---

---

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

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2018, or at a special  
3 election to be called by the governor for that purpose, there is hereby submitted  
4 to the qualified voters of this state, for adoption or rejection, the following  
5 amendment to article V of the Constitution of the state of Missouri:

Section A. Section 25(a), article V, Constitution of Missouri, is repealed  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

Section 25(a). Whenever a vacancy shall occur in the office of judge of any  
2 of the following courts of this state, to wit: The supreme court, the court of  
3 appeals, or in the office of circuit or associate circuit judge within the city of St.  
4 Louis and Jackson County, the governor shall fill such vacancy by appointing one  
5 [of three persons] **person** possessing the qualifications for such office, who shall  
6 be nominated [and whose] **from a list of** names [shall be] submitted to the  
7 governor by a nonpartisan judicial commission established and organized as  
8 hereinafter provided. **Such list of names shall include all qualified**  
9 **nominees and shall not be limited in number, but shall contain at least**  
10 **three nominees.** If the governor fails to appoint any of the nominees within  
11 sixty days after the list of nominees is submitted, the nonpartisan judicial  
12 commission making the nomination shall appoint one of the nominees to fill the

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

13 vacancy.

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

6 "Shall the Missouri Constitution be amended to allow a  
7 nonpartisan judicial commission to send a list of an unlimited  
8 number of qualified candidates to the governor, as opposed to the  
9 current limitation of three candidates, from which the governor  
10 shall appoint one to fill a judicial vacancy in certain courts?"

✓