

House Concurrent Resolution No. 5010

By Committee on Federal and State Affairs

3-26

1 A PROPOSITION to amend article 3 of the constitution of the state of
2 Kansas by adding a new section thereto, concerning the issuance of
3 decisions by the Kansas supreme court.

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5 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*
6 *members elected (or appointed) and qualified to the House of*
7 *Representatives and two-thirds of the members elected (or appointed)*
8 *and qualified to the Senate concurring therein:*

9 Section 1. The following proposition to amend the constitution of
10 the state of Kansas shall be submitted to the qualified electors of the state
11 for their approval or rejection: Article 3 of the constitution of the state of
12 Kansas is hereby amended by adding a new section to read as follows:

13 "**§ 21. Time limit on issuance of supreme court**
14 **decisions.** The supreme court shall issue an opinion or decision
15 in any case that is pending before the court, including any
16 decision on a motion filed with the court, within one year after
17 the final submission of all appellate briefs or the date of oral
18 arguments, if any such arguments are scheduled, whichever
19 occurs later."

20 Sec. 2. The following statement shall be printed on the ballot with
21 the amendment as a whole:

22 "*Explanatory statement.* This amendment would require the
23 Kansas supreme court to issue an opinion or decision,
24 including any decision on a motion filed with the court,
25 within one year after receiving all final arguments in a case
26 or on a motion.

27 "A vote for this proposition would prohibit the Kansas supreme
28 court from taking more than one year to issue an opinion or
29 decision in a case, including any motion filed with the court,
30 once the court has received all final arguments in the case or
31 on the motion.

32 "A vote against this proposition would make no changes to the
33 time the Kansas supreme court may take to issue an opinion
34 or decision in a case."

35 Sec. 3. This resolution, if approved by two-thirds of the members
36 elected (or appointed) and qualified to the House of Representatives, and

1 two-thirds of the members elected (or appointed) and qualified to the
2 Senate shall be entered on the journals, together with the yeas and nays.
3 The secretary of state shall cause this resolution to be published as
4 provided by law and shall cause the proposed amendment to be submitted
5 to the electors of the state at the general election in November in the year
6 2020, unless a special election is called at a sooner date by concurrent
7 resolution of the legislature, in which case it shall be submitted to the
8 electors of the state at the special election.