SLS 21RS-227 **ORIGINAL** 

2021 Regular Session

1

SENATE BILL NO. 163

BY SENATORS MCMATH AND HARRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS. Constitutional Amendment to increase the composition of the Louisiana Supreme Court from six to eight associate justices. (2/3 - CA13s1(A))

A JOINT RESOLUTION

2	Proposing to amend Article V, Sections 3 and 4 of the Constitution of Louisiana, relative to
3	composition of the Louisiana Supreme Court; to provide for two additional justices to the
4	court; to provide for reapportionment in accordance with most recent decennial federal
5	census; to require districts be as equal as practicable in population; to specify an election for
6	submission of the proposition to electors; and provide a ballot proposition.
7	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8	elected to each house concurring, that there shall be submitted to the electors of the state, for
9	their approval or rejection in the manner provided by law, a proposal to amend Article V,
10	Sections 3 and 4 of the Constitution of Louisiana, to read as follows:
11	§3. Supreme Court; Composition; Judgments; Terms
12	Section 3. The supreme court shall be composed of a chief justice and six
13	eight associate justices, four five of whom must concur to render judgment. The
14	term of a supreme court judge shall be ten years.
15	§4. Supreme Court; Districts
16	Section 4.(A) The state shall be divided into at least six supreme court
17	districts, and at least only one judge justice shall be elected from each district. The

1	districts and the number of judges assigned to each justices elected therefrom on
2	the effective date of this constitution the amendment to this Section are retained,
3	subject to change by law enacted by two-thirds of the elected members of each house
4	of the legislature.
5	(B) The legislature shall by law set forth the specific method of
6	transitioning to nine single member supreme court districts to be drawn in
7	accordance with the provisions of this Section. Notwithstanding any provision
8	herein to the contrary, no supreme court justice in office at the time of the
9	adoption of the amendment to this Section, nor his or her successor, shall, as a
10	result of this amendment, have their term diminished or extended. The initial
11	term for a new justice elected to a district that is drawn without an incumbent
12	justice may be shorter than ten years. Any decision reached by a majority of
13	the supreme court after the passage of this constitutional amendment, but
14	before its full implementation by the legislature, shall be binding and be given
15	full effect.
16	(C) By the end of the year following the year in which the population of
17	this state is reported to the president of the United States for each decennial
18	federal census, the legislature shall, in the same manner as provided for under
19	Paragraph A of this Section, redistrict the supreme court districts to be as equal
20	as practicable on the basis of population shown by the census.
21	(D) If the legislature fails to redistrict the supreme court when required
22	by this Section, then redistricting shall occur in the same manner as specified
23	in Article III, Section 6(B) of the Constitution of Louisiana.
24	Section 2. Be it further resolved that this proposed amendment shall be submitted
25	to the electors of the state of Louisiana at a statewide election to be held on October 9, 2021.
26	Section 3. Be it further resolved if approved by the electors at the election held
27	pursuant to Section 2 of this Resolution, that the proposed amendment to Article V, Section
28	3 shall become effective on January 1, 2025. The remainder of the proposed amendment
29	shall become effective pursuant to the provisions of Article XIII, Section 1(C).

1 Section 4. Be it further resolved that on the official ballot to be used at said election 2 there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as 3 4 follows: 5 Do you support an amendment to reform the Louisiana Supreme Court to 6 require districts be more equal in population and by adding two associate 7 justices? 8 (Amends Const. Arts. V, Sec. 3 and 4)

> The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

## **DIGEST**

SB 163 Original

2021 Regular Session

McMath

Present constitution provides that the supreme court shall be composed of a chief justice and six associate justices, four of whom must concur to render judgment.

Proposed constitutional amendment increases the composition of the Louisiana Supreme Court from six associate justices to eight, five of whom must concur to render judgment.

Proposed constitutional amendment mandates the legislature to set forth the specific method of transitioning to nine single member districts.

Proposed constitutional amendment provides that no supreme court justice in office at the time of the adoption of the proposed constitutional amendment, nor his or her successor, shall, as a result of this amendment, have their term diminished or extended.

Proposed constitutional amendment requires the legislature to redistrict each supreme court district to be as equal as practicable on the basis of population shown by the census at the end of the year following the year in which the population of this state is reported to the president of the United States.

Proposed constitutional amendment mandates redistricting of the supreme court in accordance with Article III, Section 6(B) if the legislature fails to do so as required by proposed constitutional amendment.

Provides that if the amendment is approved by the voters, it shall become effective on January 1, 2025.

Specifies submission of the amendment to the voters at a statewide election to be held on October 9, 2021.

(Amends Const. Arts. V, Sec. 3 and 4)