

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 494 Session of
2003

INTRODUCED BY GANNON, BARD, BELFANTI, CIVERA, CORRIGAN,
GILLESPIE, HENNESSEY, LaGROTTA, LEACH, LEVDANSKY, MARSICO,
MELIO, R. MILLER, PICKETT, SCAVELLO, SCHRODER, SEMMEL, THOMAS
AND TIGUE, FEBRUARY 26, 2003

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 26, 2003

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, requiring an individual to pass an
3 examination before filing a nominating petition to become a
4 district justice.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby resolves as follows:

7 Section 1. The following amendment to the Constitution of
8 Pennsylvania is proposed in accordance with Article XI:

9 That section 12 of Article V be amended to read:

10 § 12. Qualifications of justices, judges and justices of the
11 peace.

12 (a) Justices, judges and justices of the peace shall be
13 citizens of the Commonwealth. Justices and judges, except the
14 judges of the traffic court in the City of Philadelphia, shall
15 be members of the bar of the Supreme Court. Justices and judges
16 of statewide courts, for a period of one year preceding their
17 election or appointment and during their continuance in office,

1 shall reside within the Commonwealth. Other judges and justices
2 of the peace, for a period of one year preceding their election
3 or appointment and during their continuance in office, shall
4 reside within their respective districts, except as provided in
5 this article for temporary assignments.

6 (b) Judges of the traffic court in the City of Philadelphia
7 [and justices of the peace] shall be members of the bar of the
8 Supreme Court or shall complete a course of training and
9 instruction in the duties of their [respective offices] office
10 and pass an examination prior to assuming office. Such courses
11 and examinations shall be as provided by law.

12 (c) Justices of the peace shall be members of the bar of the
13 Supreme Court or shall complete a course of training and
14 instruction in the duties of their office prior to filing
15 nomination petitions for election to that office or prior to
16 assuming office in the case of appointment by the Governor. Such
17 courses and examinations shall be as provided by law.

18 Section 2. (a) Upon the first passage by the General
19 Assembly of this proposed constitutional amendment, the
20 Secretary of the Commonwealth shall proceed immediately to
21 comply with the advertising requirements of section 1 of Article
22 XI of the Constitution of Pennsylvania and shall transmit the
23 required advertisements to two newspapers in every county in
24 which such newspapers are published in sufficient time after
25 passage of this proposed constitutional amendment.

26 (b) Upon the second passage by the General Assembly of this
27 proposed constitutional amendment, the Secretary of the
28 Commonwealth shall proceed immediately to comply with the
29 advertising requirements of section 1 of Article XI of the
30 Constitution of Pennsylvania and shall transmit the required

1 advertisements to two newspapers in every county in which such
2 newspapers are published in sufficient time after passage of
3 this proposed constitutional amendment. The Secretary of the
4 Commonwealth shall submit this proposed constitutional amendment
5 to the qualified electors of this Commonwealth at the first
6 primary, general or municipal election occurring at least three
7 months after the proposed constitutional amendment is passed by
8 the General Assembly.