

AMENDMENTS TO SENATE BILL NO. 22

Sponsor: SENATOR AUMENT

Printer's No. 1780

1 Amend Bill, page 1, lines 5 and 6, by striking out all of
2 line 5 and "OF PENNSYLVANIA, FURTHER PROVIDING" in line 6 and
3 inserting

4 Proposing integrated and distinct amendments to the
5 Constitution of the Commonwealth of Pennsylvania, organizing
6 the Judiciary into representative districts and further
7 providing for residency requirements and

8 Amend Bill, page 1, by inserting between lines 8 and 9

9 This resolution may be referred to as the "Fair Districts
10 Law."

11 Amend Bill, page 15, by inserting between lines 12 and 13

12 Section 1. The following integrated amendments to the
13 Constitution of Pennsylvania are proposed in accordance with
14 Article XI:

15 (1) That section 2 of Article V be amended to read:

16 § 2. Supreme Court.

17 The Supreme Court (a) shall be the highest court of the
18 Commonwealth and in this court shall be reposed the supreme
19 judicial power of the Commonwealth;

20 (b) shall consist of seven justices, to be elected from
21 seven judicial districts, one of whom shall be the Chief
22 Justice; and

23 (c) shall have such jurisdiction as shall be provided by
24 law.

25 (2) That section 3 of Article V be amended to read:

26 § 3. Superior Court.

27 The Superior Court shall be a statewide court, and shall
28 consist of the number of judges, which shall be not less than
29 seven judges, to be elected from judicial districts, and have
30 such jurisdiction as shall be provided by this Constitution or
31 by the General Assembly. One of its judges shall be the
32 president judge.

33 (3) That section 4 of Article V be amended to read:

34 § 4. Commonwealth Court.

35 The Commonwealth Court shall be a statewide court, and shall

1 consist of the number of judges, to be elected from judicial
2 districts, and have such jurisdiction as shall be provided by
3 law. One of its judges shall be the president judge.

4 (4) That section 11 of Article V be amended to read:

5 § 11. Judicial districts; boundaries.

6 [The number and boundaries of judicial districts shall be
7 changed by the General Assembly only with the advice and consent
8 of the Supreme Court.]

9 (a) The number of judges and justices of the Supreme Court,
10 the Superior Court and the Commonwealth Court elected from each
11 judicial district shall provide every resident of the
12 Commonwealth with approximately equal representation on a court,
13 and each judicial district shall be established consistent with
14 the requirements for reapportionment and redistricting of
15 congressional districts.

16 (b) The General Assembly shall, by law, establish:

17 (1) A transition to an appellate court judiciary elected
18 from judicial districts.

19 (2) The effect of set judicial districts upon eligibility to
20 seek retention election, including that, after the time this
21 amendment becomes effective, when the term of a judge or justice
22 expires, the judge or justice shall, notwithstanding any other
23 provision of this Constitution, stand for election and,
24 thereafter, stand for retention election.

25 (3) The order in which judicial districts shall elect
26 justices of the Supreme Court and judges of the Superior Court
27 and the Commonwealth Court.

28 (c) Except as provided under subsection (b) and section
29 7(b), the number and boundaries of all other judicial districts
30 shall be established by the General Assembly by law, with the
31 advice and consent of the Supreme Court.

32 (5) That section 12 of Article V be amended to read:

33 § 12. Qualifications of justices, judges and justices of the
34 peace.

35 (a) Justices, judges and justices of the peace shall be
36 citizens of the Commonwealth. Justices and judges, except the
37 judges of the traffic court in the City of Philadelphia, shall
38 be members of the bar of the Supreme Court. Justices [and judges
39 of statewide courts, for a period of one year preceding their
40 election or appointment and during their continuance in office,
41 shall reside within the Commonwealth. Other], judges and
42 justices of the peace, for a period of one year preceding their
43 election or appointment and during their continuance in office,
44 shall reside within their respective districts, except as
45 provided in this article for temporary assignments.

46 (b) Justices of the peace shall be members of the bar of the
47 Supreme Court or shall complete a course of training and
48 instruction in the duties of their respective offices and pass
49 an examination prior to assuming office. Such courses and
50 examinations shall be as provided by law.

1 Amend Bill, page 15, line 13, by striking out "1" and

2 inserting

3 2

4 Amend Bill, page 15, line 13, by inserting after "FOLLOWING"

5 distinct

6 Amend Bill, page 15, line 16, by striking out "INDEPENDENT

7 LEGISLATIVE AND CONGRESSIONAL" and inserting

8 [Legislative] Independent

9 Amend Bill, page 15, line 20, by inserting a bracket before

10 "LEGISLATIVE"

11 Amend Bill, page 15, line 20, by inserting a bracket after

12 "LEGISLATIVE"

13 Amend Bill, page 15, line 20, by striking out "AND

14 CONGRESSIONAL"

15 Amend Bill, page 15, line 22, by inserting a bracket before

16 "COMMONWEALTH."

17 Amend Bill, page 15, line 22, by inserting after

18 "COMMONWEALTH"

19] Commonwealth's congressional, senatorial, representative

20 and any other districts authorized under this Constitution

21 Amend Bill, page 20, line 10, by inserting a bracket before

22 "TO"

23 Amend Bill, page 20, line 10, by inserting a bracket after

24 "ASSEMBLY"

25 Amend Bill, page 21, lines 4 through 6, by striking out "FOR"

26 in line 4, all of line 5 and "SEPARATE CATEGORIES" in line 6 and

27 inserting

28 as provided under subsection (a) of this section

29 Amend Bill, page 21, lines 23 and 24, by striking out "AND

1 REDISTRICTING"

2 Amend Bill, page 21, line 24, by inserting a bracket before
3 "OF"

4 Amend Bill, page 21, line 24, by inserting after "ASSEMBLY"
5] and redistricting

6 Amend Bill, page 22, lines 2 through 24, by striking out all
7 of said lines and inserting

8 Section 3. (a) Upon the first passage by the General
9 Assembly of these proposed constitutional amendments, the
10 Secretary of the Commonwealth shall proceed immediately to
11 comply with the advertising requirements of section 1 of Article
12 XI of the Constitution of Pennsylvania and shall transmit the
13 required advertisements to two newspapers in every county in
14 which such newspapers are published in sufficient time after
15 passage of these proposed constitutional amendments.

16 (b) Upon the second passage by the General Assembly of these
17 proposed constitutional amendments, the Secretary of the
18 Commonwealth shall proceed immediately to comply with the
19 advertising requirements of section 1 of Article XI of the
20 Constitution of Pennsylvania and shall transmit the required
21 advertisements to two newspapers in every county in which such
22 newspapers are published in sufficient time after passage of
23 these proposed constitutional amendments. The Secretary of the
24 Commonwealth shall:

25 (1) Submit the proposed constitutional amendments under
26 section 1 of this resolution to the qualified electors of
27 this Commonwealth as a single ballot question at the first
28 primary, general or municipal election which meets the
29 requirements of and is in conformance with section 1 of
30 Article XI of the Constitution of Pennsylvania and which
31 occurs at least three months after the proposed
32 constitutional amendments are passed by the General Assembly.

33 (2) Submit the proposed constitutional amendment under
34 section 2 of this resolution to the qualified electors of
35 this Commonwealth at the first primary, general or municipal
36 election which meets the requirements of and is in
37 conformance with section 1 of Article XI of the Constitution
38 of Pennsylvania and which occurs at least three months after
39 the proposed constitutional amendments are passed by the
40 General Assembly.