A JOINT RESOLUTION

Proposing an amendment SEPARATE AND DISTINCT AMENDMENTS to the Constitution of the Commonwealth of Pennsylvania, further providing for tenure of justices, judges and justices of the peace; AND FURTHER PROVIDING FOR ABSENTEE VOTING.

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

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

SECTION 1. THE FOLLOWING SEPARATE AND DISTINCT AMENDMENTS TO THE CONSTITUTION OF PENNSYLVANIA ARE PROPOSED IN ACCORDANCE WITH ARTICLE XI:

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

§ 15. Tenure of justices, judges and justices of the peace.

* * *

(b) A justice or judge elected under section 13(a), appointed under section 13(d) or retained under this section 15(b) may file a declaration of candidacy for retention election
with the officer of the Commonwealth who under law shall have
supervision over elections on or before the first Monday of
January of the year preceding the year in which his term of
office expires. If no declaration is filed, a vacancy shall
exist upon the expiration of the term of office of such justice
or judge, to be filled by election under section 13(a) or by
appointment under section 13(d) if applicable. If a justice or
judge files a declaration, his name shall be submitted to the
electors without party designation, [on a separate judicial
ballot or in a separate column on voting machines,] at the
municipal election immediately preceding the expiration of the
term of office of the justice or judge, to determine only the
question whether he shall be retained in office. If a majority
is against retention, a vacancy shall exist upon the expiration
of his term of office, to be filled by appointment under section
13(b) or under section 13(d) if applicable. If a majority favors
retention, the justice or judge shall serve for the regular term
of office provided herein, unless sooner removed or retired. At
the expiration of each term a justice or judge shall be eligible
for retention as provided herein, subject only to the retirement
provisions of this article.

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

(b) Upon the second passage by the General Assembly of this
proposed constitutional amendment, the Secretary of the
Commonwealth shall proceed immediately to comply with the
advertising requirements of section 1 of Article XI of the
Constitution of Pennsylvania and shall transmit the required
advertisements to two newspapers in every county in which such
newspapers are published in sufficient time after passage of
this proposed constitutional amendment. The Secretary of the
Commonwealth shall submit this proposed constitutional amendment
to the qualified electors of this Commonwealth at the first
primary, general or municipal election which meets the
requirements of and is in conformance with section 1 of Article
XI of the Constitution of Pennsylvania and which occurs at least
three months after the proposed constitutional amendment is
passed by the General Assembly.

(2) THAT SECTION 14 OF ARTICLE VII BE AMENDED TO READ:  <--
§ 14. ABSENTEE VOTING.
(A) THE LEGISLATURE SHALL, BY GENERAL LAW, PROVIDE A MANNER
IN WHICH, AND THE TIME AND PLACE AT WHICH, QUALIFIED ELECTORS
[WHO MAY, ON THE OCCURRENCE OF ANY ELECTION, BE ABSENT FROM THE
MUNICIPALITY OF THEIR RESIDENCE, BECAUSE THEIR DUTIES, OCCUPATION OR BUSINESS REQUIRE THEM TO BE ELSEWHERE OR WHO, ON
THE OCCURRENCE OF ANY ELECTION, ARE UNABLE TO ATTEND AT THEIR
PROPER POLLING PLACES BECAUSE OF ILLNESS OR PHYSICAL DISABILITY
OR WHO WILL NOT ATTEND A POLLING PLACE BECAUSE OF THE OBSERVANCE
OF A RELIGIOUS HOLIDAY OR WHO CANNOT VOTE BECAUSE OF ELECTION
DAY DUTIES, IN THE CASE OF A COUNTY EMPLOYEE,] MAY VOTE, AND FOR
THE RETURN AND CANVASS OF THEIR VOTES IN THE ELECTION DISTRICT
IN WHICH THEY RESPECTIVELY RESIDE. A LAW UNDER THIS SUBSECTION
MAY NOT REQUIRE A QUALIFIED ELECTOR TO PHYSICALLY APPEAR AT A
DESIGNATED POLLING PLACE ON THE DAY OF THE ELECTION.
(B) FOR PURPOSES OF THIS SECTION, "MUNICIPALITY" MEANS A CITY, BOROUGH, INCORPORATED TOWN, TOWNSHIP OR ANY SIMILAR GENERAL PURPOSE UNIT OF GOVERNMENT WHICH MAY BE CREATED BY THE GENERAL ASSEMBLY.

SECTION 2. (A) UPON THE FIRST PASSAGE BY THE GENERAL ASSEMBLY OF THESE PROPOSED CONSTITUTIONAL AMENDMENTS, THE SECRETARY OF THE COMMONWEALTH SHALL PROCEED IMMEDIATELY TO COMPLY WITH THE ADVERTISING REQUIREMENTS OF SECTION 1 OF ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA AND SHALL TRANSMIT THE REQUIRED ADVERTISEMENTS TO TWO NEWSPAPERS IN EVERY COUNTY IN WHICH SUCH NEWSPAPERS ARE PUBLISHED IN SUFFICIENT TIME AFTER PASSAGE OF THESE PROPOSED CONSTITUTIONAL AMENDMENTS.

(B) UPON THE SECOND PASSAGE BY THE GENERAL ASSEMBLY OF THESE PROPOSED CONSTITUTIONAL AMENDMENTS, THE SECRETARY OF THE COMMONWEALTH SHALL PROCEED IMMEDIATELY TO COMPLY WITH THE ADVERTISING REQUIREMENTS OF SECTION 1 OF ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA AND SHALL TRANSMIT THE REQUIRED ADVERTISEMENTS TO TWO NEWSPAPERS IN EVERY COUNTY IN WHICH SUCH NEWSPAPERS ARE PUBLISHED IN SUFFICIENT TIME AFTER PASSAGE OF THESE PROPOSED CONSTITUTIONAL AMENDMENTS. THE SECRETARY OF THE COMMONWEALTH SHALL:

(1) SUBMIT THE PROPOSED CONSTITUTIONAL AMENDMENT UNDER SECTION 1(1) OF THIS RESOLUTION TO THE QUALIFIED ELECTORS OF THIS COMMONWEALTH AS A SEparate BALLOT QUESTION AT THE FIRST PRIMARY, GENERAL OR MUNICIPAL ELECTION WHICH MEETS THE REQUIREMENTS OF AND IS IN CONFORMANCE WITH SECTION 1 OF ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA AND WHICH OCCURS AT LEAST THREE MONTHS AFTER THE PROPOSED CONSTITUTIONAL AMENDMENT IS PASSED BY THE GENERAL ASSEMBLY.

(2) SUBMIT THE PROPOSED CONSTITUTIONAL AMENDMENT UNDER 20190SB0413PN1653...
SECTION 1(2) OF THIS RESOLUTION TO THE QUALIFIED ELECTORS OF
THIS COMMONWEALTH AS A SEPARATE BALLOT QUESTION AT THE FIRST
PRIMARY, GENERAL OR MUNICIPAL ELECTION WHICH MEETS THE
REQUIREMENTS OF AND IS IN CONFORMANCE WITH SECTION 1 OF
ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA AND WHICH
OCCURS AT LEAST THREE MONTHS AFTER THE PROPOSED
CONSTITUTIONAL AMENDMENT IS PASSED BY THE GENERAL ASSEMBLY.