
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1880 Session of
2021

INTRODUCED BY RYAN, BROOKS, GROVE, HAMM, MOUL, PENNYCUICK AND
SMITH, SEPTEMBER 20, 2021

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 20, 2021

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for tenure of justices,
3 judges and justices of the peace.

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

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

8 That section 15 of Article V be amended to read:

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

10 (a) The regular term of office of justices and judges shall
11 be ten years and the regular term of office for judges of the
12 municipal court in the City of Philadelphia and of justices of
13 the peace shall be six years. The tenure of any justice or judge
14 shall not be affected by changes in judicial districts or by
15 reduction in the number of judges.

16 (b) [A] Except as provided under this section 15(c), a
17 justice or judge elected under section 13(a), appointed under
18 section 13(d) or retained under this section 15(b) may file a

1 declaration of candidacy for retention election with the officer
2 of the Commonwealth who under law shall have supervision over
3 elections on or before the first Monday of January of the year
4 preceding the year in which his term of office expires. If no
5 declaration is filed, a vacancy shall exist upon the expiration
6 of the term of office of such justice or judge, to be filled by
7 election under section 13(a) or by appointment under section
8 13(d) if applicable. If a justice or judge files a declaration,
9 his name shall be submitted to the electors without party
10 designation, on a separate judicial ballot or in a separate
11 column on voting machines, at the municipal election immediately
12 preceding the expiration of the term of office of the justice or
13 judge, to determine only the question whether he shall be
14 retained in office. If a majority is against retention, a
15 vacancy shall exist upon the expiration of his term of office,
16 to be filled by appointment under section 13(b) or under section
17 13(d) if applicable. If a majority favors retention, the justice
18 or judge shall serve for the regular term of office provided
19 herein, unless sooner removed or retired. At the expiration of
20 each term a justice or judge shall be eligible for retention as
21 provided herein, subject only to the retirement provisions of
22 this article.

23 (c) A justice of the Supreme Court shall be eligible to
24 serve two terms. A justice of the Supreme Court who shall have
25 exceeded the term limitation prescribed under this subsection
26 shall be permitted to complete their current term in office.

27 Section 2. (a) Upon the first passage by the General
28 Assembly of this proposed constitutional amendment, the
29 Secretary of the Commonwealth shall proceed immediately to
30 comply with the advertising requirements of section 1 of Article

1 XI of the Constitution of Pennsylvania and shall transmit the
2 required advertisements to two newspapers in every county in
3 which such newspapers are published in sufficient time after
4 passage of this proposed constitutional amendment.

5 (b) Upon the second passage by the General Assembly of this
6 proposed constitutional amendment, the Secretary of the
7 Commonwealth shall proceed immediately to comply with the
8 advertising requirements of section 1 of Article XI of the
9 Constitution of Pennsylvania and shall transmit the required
10 advertisements to two newspapers in every county in which such
11 newspapers are published in sufficient time after passage of
12 this proposed constitutional amendment. The Secretary of the
13 Commonwealth shall submit this proposed constitutional amendment
14 as a single ballot question to the qualified electors of this
15 Commonwealth at the first primary, general or municipal election
16 which meets the requirements of and is in conformance with
17 section 1 of Article XI of the Constitution of Pennsylvania and
18 which occurs at least three months after the proposed
19 constitutional amendment is passed by the General Assembly.