

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1509 Session of
2002INTRODUCED BY PICCOLA, MOWERY, PUNT, ERICKSON, A. WILLIAMS,
BELL, LEMMOND, DENT AND CONTI, AUGUST 30, 2002

REFERRED TO JUDICIARY, AUGUST 30, 2002

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for judicial vacancies.

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

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

7 That section 13(b) of Article V be amended to read:

8 § 13. Election of justices, judges and justices of the peace;
9 vacancies.

10 * * *

11 (b) A vacancy in the office of justice, judge or justice of
12 the peace shall be filled by appointment by the Governor. The
13 appointment shall be with the advice and consent of [two-thirds]
14 a majority of the members elected to the Senate[, except in the
15 case of justices of the peace which shall be by a majority]. The
16 person so appointed shall serve for a term ending on the first
17 Monday of January following the next municipal election more

1 than ten months after the vacancy occurs or for the remainder of
2 the unexpired term whichever is less, except in the case of
3 persons selected as additional judges to the Superior Court,
4 where the General Assembly may stagger and fix the length of the
5 initial terms of such additional judges by reference to any of
6 the first, second and third municipal elections more than ten
7 months after the additional judges are selected. The manner by
8 which any additional judges are selected shall be provided by
9 this section for the filling of vacancies in judicial offices.

10 * * *

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

19 (b) Upon the second passage by the General Assembly of this
20 proposed constitutional amendment, the Secretary of the
21 Commonwealth shall proceed immediately to comply with the
22 advertising requirements of section 1 of Article XI of the
23 Constitution of Pennsylvania and shall transmit the required
24 advertisements to two newspapers in every county in which such
25 newspapers are published in sufficient time after passage of
26 this proposed constitutional amendment. The Secretary of the
27 Commonwealth shall submit this proposed constitutional amendment
28 to the qualified electors of this Commonwealth at the first
29 primary, general or municipal election which meets the
30 requirements of and is in conformance with section 1 of Article

1 XI of the Constitution of Pennsylvania and which occurs at least
2 three months after the proposed constitutional amendment is
3 passed by the General Assembly.