

2024 Regular Session

HOUSE BILL NO. 533

BY REPRESENTATIVE WRIGHT

JUDGES/SUPREME COURT: (Constitutional Amendment) Provides for the appointment of justices of the supreme court

1 A JOINT RESOLUTION

2 Proposing to amend Article V, Sections 3, 21, and 22, to add Article V, Section 22.1, and
3 to repeal Article V, Section 4, of the Constitution of Louisiana, relative to the
4 supreme court; to provide for the number of justices of the supreme court; to provide
5 for the number of justices required to concur in order to render judgment; to provide
6 for the elimination of supreme court districts; to provide for the appointment of
7 supreme court justices; to provide for submission of the proposed amendment to the
8 electors; and to provide for related matters.

9 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
10 elected to each house concurring, that there shall be submitted to the electors of the state of
11 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
12 amend Article V, Sections 3, 21, and 22, and to add Article V, Section 22.1, of the
13 Constitution of Louisiana, to read as follows:

14 §3. Supreme Court; Composition; Judgments; Terms

15 Section 3. The supreme court shall be composed of a chief justice and ~~six~~
16 eight associate justices, ~~four~~ five of whom must concur to render judgment. The
17 term of a supreme court judge shall be ten years.

18 * * *

19 §21. Judges; Decrease in Terms and Compensation Prohibited

20 Section 21. The term of office, retirement benefits, and compensation of a
21 judge shall not be decreased during the term for which he is elected or appointed.

1 §22. Judges; Election; Appointment; Vacancy

2 Section 22.(A) Election; Appointment. (1) Except as otherwise provided
3 in this Section, all judges, other than supreme court justices, shall be elected.
4 Election shall be at the regular congressional election.

5 (2) On and after January 1, 2025, supreme court justices shall be appointed
6 as provided in Section 22.1 of this Article.

7 (B) Vacancy. ~~A~~ (1) Except as provided in Subparagraph (2) of this
8 Paragraph, a newly-created judgeship or a vacancy in the office of a judge shall be
9 filled by special election called by the governor and held within twelve months after
10 the day on which the vacancy occurs or the judgeship is established, except when the
11 vacancy occurs in the last twelve months of an existing term. Until the vacancy is
12 filled, the supreme court shall appoint a person meeting the qualifications for the
13 office, other than domicile, to serve at its pleasure. The appointee shall be ineligible
14 as a candidate at the election to fill the vacancy or the newly-created judicial office.
15 No person serving as an appointed judge, other than a retired judge, shall be eligible
16 for retirement benefits provided for the elected judiciary.

17 (2) A vacancy in the office of supreme court justice shall be filled by
18 appointment as provided in Section 22.1 of this Article.

19 (C) End of Term. (1) A judge serving on the effective date of this
20 constitution shall serve through December thirty-first of the last year of his term or,
21 if the last year of his term is not in the year of a regular congressional election, then
22 through December thirty-first of the following year. The election for the next term
23 shall be held in the year in which the term expires, as provided above.

24 (2) A supreme court justice duly elected to serve before December 31, 2024,
25 shall serve through the end of the term for which he was elected.

26 §22.1. Appointment by Governor; Confirmation by Senate

27 Section 22.1.(A) Appointment of Justices. The governor shall appoint one
28 qualified candidate for each vacancy in the office of justice of the supreme court.

1 (B) Confirmation by Senate. Each appointment of a supreme court justice
2 by the governor shall be subject to public confirmation by the Senate. The
3 confirmation hearing before the appropriate committee of the Senate and the floor
4 of the Senate shall be in open session. The confirmation shall be subject to a two-
5 thirds vote of the Senators present and voting.

6 Section 2. Be it resolved by the Legislature of Louisiana, two-thirds of the members
7 elected to each house concurring, that there shall be submitted to the electors of the state of
8 Louisiana, for their approval or rejection in the manner provided by law, a proposal to repeal
9 Article V, Section 4 of the Constitution of Louisiana.

10 Section 2. Be it further resolved that this proposed amendment shall be submitted
11 to the electors of the state of Louisiana at the statewide election to be held on November 5,
12 2024.

13 Section 3. Be it further resolved that on the official ballot to be used at the election,
14 there shall be printed a proposition, upon which the electors of the state shall be permitted
15 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
16 follows:

17 Do you support an amendment to increase the number of supreme court
18 justices, eliminate supreme court districts, and provide for the appointment
19 of supreme court justices by the governor? (Amends Article V, Sections 3,
20 21, and 22; Adds Article V, Section 22.1; Repeals Article V, Section 4)

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 533 Original

2024 Regular Session

Wright

Abstract: Increases the number of supreme court justices, eliminates supreme court districts, and provides for the appointment of supreme court justices.

Present constitution provides that the supreme court shall be composed of a chief justice and six associate justices, four of whom must concur to render judgment.

Present constitution provides for supreme court districts and the election of supreme court justices.

Proposed constitutional amendment increases the number of associate justices from six to eight, and increases from four to five the number of justices who must concur to render judgment.

Proposed constitutional amendment eliminates the supreme court districts and the election of supreme court justices.

Proposed constitutional amendment permits the governor to appoint supreme court justices for a term of ten years.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 5, 2024.

(Amends Const. Art. V, §§3, 21, and 22; Adds Const. Art. V, §22.1; Repeals Const. Art. V, §4)