



General Assembly

**Senate Joint
Resolution No. 14**

February Session, 2022

LCO No. 2468



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**RESOLUTION PROPOSING A STATE CONSTITUTIONAL
AMENDMENT TO VEST JURISDICTION OVER STATE LEGISLATIVE
ELECTION RETURNS AND QUALIFICATIONS IN THE JUDICIAL
BRANCH.**

Resolved by this Assembly:

1 Section 1. That the following be proposed as an amendment to the
2 Constitution of the State, which, when approved and adopted in the
3 manner provided by the Constitution, shall, to all intents and purposes,
4 become a part thereof:

5 Section 7 of article third of the Constitution is amended to read as
6 follows:

7 Sec. 7. The treasurer, secretary of the state, and comptroller shall
8 canvass publicly the votes for senators and representatives. The person
9 in each senatorial district having the greatest number of votes for
10 senator shall be declared to be duly elected for such district, and the
11 person in each assembly district having the greatest number of votes for
12 representative shall be declared to be duly elected for such district. The
13 general assembly shall provide by law the manner in which an equal

14 and the greatest number of votes for two or more persons so voted for
15 for senator or representative shall be resolved. The return of votes, and
16 the result of the canvass, shall be submitted to the house of
17 representatives, [and] to the senate and to the supreme court on the first
18 day of the session of the general assembly. [Each house shall be the final
19 judge of the election returns and qualifications of its own members] The
20 judicial department shall have exclusive jurisdiction to adjudicate
21 disputes or questions regarding the election returns and qualifications
22 of members of the General Assembly.

23 RESOLVED: That the foregoing proposed amendment to the
24 Constitution be continued to the next session of the General Assembly
25 elected at the general election to be held on November 8, 2022, and
26 published with the laws passed at the present session, or be presented
27 to the electors at the general election to be held on November 8, 2022,
28 whichever the case may be, according to article sixth of the amendments
29 to the Constitution. The designation of said proposed amendment to be
30 used on the ballots at such election shall be "Shall the Constitution of the
31 State be amended to vest exclusive jurisdiction in the Judicial Branch to
32 adjudicate disputes and questions regarding the election returns and
33 qualifications of members of the General Assembly?"