

House Joint Resolution 2001 - Introduced

HOUSE JOINT RESOLUTION 2001
BY WHEELER

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1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the abolishment of
3 retention elections for supreme court justices.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 1. Section 17 of Article V of the Constitution of the
4 State of Iowa, as added by the Amendment of 1962, is amended
5 beginning with appointments made on or after January 1, 2021,
6 to read as follows:

7 **Terms — judicial elections.** SEC. 17. Members of all
8 courts shall have such tenure in office as may be fixed by law,
9 but terms of supreme court judges shall be not less than eight
10 years and terms of district court judges shall be not less than
11 six years.

12 Judges Supreme court judges shall serve one term beginning
13 the day of appointment and until their successors are appointed
14 and qualified. District court judges shall serve for one year
15 after appointment and until the first day of January following
16 the next judicial election after the expiration of such year.
17 ~~They~~ District court judges shall at such judicial election
18 stand for retention in office on a separate ballot which shall
19 submit the question of whether such judge shall be retained in
20 office for the tenure prescribed for such office and when such
21 tenure is a term of years, on their request, they shall, at the
22 judicial election next before the end of each term, stand again
23 for retention on such ballot.

24 Present supreme court judges, at the expiration of their
25 respective terms on or after January 1, 2023, shall not
26 be retained in office, and district court judges, at the
27 expiration of their respective terms, may be retained in office
28 in like manner for the tenure prescribed for such office. The
29 general assembly shall prescribe the time for holding judicial
30 elections.

31 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
32 amendment to the Constitution of the State of Iowa is referred
33 to the general assembly to be chosen at the next general
34 election for members of the general assembly, and the secretary
35 of state is directed to cause the proposed amendment to be

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1 published for three consecutive months previous to the date of
2 that election as provided by law.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This joint resolution proposes an amendment to the
7 Constitution of the State of Iowa relating to the retention
8 elections of supreme court justices.

9 The resolution abolishes retention elections for supreme
10 court justices, and specifies that a supreme court justice
11 serve only one term of not less than eight years, beginning
12 with appointments made on or after January 1, 2021. The
13 resolution specifies that the eight-year term of a supreme
14 court justice shall begin the day of appointment and last until
15 their successor is appointed and qualified. If the term of a
16 supreme court justice currently serving on the supreme court
17 expires on or after January 1, 2023, the supreme court justice
18 shall not be retained in office, and shall not stand for
19 retention before the electorate at the next judicial election.

20 The resolution, if adopted, would be published and then
21 referred to the next general assembly (88th) for adoption,
22 before being submitted to the electorate for ratification.