

CHAPTER 95

(HB 405)

AN ACT proposing to amend Sections 97, 119, and 122 of the Constitution of Kentucky relating to terms of Constitutional offices.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

→Section 1. Are you in favor of changing the term of Commonwealth's Attorneys from six-year terms to eight-year terms beginning in 2030, changing the terms of judges of the district court from four-year terms to eight-year terms beginning in 2022, and requiring district judges to have been licensed attorneys for at least eight years beginning in 2022, by amending the Constitution of Kentucky to read as stated below?

→Section 2. It is proposed that Section 97 of the Constitution of Kentucky be amended to read as follows:

In the year two thousand, and every six years thereafter, there shall be an election in each county for a Circuit Court Clerk, and, *until the year two thousand thirty*, for a Commonwealth's Attorney, in each circuit court district, unless that office be abolished, who shall hold their respective offices for six years from the first Monday in January after their election, and until the election and qualification of their successors. *Beginning in the year two thousand thirty, and every eight years thereafter, there shall be an election for a Commonwealth's Attorney in each circuit court district, unless that office be abolished, who shall hold his or her office for eight years from the first Monday in January after his or her election, and until the election and qualification of his or her successor.*

→Section 3. It is proposed that Section 119 of the Constitution of Kentucky be amended to read as follows:

Justices of the Supreme Court and judges of the Court of Appeals and circuit court shall severally hold their offices for terms of eight years, and *until the year two thousand twenty-two*, judges of the district court for terms of four years. *Beginning in the year two thousand twenty-two, judges of the district court shall hold their offices for terms of eight years.* All terms commence on the first Monday in January next succeeding the regular election for the office. No justice or judge may be deprived of his term of office by redistricting, or by a reduction in the number of justices or judges.

→Section 4. It is proposed that Section 122 of the Constitution of Kentucky be amended to read as follows:

To be eligible to serve as a justice of the Supreme Court or a judge of the Court of Appeals, Circuit Court or District Court a person must be a citizen of the United States, licensed to practice law in the courts of this Commonwealth, and have been a resident of this Commonwealth and of the district from which he *or she* is elected for two years next preceding his *or her* taking office. In addition, to be eligible to serve as a justice of the Supreme Court or judge of the Court of Appeals or Circuit Court a person must have been a licensed attorney for at least eight years. *Beginning in the year two thousand twenty-two*, no district judge shall serve who has not been a licensed attorney for at least ~~eight~~^{two} years.

→Section 5. The eight-year licensure requirement for district judges set forth in the amendment to Section 122 of the Constitution shall not apply to any person serving as a district judge on the effective date of this amendment.

→Section 6. This amendment shall be submitted to the voters of the Commonwealth for their ratification or rejection at the time and in the manner provided for under Sections 256 and 257 of the Constitution and under Sections 7 and 8 of this Act.

→Section 7. Notwithstanding any language in KRS 118.415 to the contrary, the Secretary of State shall cause the entirety of the proposed amendment to the Constitution of Kentucky contained in Sections 1 to 5 of this Act to be published at least one time in a newspaper of general circulation published in this state, and shall also cause to be published at the same time and in the same manner the fact that the amendment will be submitted to the voters for their acceptance or rejection at the next regular election at which members of the General Assembly are to be voted for. The publication required by this section and KRS 118.415 shall be made no later than the first Tuesday in August preceding the election at which the amendment is to be voted on.

→Section 8. Notwithstanding any language in KRS 118.415 to the contrary, the Secretary of State, not later than the second Monday after the second Tuesday in August preceding the next regular election at which members of the General Assembly are to be chosen in a year in which there is not an election for President and Vice President of the United States, or not later than the Thursday after the first Tuesday in September preceding a regular election in a

year in which there is an election for President and Vice President of the United States, shall certify the entirety of the proposed amendment to the Constitution of Kentucky contained in Sections 1 to 5 of this Act to the county clerk of each county, and the county clerk shall have the entirety of the amendment, as so certified, indicated on the ballots provided to the voters in paper or electronic form as applicable to the voting machines in use in each county or precinct.

Signature not required. Delivered to Secretary of State April 15, 2020.