

1 AN ACT proposing to amend Sections 110 and 111 of the Constitution of Kentucky  
2 relating to judicial review.

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

4 ➔Section 1. Are you in favor of requiring the Supreme Court and the Court of  
5 Appeals for the State of Kentucky to render a decision within ninety days from the day of  
6 the final hearing in a case over which the court exercises judicial review, as stated below?

7 ➔Section 2. It is proposed that Section 110 of the Constitution of Kentucky be  
8 amended to read as follows:

9 (1) The Supreme Court shall consist of the Chief Justice of the Commonwealth and  
10 six associate Justices.

11 (2) (a) The Supreme Court shall have appellate jurisdiction only, except it shall  
12 have the power to issue all writs necessary in aid of its appellate jurisdiction, or the  
13 complete determination of any cause, or as may be required to exercise control of the  
14 Court of Justice.

15 (b) Appeals from a judgment of the Circuit Court imposing a sentence of death or  
16 life imprisonment or imprisonment for twenty years or more shall be taken directly to the  
17 Supreme Court. In all other cases, criminal and civil, the Supreme Court shall exercise  
18 appellate jurisdiction as provided by its rules.

19 **(c) *The Supreme Court shall render a decision within ninety days from the day***  
20 ***of the final hearing it holds in a case over which it exercises judicial review.***

21 (3) A majority of the Justices of the Supreme Court shall constitute a quorum for  
22 the transaction of business. If as many as two Justices decline or are unable to sit in the  
23 trial of any cause, the Chief Justice shall certify that fact to the Governor, who shall  
24 appoint to try the particular cause a sufficient number of Justices to constitute a full court  
25 for the trial of the cause.

26 (4) The Court of Appeals districts existing on the effective date of this amendment  
27 to the Constitution shall constitute the initial Supreme Court districts. The General

1 Assembly thereafter may redistrict the Commonwealth, by counties, into seven Supreme  
2 Court districts as nearly equal in population and as compact in form as possible. There  
3 shall be one Justice from each Supreme Court district.

4 (5) (a) The Justices of the Supreme Court shall elect one of their number to serve as  
5 Chief Justice for a term of four years.

6 (b) The Chief Justice of the Commonwealth shall be the executive head of the  
7 Court of Justice and he shall appoint such administrative assistants as he deems  
8 necessary. He shall assign temporarily any justice or judge of the Commonwealth, active  
9 or retired, to sit in any court other than the Supreme Court when he deems such  
10 assignment necessary for the prompt disposition of causes. The Chief Justice shall  
11 submit the budget for the Court of Justice and perform all other necessary administrative  
12 functions relating to the court.

13 ➔Section 3. It is proposed that Section 111 of the Constitution of Kentucky be  
14 amended to read as follows:

15 (1) The Court of Appeals shall consist initially of fourteen judges, an equal number  
16 to be selected from each Supreme Court district. The number of judges thereafter shall be  
17 determined from time to time by the General Assembly upon certification of necessity by  
18 the Supreme Court.

19 (2) The Court of Appeals shall have appellate jurisdiction only, except that it may  
20 be authorized by rules of the Supreme Court to review directly decisions of administrative  
21 agencies of the Commonwealth, and it may issue all writs necessary in aid of its appellate  
22 jurisdiction, or the complete determination of any cause within its appellate jurisdiction.  
23 In all other cases, it shall exercise appellate jurisdiction as provided by law.

24 **(3) The Court of Appeals shall render a decision within ninety days from the**  
25 **day of the final hearing it holds in a case over which it exercises judicial review.**

26 ~~(4)~~(3) The judges of the Court of Appeals shall elect one of their number to serve  
27 as Chief Judge for a term of four years. The Chief Judge shall exercise such authority and

1 perform such duties in the administration of the Court of Appeals as are prescribed in this  
2 section or as may be prescribed by the Supreme Court.

3 ~~(5)~~~~(4)~~ The Court of Appeals shall divide itself into panels of not less than three  
4 judges. A panel may decide a cause by the concurring vote of a majority of its judges. The  
5 Chief Judge shall make assignments of judges to panels. The Court of Appeals shall  
6 prescribe the times and places in the Commonwealth at which each panel shall sit.

7 ➔Section 4. This amendment shall be submitted to the voters of the  
8 Commonwealth for their ratification or rejection at the time and in the manner provided  
9 for under Sections 256 and 257 of the Constitution, KRS 118.415, and Sections 5 and 6  
10 of this Act.

11 ➔Section 5. Notwithstanding any provision of KRS 118.415 to the contrary, the  
12 Secretary of State shall cause the question in Section 1 of this Act and the entirety of the  
13 proposed amendment to the Constitution of Kentucky contained in Sections 2 and 3 of  
14 this Act to be published at least one time in a newspaper of general circulation published  
15 in this state, and shall also cause to be published at the same time and in the same manner  
16 the fact that the amendment will be submitted to the voters for their acceptance or  
17 rejection at the next regular election at which members of the General Assembly are to be  
18 voted for. The publication required by this section and KRS 118.415 shall be made no  
19 later than the first Tuesday in August preceding the election at which the amendment is to  
20 be voted on.

21 ➔Section 6. Notwithstanding any provision of KRS 118.415 to the contrary, not  
22 later than the second Monday after the second Tuesday in August preceding the next  
23 regular election at which members of the General Assembly are to be chosen in a year in  
24 which there is not an election for President and Vice President of the United States, or not  
25 later than the Thursday after the first Tuesday in September preceding a regular election  
26 in a year in which there is an election for President and Vice President of the United  
27 States, the Secretary of State shall certify the question in Section 1 of this Act and the

1 entirety of the proposed amendment to the Constitution of Kentucky contained in  
2 Sections 2 and 3 of this Act to the county clerk of each county, and the county clerk shall  
3 have the entirety of the question and the amendment, as so certified, indicated on the  
4 ballots provided to the voters in paper or electronic form as applicable to the voting  
5 machines in use in each county or precinct.