



1995 ASSEMBLY JOINT RESOLUTION 27

March 13, 1995 - Introduced by Representatives KRUSICK, HUBLER, AINSWORTH, BLACK, BOYLE, CARPENTER, DOBYNS, DUEHOLM, GOETSCH, GROBSCHMIDT, GROTHMAN, HOVEN, LEHMAN, NOTESTEIN, ZIEGELBAUER and WALKER, cosponsored by Senators BUETTNER, ANDREA and DARLING. Referred to Committee on Elections and Constitutional Law.

1 To amend so as in effect *to repeal* section 15 of article IV of the constitution; **relating**
2 **to:** abolishing the constitutional grant of legislative immunity from arrest and
3 civil process (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 1995 legislature on first consideration, repeals that provision of the state constitution which: 1) grants to the members of the legislature immunity from arrest in all cases except treason, felony or breach of the peace; and 2) exempts the members of the legislature from civil process during the session of the legislature as well as for 15 days before and after a session.

As a constitutional amendment, the proposal requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

4 ***Resolved by the assembly, the senate concurring, That:***

5 **SECTION 1.** Section 15 of article IV of the constitution is amended so as in effect
6 to repeal said section:

7 [~~Article IV~~] Section 15. ~~Members of the legislature shall in all cases, except~~
8 ~~treason, felony and breach of the peace, be privileged from arrest; nor shall they be~~
9 ~~subject to any civil process, during the session of the legislature, nor for fifteen days~~
10 ~~next before the commencement and after the termination of each session.~~

