



## 1995 SENATE JOINT RESOLUTION 22

April 4, 1995 - Introduced by Senators BUETTNER, DARLING and ANDREA, cosponsored by Representatives KRUSICK, DOBYNS, AINSWORTH, BLACK, BOYLE, CARPENTER, DUEHOLM, GOETSCH, GROBSCHMIDT, GROTHMAN, HOVEN, HUBLER, LEHMAN, NOTESTEIN, WALKER and ZIEGELBAUER. Referred to Committee on Judiciary.

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

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### *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.

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4 ***Resolved by the senate, the assembly 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.~~

