

2003 SENATE JOINT RESOLUTION 52

November 19, 2003 – Introduced by Senators COWLES and REYNOLDS, cosponsored by Representatives KRAWCZYK, TRAVIS, TAYLOR, STASKUNAS, TURNER, MCCORMICK and F. LASEE. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

1 **To create** section 4 (3) (d) of article VI of the constitution; **relating to:** permitting
2 the powers of sheriffs to be determined in each county (first consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, proposed to the 2003 legislature on first consideration, permits the powers of sheriffs to be determined in each county.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the senate, the assembly concurring, That:

3 **SECTION 1.** Section 4 (3) (d) of article VI of the constitution is created to read:

4 [Article VI] Section 4 (3) (d) The powers of each sheriff may be determined in
5 each county. The powers so determined supersede common and statutory law
6 determinations of the powers of sheriffs to the extent of any conflict with the common
7 or statutory law. The powers may be so determined only by resolution and only if the
8 resolution is submitted to a vote of the people of the county and a majority of the
9 voters of the county voting on the question vote in favor of the resolution. Such a
10

1 resolution may be submitted either by the county board or by the governing bodies
2 of cities, villages, and towns whose population in the county contains at least 50%
3 of the population of the county.

4 ***Be it further resolved, That*** this proposed amendment be referred to the
5 legislature to be chosen at the next general election and that it be published for 3
6 months previous to the time of holding such election.

7 (END)