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LRB-1060/1 PJD:kmg:jf

2003 SENATE JOINT RESOLUTION 9

January 23, 2003 - Introduced by Senators Jauch, Hansen and Carpenter, cosponsored by Representatives Ziegelbauer, Hahn, Hubler, Hebl and Cullen. Referred to Committee on Judiciary, Corrections and Privacy.

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

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2003 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, and 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 the session.

A 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:

- **Section 1.** Section 15 of article IV of the constitution is amended so as in effect 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

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subject to any civil process, during the session of the legislature, nor for fifteen days
next before the commencement and after the termination of each session.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3

6 (END)

months previous to the time of holding such election.