

CA CR 23 - AS INTRODUCED

2026 SESSION

26-2475
09/08

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **23**

RELATING TO: legislative oversight of the judicial branch.

PROVIDING THAT: there should be legislative oversight of the judicial branch.

SPONSORS: Rep. DeRoy, Straf. 3; Rep. Nalevanko, Ches. 9; Rep. Bailey, Straf. 2; Rep. Burnham, Straf. 2; Rep. D. Kelley, Hills. 32; Rep. Potenza, Straf. 19; Rep. Sabourin dit Choiniere, Rock. 30; Rep. Sirois, Hills. 32; Rep. Bernardy, Rock. 36; Rep. Sellers, Graf. 10

COMMITTEE: Judiciary

ANALYSIS

This constitutional amendment concurrent resolution gives the general court the power to oversee and recommend discipline for members of the judicial branch.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: legislative oversight of the judicial branch.

PROVIDING THAT: there should be legislative oversight of the judicial branch.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

1 I. That the second part of the constitution be amended by inserting after article 4 the
2 following new article:

3 [Art.] 4-a. [Oversight of the Judicial Branch.] The general court shall have the power to
4 establish a commission to be principally comprised of members of the general court. The commission
5 shall have the power to investigate complaints against members of the judicial branch, to conduct
6 hearings and gather evidence, to recommend disciplinary actions including censure, suspension, or
7 removal of judges, and to publish annual reports on the conduct and performance of judges. The
8 general court shall have the power to establish the membership of the commission and to establish
9 the procedures for the filing and investigation of complaints.

10 II. That the above amendment proposed to the constitution be submitted to the qualified
11 voters of the state at the state general election to be held in November, 2026.

12 III. That the selectmen of all towns, cities, wards and places in the state are directed to
13 insert in their warrants for the said 2026 election an article to the following effect: To decide
14 whether the amendments of the constitution proposed by the 2026 session of the general court shall
15 be approved.

16 IV. That the wording of the question put to the qualified voters shall be:
17 "Are you in favor of amending the second part of the constitution by inserting after article 4 the
18 following new article:

19 [Art.] 4-a. [Oversight of the Judicial Branch.] The general court shall have the power to
20 establish a commission to be principally comprised of members of the general court. The commission
21 shall have the power to investigate complaints against members of the judicial branch, to conduct
22 hearings and gather evidence, to recommend disciplinary actions including censure, suspension, or
23 removal of judges, and to publish annual reports on the conduct and performance of judges. The
24 general court shall have the power to establish the membership of the commission and to establish
25 the procedures for the filing and investigation of complaints.

26 V. That the secretary of state shall print the question to be submitted on a separate ballot
27 with other constitutional questions or on the official ballot. The ballot containing the question shall
28 include 2 ovals next to the question allowing the voter to vote "Yes" or "No." If no oval is marked, the

CACR 23 - AS INTRODUCED

- Page 2 -

1 ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular
2 official ballot except that the words “Questions Relating to Constitutional Amendments proposed by
3 the 2026 General Court” shall be printed in bold type at the top of the ballot.

4 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it
5 becomes effective when the governor proclaims its adoption.

6 VII. Voters' Guide.

7 AT THE PRESENT TIME, judicial oversight is conducted by the judiciary, subject to
8 the power of the general court to impeach.

9 IF THE AMENDMENT IS ADOPTED, the general court would be empowered to
10 conduct oversight of the judicial branch.