

CA CR 29 - AS INTRODUCED

2026 SESSION

26-3248

08/09

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **29**

RELATING TO: the supreme court.

PROVIDING THAT: the supreme court may not make rules that have the force and effect of law.

SPONSORS: Rep. Wherry, Hills. 13; Rep. Ford, Rock. 3; Rep. McFarlane, Graf. 18; Rep. McGrath, Rock. 40; Rep. Mary Murphy, Hills. 27

COMMITTEE: Judiciary

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ANALYSIS

This constitutional amendment concurrent resolution provides that the supreme court may not make rules that have the force and effect of law.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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: the supreme court.

PROVIDING THAT: the supreme court may not make rules that have the force and effect of law.

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

1 I. That article 73-a of the second part of the constitution be amended to read as follows:

2 [Art.] 73-a. [Supreme Court, Administration.]

3 The chief justice of the supreme court shall be the administrative head of all the courts. He  
4 shall, with the concurrence of a majority of the supreme court justices, make rules governing the  
5 administration of all courts in the state and the practice and procedure to be followed in all such  
6 courts. [~~The rules so promulgated shall have the force and effect of law.~~]

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

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

13 IV. That the wording of the question put to the qualified voters shall be:

14 “Are you in favor of amending article 73-a of the second part of the constitution to read as  
15 follows:

16 [Art.] 73-a. [Supreme Court, Administration.]

17 The chief justice of the supreme court shall be the administrative head of all the courts. He  
18 shall, with the concurrence of a majority of the supreme court justices, make rules governing the  
19 administration of all courts in the state and the practice and procedure to be followed in all such  
20 courts.

21 V. That the secretary of state shall print the question to be submitted on a separate ballot  
22 with other constitutional questions or on the official ballot. The ballot containing the question shall  
23 include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the  
24 ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular  
25 official ballot except that the words “Questions Relating to Constitutional Amendments proposed by  
26 the 2026 General Court” shall be printed in bold type at the top of the ballot.

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

1           VII. Voters' Guide.

2                    AT THE PRESENT TIME, the rules promulgated by the supreme court have the  
3 force and effect of law.

4                    IF THE AMENDMENT IS ADOPTED, the supreme court may not promulgate rules  
5 that have the force and effect of law.