AN ACT concerning courts; relating to the supreme court; providing qualifications for supreme court justices; requiring a two-thirds majority vote of the senate to be qualified to be a supreme court justice; amending K.S.A. 20-105 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 20-105 is hereby amended to read as follows: 20-105.

(a) No person shall be qualified to hold the office of justice of the supreme court, unless such person shall have:

(1) Been regularly admitted to practice law in the state of Kansas and has;

(2) engaged in the active and continuous practice of law, as a lawyer, judge of a court of record or any court in this state, full-time teacher of law in an accredited law school or any combination thereof for a period of at least ten (10) years prior to the date of appointment as justice; and

(3) except as provided in subsection (c), been found to be qualified by the senate pursuant to subsection (b).

(b) When the governor makes an appointment of a justice of the supreme court, the governor shall notify the senate of such appointment. The senate shall vote on the qualifications of such appointee not later than the end of the regular session of the legislature. If the senate is not in session, the senate shall vote on the qualifications of such appointee not later than the end of the next regular session of the legislature. The person appointed shall serve as a justice pending the senate consideration. In the event a two-thirds majority of all members of the senate then elected or appointed and qualified does not vote to consent to the appointee, the person shall be deemed not qualified. If the senate fails to vote on such appointee within the time limits imposed by this subsection, the person shall be deemed not qualified.

(c) (1) A justice who is serving on July 1, 2023, shall be deemed to be qualified by the senate until the end of such justice’s current term. Such justice shall not be qualified to serve a subsequent term unless qualified by the senate pursuant to subsection (b).

(2) A justice who is serving on July 1, 2023, and is retained for a subsequent term pursuant to section 5 of article 3 of the constitution of the state of Kansas shall be deemed qualified by the senate until the senate
votes on such justice's qualifications pursuant to subsection (b) in the next
regular session of the legislature following such retention.

(3) A person appointed by the chief justice to serve on the court in a
pro tempore capacity shall be deemed to be qualified by the senate, but
such person shall only serve in that capacity for a period not to exceed six
months.

(d) A person who has served five full terms as a judge of the court of
appeals, a justice of the supreme court or any combination thereof, shall
not be qualified to hold the office of justice of the supreme court.

Sec. 2. K.S.A. 20-105 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.