2019 -- H 5719

LC001657

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE OF RHODE ISLAND -- STANDING TO SUE GRANTED TO MEMBERS OF THE GENERAL ASSEMBLY

Introduced By: Representatives Filippi, Price, Roberts, Quattrocchi, and Nardone

Date Introduced: February 27, 2019

Referred To: House Judiciary

1	RESOLVED, That a majority of all members elected to each house of the general
2	assembly voting therefor, the following amendment to the Constitution of the state be proposed to
3	the qualified electors of the state in accordance with the provisions of Article XIV of the
4	Constitution for their approval and that this amendment take the place of Article VI, Section 23,
5	which Article and Section is hereby amended, effective on January 1, 2021, to read as follows:
6	ARTICLE VI
7	OF THE LEGISLATIVE POWER
8	Section 23. Standing to sue granted to members of the general assembly
9	Notwithstanding any other provision of law, each duly elected member of the general
10	assembly shall have standing to file and prosecute a lawsuit against the state of Rhode Island
11	challenging any governmental expenditure made by the state of Rhode Island or tax imposed by
12	the state of Rhode Island. Such a lawsuit shall be initiated in the Superior Court for Providence
13	and Bristol Counties.
14	RESOLVED, That this amendment take, in the Constitution of the state, the place of
15	Article VI, Section 23, of the Constitution; and be it further
16	RESOLVED, That the said proposition of amendment shall be submitted to the electors
17	for their approval or rejection at the next statewide general election to be held in November,
18	2019. The voting places in the several cities and towns shall be kept open during the hours
19	required by law for voting therein for members of the state general assembly; and be it further

RESOLVED, That the secretary of state shall cause the said proposition of amendment to be published as a part of this resolution in the newspapers of the state prior to the date of the said meetings of said electors; and the said proposition shall be inserted in the warrants or notices to be issued previous to said meetings of the electors for the purpose of warning the town, ward or district meetings, and said proposition shall be read by the town, ward or district meetings to be held as aforesaid; and be it further

RESOLVED, That the town, ward and district meetings to be held aforesaid shall be warned, and the list of voters shall be canvassed and made up, and the said tow, ward and district meetings shall be conducted in the same manner as now provided by law for the town, ward and district meetings for the next general election of members to the state general assembly and such other general officers of the state as may be up for election.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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This joint resolution would propose a constitutional amendment which, if approved by the voters, would grant standing to each member of the general assembly to file a lawsuit in the Superior Court challenging any governmental expenditure or tax.

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