

SESSION OF 2021

**SUPPLEMENTAL NOTE ON HOUSE CONCURRENT
RESOLUTION NO. 5013**

As Recommended by House Committee on
Federal and State Affairs

Brief*

HCR 5013 states that the State of Kansas urges Congress to propose the “Keep Nine” amendment to the *U.S. Constitution*. The concurrent resolution specifies that the amendment shall state “The Supreme Court of the United States shall be composed of nine justices.”

The resolution contains whereas clauses setting out legislative findings concerning the federal branches of government and the U.S. Supreme Court.

The resolution requires the Kansas Secretary of State to send an enrolled copy of the resolution to each member of the Kansas Congressional delegation, the Speaker of the U.S. House of Representatives, the Majority Leader of the U.S. Senate and the leader of each legislative chamber for the other 49 states.

Background

The concurrent resolution was introduced by the House Committee on Federal and State Affairs at the request of Representative Barker who stated the request was made on behalf of Representative Steven Johnson.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Committee on Federal and State Affairs

In the House Committee hearing on February 26, 2021, Representative Steven Johnson and a representative of the Coalition to Preserve an Independent United States Supreme Court testified as **proponents** stating that the resolution is needed to prevent politics from influencing the independence of the judiciary. Written-only **proponent** testimony was provided by the Attorney General. No other testimony was provided.

Fiscal Information

Fiscal information for the concurrent resolution was not available at the time the House Committee took action.

Keep Nine; Supreme Court Justices; US Constitution