

1 SR131  
2 212235-2  
3 By Senators Elliott, Albritton, Scofield, Chambliss, Givhan,  
4 Gudger, Livingston, Melson, Stutts, Chesteen, Shelnutt, Jones,  
5 Roberts, Sessions, Marsh, McClendon, Whatley, Allen, Butler,  
6 Holley, Orr, Price, Williams, Waggoner and Barfoot  
7 RFD:  
8 First Read: 06-MAY-21

8 URGING CONGRESS TO SUPPORT THE KEEP NINE AMENDMENT.  
9

10 WHEREAS, the United States Constitution provides no  
11 specific instruction for the number of justices that  
12 constitutes the Supreme Court of the United States; and

13 WHEREAS, for over 150 years the Supreme Court has  
14 consisted of nine justices; and

15 WHEREAS, during the nation's history, Congress has  
16 changed the number of justices, both increasing and  
17 decreasing, seven times prior to 1869, for the purpose of  
18 gaining political advantage for a then-current political  
19 position; and

20 WHEREAS, the practice of "packing the court" for  
21 political advantage greatly decreases public confidence that  
22 the Supreme Court exists as an essential element of America's  
23 system of checks and balances which guarantees and protects a  
24 citizen's constitutional rights; and

25 WHEREAS, in order to prevent all attempts by the  
26 legislative or executive branches of government to change the  
27 number of Supreme Court justices, the "Keep Nine Amendment" to

1 the United States Constitution has been proposed in Congress  
2 which simply states "the Supreme Court of the United States  
3 shall be composed of nine justices"; and

4 WHEREAS, the "Keep Nine Amendment" was introduced as  
5 Senate Joint Resolution 76 in the United States Senate on  
6 October 19, 2020, by Senator Ted Cruz (TX) and is now  
7 sponsored and supported by numerous United States Senators  
8 including Senators John Boozman (AR), Bill Cassidy (LA), Susan  
9 Collins (ME), Tom Cotton (AR), Steve Daines (MT), Joni Ernst  
10 (IA), Chuck Grassley (IA), Cindy Hyde Smith (MS), Mike Lee  
11 (UT), Cynthia Lummis (WY), David Perdue (GA), Rob Portman  
12 (OH), Thom Tillis (NC), Tommy Tuberville (AL), and Roger  
13 Wicker (MS), and by former Senator Kelly Loeffler (GA); and

14 WHEREAS, the "Keep Nine Amendment" was introduced  
15 as House Joint Resolution 95 in the House of Representatives  
16 on September 24, 2020, with bipartisan sponsorship by then  
17 Representatives Collin Peterson (D-MN) and Denver Riggleman  
18 (R-VA), with cosponsors Mo Brooks (R-AL5), Michael San Nicolas  
19 (D-GU-At-Large), Doug LaMalfa (R-CA1), and Ken Buck (R-CO4);  
20 and

21 WHEREAS, a number of former state attorneys general  
22 oppose "packing the court," and recent polls have shown that  
23 voters support a "Keep Nine Amendment" by more than a three to  
24 one margin; and

25 WHEREAS, President Biden is currently forming a  
26 study commission on Supreme Court reform that has "court  
27 expansionists" as its leaders; now therefore,

1                   BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF  
2 ALABAMA, That this body strongly urges the Alabama  
3 Congressional Delegation to support the pending "Keep Nine  
4 Amendment" as filed in the United States Senate and House of  
5 Representatives.

6                   BE IT FURTHER RESOLVED, That a copy of this  
7 resolution be provided to the Alabama Congressional  
8 Delegation, Governor Kay Ivey, and Attorney General Steve  
9 Marshall.