

# Constitutional Challenges to State Legislation

Is the Supreme Court often called upon to review the constitutionality of laws passed by the legislature?

The Supreme Court often is called on to rule on the constitutionality of statutes adopted by the legislature. A person who brings a constitutional challenge faces a difficult legal burden. Laws are presumed to be constitutional unless a clear violation of a specific provision of the Constitution can be proven.

From 1996 to 2011, the Supreme Court ruled on 63 cases in which an act of the legislature was under challenge on state constitutional grounds. In those cases the court upheld the statute as constitutional in 40 decisions, struck down the statute in 21 decisions and rendered a split decision in two cases, i.e., finding some parts of the statutes constitutional and other parts unconstitutional.

*Revised November 2012*

