

ABSTRACT

This study aims to analyze legal alternatives in filling the position of regional head after the Constitutional Court Decision Number 135/PUU-XXII/2024 which separates national elections and local elections, with the existence of this decision, Article 22E 1 and 2 which essentially explain that General Elections are held every 5 (Five) Years, including the election of the People's Representative Council, Regional Representative Council, President and Vice President. This will create a vacancy in office due to the shift in time, as well as examining the legal implications that will be felt due to the decision 135/PUU-XXII/2024. This study uses a normative legal research method with a statute approach and concept approach. The sources of legal materials used include primary legal materials in the form of laws and Constitutional Court decisions, as well as secondary legal materials in the form of literature, journals, and expert opinions. The technique of collecting legal materials is carried out through library studies and searching electronic sources, then analyzed descriptively qualitatively.

Keywords: Legal Alternatives, Regional Heads, Constitutional Court, National and Local Elections, Vacant Positions.

ABSTRAK

Penelitian ini bertujuan untuk menganalisis alternatif hukum dalam mengisi jabatan kepala daerah pasca Putusan Mahkamah Konstitusi Nomor 135/PUU-XXII/2024 yang memisahkan pemilu nasional dan pemilu lokal, dengan adanya putusan tersebut, Pasal 22E 1 dan 2 yang pada intinya menjelaskan Pemilihan Umum dilaksanakan 5 (Lima) Tahun sekali, meliputi pemilihan Dewan Perwakilan Rakyat, Dewan Perwakilan Daerah, Presiden dan Wakil Presiden. Maka akan menimbulkan kekosongan jabatan dikarenakan pergeseran waktu, serta mengkaji implikasi hukum yang akan dirasakan akibat adanya putusan 135/PUU-XXII/2024. Penelitian ini menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan (*statute approach*) dan pendekatan konsep (*conseptual approach*). Sumber bahan hukum yang digunakan meliputi bahan hukum primer berupa peraturan perundang-undangan dan putusan Mahkamah Konstitusi, serta bahan hukum sekunder berupa literatur, jurnal, dan pendapat para ahli. Teknik pengumpulan bahan hukum dilakukan melalui studi kepustakaan dan penelusuran sumber elektronik, kemudian dianalisis secara deskriptif kualitatif.

Kata Kunci: Alternatif Hukum, Kepala Daerah, Mahkamah Konstitusi, Pemilu Nasional dan Lokal, Kekosongan Jabatan.