

1-1 By: Zaffirini S.J.R. No. 8
1-2 (In the Senate - Filed November 10, 2014; January 27, 2015,
1-3 read first time and referred to Committee on State Affairs;
1-4 May 8, 2015, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; May 8, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Ellis	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Estes	X		
1-13	Fraser	X		
1-14	Nelson	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 SENATE JOINT RESOLUTION

1-18 proposing a constitutional amendment authorizing the legislature
1-19 to require a court to provide notice to the attorney general of a
1-20 challenge to the constitutionality of a state statute and
1-21 authorizing the legislature to prescribe a waiting period before
1-22 the court may enter a judgment holding the statute
1-23 unconstitutional.

1-24 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Article V, Texas Constitution, is amended by
1-26 adding Section 32 to read as follows:

1-27 Sec. 32. Notwithstanding Section 1, Article II, the
1-28 legislature may:

1-29 (1) require a court to provide notice to the attorney
1-30 general of a challenge to the constitutionality of a statute of this
1-31 state; and

1-32 (2) prescribe a reasonable period after the provision
1-33 of that notice during which the court may not enter a judgment
1-34 holding the statute unconstitutional.

1-35 SECTION 2. The following temporary provision is added to
1-36 the Texas Constitution:

1-37 TEMPORARY PROVISION. (a) This temporary provision applies
1-38 with respect to the constitutional amendment proposed by the 84th
1-39 Legislature, Regular Session, 2015, authorizing the legislature to
1-40 require a court to provide notice to the attorney general of a
1-41 challenge to the constitutionality of a state statute and
1-42 authorizing the legislature to prescribe a waiting period before
1-43 the court may enter a judgment holding the statute
1-44 unconstitutional.

1-45 (b) Section 402.010, Government Code, as added by Chapter
1-46 808 (H.B. 2425), Acts of the 82nd Legislature, Regular Session,
1-47 2011, and amended by Chapter 1162 (S.B. 392) and Chapter 1276 (H.B.
1-48 1435), Acts of the 83rd Legislature, Regular Session, 2013, is
1-49 validated and effective on approval of the constitutional amendment
1-50 described by Subsection (a) of this temporary provision and applies
1-51 only to a petition, motion, or other pleading filed on or after
1-52 January 1, 2016.

1-53 (c) This temporary provision expires January 2, 2016.

1-54 SECTION 3. This proposed constitutional amendment shall be
1-55 submitted to the voters at an election to be held November 3, 2015.
1-56 The ballot shall be printed to permit voting for or against the
1-57 proposition: "The constitutional amendment authorizing the
1-58 legislature to require a court to provide notice to the attorney
1-59 general of a challenge to the constitutionality of a state statute
1-60 and authorizing the legislature to prescribe a waiting period
1-61 before the court may enter a judgment holding the statute

2-1 unconstitutional."

2-2 * * * * *