

1-1 By: Smithee (Senate Sponsor - Huffman) H.J.R. No. 10
1-2 (In the Senate - Received from the House May 12, 2017;
1-3 May 12, 2017, read first time and referred to Committee on State
1-4 Affairs; May 18, 2017, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 18, 2017, sent to printer.)

1-6 COMMITTEE VOTE

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

1-17 HOUSE JOINT RESOLUTION

1-18 proposing a constitutional amendment changing the eligibility
1-19 requirements for certain judicial offices.

1-20 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 2(b), Article V, Texas Constitution, is
1-22 amended to read as follows:

1-23 (b) No person shall be eligible to serve in the office of
1-24 Chief Justice or Justice of the Supreme Court unless the person is
1-25 licensed to practice law in the State of Texas [~~this state~~] and is,
1-26 at the time of election, a citizen of the United States and of the
1-27 State of Texas [~~this state~~], and has attained the age of thirty-five
1-28 years, and has been a practicing lawyer licensed in the State of
1-29 Texas for at least ten years, or has been a practicing lawyer
1-30 licensed in the State of Texas and judge of a state court or county
1-31 court established by the Legislature by statute for a combined
1-32 total of [~~court of record together~~] at least ten years, during which
1-33 time the person's license to practice law has not been revoked,
1-34 suspended, or subject to a probated suspension.

1-35 SECTION 2. Section 7, Article V, Texas Constitution, is
1-36 amended to read as follows:

1-37 Sec. 7. The State shall be divided into judicial districts,
1-38 with each district having one or more Judges as may be provided by
1-39 law or by this Constitution. Each district judge shall be elected
1-40 by the qualified voters at a General Election and shall be a citizen
1-41 of the United States and of this State, who is licensed to practice
1-42 law in this State and has been a practicing lawyer or a Judge of a
1-43 Court in this State, or both combined, for six [~~four (4)~~] years next
1-44 preceding the judge's [~~his~~] election, during which time the judge's
1-45 license to practice law has not been revoked, suspended, or subject
1-46 to a probated suspension, who has resided in the district in which
1-47 the judge [~~he~~] was elected for two [~~(2)~~] years next preceding the
1-48 [~~his~~] election, and who shall reside in the [~~his~~] district during
1-49 the judge's [~~his~~] term of office and hold the [~~his~~] office for the
1-50 period of four [~~(4)~~] years, and who shall receive for the judge's
1-51 [~~his~~] services an annual salary to be fixed by the Legislature. The
1-52 Court shall conduct its proceedings at the county seat of the county
1-53 in which the case is pending, except as otherwise provided by law.
1-54 The judge [~~He~~] shall hold the regular terms of the judge's [~~his~~]
1-55 Court at the County Seat of each County in the [~~his~~] district in
1-56 such manner as may be prescribed by law. The Legislature shall have
1-57 power by General or Special Laws to make such provisions concerning
1-58 the terms or sessions of each Court as it may deem necessary.

1-59 The Legislature shall also provide for the holding of
1-60 District Court when the Judge thereof is absent, or is from any
1-61 cause disabled or disqualified from presiding.

2-1 SECTION 3. The following temporary provision is added to
2-2 the Texas Constitution:

2-3 TEMPORARY PROVISION. (a) This temporary provision applies
2-4 to the constitutional amendment proposed by the 85th Legislature,
2-5 Regular Session, 2017, changing the eligibility requirements for a
2-6 justice of the supreme court, a judge of the court of criminal
2-7 appeals, a justice of a court of appeals, and a district judge.

2-8 (b) The amendment to Section 2(b), Article V, of this
2-9 constitution takes effect January 1, 2018, and applies only to a
2-10 chief justice or other justice of the supreme court, a presiding
2-11 judge or other judge of the court of criminal appeals, or a chief
2-12 justice or other justice of a court of appeals who is first elected
2-13 for a term that begins on or after January 1, 2021, or who is
2-14 appointed on or after that date.

2-15 (c) The amendment to Section 7, Article V, of this
2-16 constitution takes effect January 1, 2018, and applies only to a
2-17 district judge who is first elected for a term that begins on or
2-18 after January 1, 2021, or who is appointed on or after that date.

2-19 (d) This temporary provision expires January 1, 2022.

2-20 SECTION 4. This proposed constitutional amendment shall be
2-21 submitted to the voters at an election to be held November 7, 2017.
2-22 The ballot shall be printed to provide for voting for or against the
2-23 proposition: "The constitutional amendment changing the
2-24 eligibility requirements for a justice of the supreme court, a
2-25 judge of the court of criminal appeals, a justice of a court of
2-26 appeals, and a district judge."

2-27 * * * * *