1-1 By: Zaffirini   S.J.R. No. 6
1-2   (In the Senate - Filed November 14, 2016; January 25, 2017,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 26, 2017, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 26, 2017,
1-6 sent to printer.)

1-7   COMMITTEE VOTE

1-8		Yea	Nay	Absent	PNV
1-9	Huffman	X			
1-10	Hughes	X			
1-11	Birdwell	X			
1-12	Creighton	X			
1-13	Estes	X			
1-14	Lucio	X			
1-15	Nelson	X			
1-16	Schwertner	X			
1-17	Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR S.J.R. No. 6   By: Zaffirini

1-19   SENATE JOINT RESOLUTION

1-20 proposing a constitutional amendment authorizing the legislature
1-21 to require a court to provide notice to the attorney general of a
1-22 challenge to the constitutionality of a state statute and
1-23 authorizing the legislature to prescribe a waiting period before
1-24 the   court   may   enter   a   judgment   holding   the   statute
1-25 unconstitutional.
1-26   BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-27   SECTION 1. Article V, Texas Constitution, is amended by
1-28 adding Section 32 to read as follows:
1-29   Sec. 32. Notwithstanding Section 1, Article II, of this
1-30 constitution, the legislature may:
1-31   (1) require a court in which a party to litigation
1-32 files a petition, motion, or other pleading challenging the
1-33 constitutionality of a statute of this state to provide notice to
1-34 the attorney general of the challenge if the party raising the
1-35 challenge notifies the court that the party is challenging the
1-36 constitutionality of the statute; and
1-37   (2) prescribe a reasonable period, which may not
1-38 exceed 45 days, after the provision of that notice during which the
1-39 court   may   not   enter   a   judgment   holding   the   statute
1-40 unconstitutional.
1-41   SECTION 2. The following temporary provision is added to
1-42 the Texas Constitution:
1-43   TEMPORARY PROVISION. (a) This temporary provision applies
1-44 with respect to the constitutional amendment proposed by the 85th
1-45 Legislature, Regular Session, 2017, authorizing the legislature to
1-46 require a court to provide notice to the attorney general of a
1-47 challenge to the constitutionality of a state statute and
1-48 authorizing the legislature to prescribe a waiting period, not to
1-49 exceed 45 days, before the court may enter a judgment holding the
1-50 statute unconstitutional.
1-51   (b) Section 402.010, Government Code, as added by Chapter
1-52 808 (H.B. 2425), Acts of the 82nd Legislature, Regular Session,
1-53 2011, and amended by Chapter 1162 (S.B. 392) and Chapter 1276 (H.B.
1-54 1435), Acts of the 83rd Legislature, Regular Session, 2013, is
1-55 validated and effective on approval of the constitutional amendment
1-56 described by Subsection (a) of this temporary provision and applies
1-57 only to a petition, motion, or other pleading filed on or after
1-58 January 1, 2018.
1-59   (c) This temporary provision expires January 2, 2018.
1-60   SECTION 3. This proposed constitutional amendment shall be

2-1 submitted to the voters at an election to be held November 7, 2017.
2-2 The ballot shall be printed to permit voting for or against the
2-3 proposition: "The constitutional amendment authorizing the
2-4 legislature to require a court to provide notice to the attorney
2-5 general of a challenge to the constitutionality of a state statute
2-6 and authorizing the legislature to prescribe a waiting period
2-7 before the court may enter a judgment holding the statute
2-8 unconstitutional."

2-9   * * * * *