

1-1 By: Huffman, et al. S.J.R. No. 47
1-2 (In the Senate - Filed March 8, 2021; March 18, 2021, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 19, 2021, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 19, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			

1-13 SENATE JOINT RESOLUTION

1-14 proposing a constitutional amendment changing the eligibility
1-15 requirements for certain judicial offices.

1-16 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-17 SECTION 1. Section 2(b), Article V, Texas Constitution, is
1-18 amended to read as follows:

1-19 (b) No person shall be eligible to serve in the office of
1-20 Chief Justice or Justice of the Supreme Court unless the person:

1-21 (1) is licensed to practice law in the State of Texas;

1-22 (2) ~~[this state and]~~ is, at the time of election, a
1-23 citizen of the United States and a resident of the State of Texas;

1-24 (3) ~~[this state, and]~~ has attained the age of
1-25 thirty-five years;

1-26 (4) ~~[, and]~~ has been either:

1-27 (A) a practicing lawyer licensed in the State of
1-28 Texas for at least ten years; ~~[,]~~ or

1-29 (B) a practicing lawyer licensed in the State of
1-30 Texas and judge of a state court or county court established by the
1-31 Legislature by statute for a combined total of ~~[court of record~~
1-32 ~~together]~~ at least ten years; and

1-33 (5) during the time required by Subdivision (4) of
1-34 this subsection has not had the person's license to practice law
1-35 revoked, suspended, or subject to a probated suspension.

1-36 SECTION 2. Section 7, Article V, Texas Constitution, is
1-37 amended to read as follows:

1-38 Sec. 7. (a) The State shall be divided into judicial
1-39 districts, with each district having one or more Judges as may be
1-40 provided by law or by this Constitution.

1-41 (b) Each district judge shall be elected by the qualified
1-42 voters at a General Election. To be eligible for appointment or
1-43 election as a district judge, a person must:

1-44 (1) ~~[and shall]~~ be a citizen of the United States and a
1-45 resident of this State;

1-46 (2) be ~~[, who is]~~ licensed to practice law in this
1-47 State;

1-48 (3) have ~~[and has]~~ been a practicing lawyer or a Judge
1-49 of a Court in this State, or both combined, for eight ~~[four (4)]~~
1-50 years next preceding the judge's ~~[his]~~ election, during which time
1-51 the judge's license to practice law has not been revoked,
1-52 suspended, or subject to a probated suspension;

1-53 (4) have ~~[who has]~~ resided in the district in which the
1-54 judge ~~[he]~~ was elected for two ~~[-(2)]~~ years next preceding the ~~[his]~~
1-55 election; ~~[,]~~ and

1-56 (5) ~~[who shall]~~ reside in the ~~[his]~~ district during
1-57 the judge's ~~[his]~~ term of office.

1-58 (c) A district judge shall ~~[and]~~ hold the ~~[his]~~ office for
1-59 the term ~~[period]~~ of four ~~[-(4)]~~ years ~~[,]~~ and ~~[who]~~ shall receive for
1-60 the judge's ~~[his]~~ services an annual salary to be fixed by the
1-61 Legislature.

2-1 (d) A District ~~[The]~~ Court shall conduct its proceedings at
2-2 the county seat of the county in which the case is pending, except
2-3 as otherwise provided by law. ~~The Court [He]~~ shall hold the regular
2-4 terms ~~[of his Court]~~ at the County Seat of each County in the
2-5 Court's [his] district in such manner as may be prescribed by law.
2-6 The Legislature shall have power by General or Special Laws to make
2-7 such provisions concerning the terms or sessions of each District
2-8 Court as it may deem necessary.

2-9 (e) The Legislature shall also provide for the holding of
2-10 District Court when the Judge thereof is absent, or is from any
2-11 cause disabled or disqualified from presiding.

2-12 SECTION 3. The following temporary provision is added to
2-13 the Texas Constitution:

2-14 TEMPORARY PROVISION. (a) This temporary provision applies
2-15 to the constitutional amendment proposed by the 87th Legislature,
2-16 Regular Session, 2021, changing the eligibility requirements for a
2-17 justice of the supreme court, a judge of the court of criminal
2-18 appeals, a justice of a court of appeals, and a district judge.

2-19 (b) The amendment to Section 2(b), Article V, of this
2-20 constitution takes effect January 1, 2022, and applies only to a
2-21 chief justice or other justice of the supreme court, a presiding
2-22 judge or other judge of the court of criminal appeals, or a chief
2-23 justice or other justice of a court of appeals who is first elected
2-24 for a term that begins on or after January 1, 2025, or who is
2-25 appointed on or after that date.

2-26 (c) The amendment to Section 7, Article V, of this
2-27 constitution takes effect January 1, 2022, and applies only to a
2-28 district judge who is first elected for a term that begins on or
2-29 after January 1, 2025, or who is appointed on or after that date.

2-30 (d) This temporary provision expires January 1, 2026.

2-31 SECTION 4. This proposed constitutional amendment shall be
2-32 submitted to the voters at an election to be held November 2, 2021.
2-33 The ballot shall be printed to provide for voting for or against the
2-34 proposition: "The constitutional amendment changing the
2-35 eligibility requirements for a justice of the supreme court, a
2-36 judge of the court of criminal appeals, a justice of a court of
2-37 appeals, and a district judge."

2-38 * * * * *