

By: Reynolds

H.J.R. No. 41

A JOINT RESOLUTION

1 proposing a constitutional amendment to require the attorney
2 general to appoint a special prosecutor to prosecute certain
3 offenses that are committed by peace officers.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 22, Article IV, Texas Constitution, is
6 amended to read as follows:

7 Sec. 22. (a) The Attorney General shall represent the
8 State in all suits and pleas in the Supreme Court of the State in
9 which the State may be a party, and shall especially inquire into
10 the charter rights of all private corporations, and from time to
11 time, in the name of the State, take such action in the courts as may
12 be proper and necessary to prevent any private corporation from
13 exercising any power or demanding or collecting any species of
14 taxes, tolls, freight or wharfage not authorized by law. The
15 Attorney General [~~He~~] shall, whenever sufficient cause exists, seek
16 a judicial forfeiture of such charters, unless otherwise expressly
17 directed by law, and give legal advice in writing to the Governor
18 and other executive officers, when requested by them, and perform
19 such other duties as may be required by law.

20 (b) To the extent provided by general law, the Attorney
21 General shall appoint a special prosecutor to perform the duties of
22 a prosecuting attorney in any prosecution of a peace officer for an
23 offense arising out of an officer-involved injury or death, as
24 defined by law, from which the prosecuting attorney is

1 disqualified.

2 SECTION 2. This proposed constitutional amendment shall be
3 submitted to the voters at an election to be held November 2, 2021.
4 The ballot shall be printed to provide for voting for or against the
5 proposition: "The constitutional amendment requiring the attorney
6 general to appoint a special prosecutor to prosecute certain
7 offenses that are committed by peace officers."