

By: Clardy

H.J.R. No. 8

A JOINT RESOLUTION

1 proposing a constitutional amendment providing requirements for  
2 the exercise of the power of impeachment by the House of  
3 Representatives and providing that officers against whom articles  
4 of impeachment are preferred receive pay during the pendency of  
5 impeachment proceedings.

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

7 SECTION 1. Section 1, Article XV, Texas Constitution, is  
8 amended to read as follows:

9 Sec. 1. (a) The power of impeachment shall be vested in the  
10 House of Representatives.

11 (b) When exercising the power of impeachment, the House of  
12 Representatives must:

13 (1) conduct a thorough, even-handed investigation of  
14 all articles of impeachment;

15 (2) ensure all testimony presented to and considered  
16 by the House of Representatives is provided under oath;

17 (3) provide any officer against whom articles of  
18 impeachment may be preferred and the officer's legal counsel the  
19 opportunity to:

20 (A) be present during all hearings before the  
21 House of Representatives and committees of the House of  
22 Representatives; and

23 (B) examine the witnesses and evidence against  
24 the officer; and

1           (4) provide the members of the House of  
2 Representatives at least 14 calendar days to review all records  
3 pertaining to articles of impeachment before voting on the articles  
4 of impeachment.

5           SECTION 2. Section 5, Article XV, Texas Constitution, is  
6 amended to read as follows:

7           Sec. 5. All officers against whom articles of impeachment  
8 may be preferred shall be suspended, with pay, from the exercise of  
9 the duties of their office[~~7~~] during the pendency of such  
10 impeachment. The Governor may make a provisional appointment to  
11 fill the vacancy[~~7~~] occasioned by the suspension of an officer  
12 until the decision on the impeachment.

13           SECTION 3. The following temporary provision is added to  
14 the Texas Constitution:

15           TEMPORARY PROVISION. (a) This temporary provision applies  
16 to the constitutional amendment proposed by the 88th Legislature,  
17 3rd Called Session, 2023, providing requirements for the exercise  
18 of the power of impeachment by the House of Representatives and  
19 providing that officers against whom articles of impeachment are  
20 preferred receive pay during the pendency of impeachment  
21 proceedings.

22           (b) The amendments to Sections 1 and 5, Article XV, of this  
23 constitution take effect January 1, 2025, and apply only to an  
24 impeachment that is subject to a vote by the House of  
25 Representatives on the question of impeachment on or after that  
26 date.

27           (c) This temporary provision expires January 1, 2026.

1           SECTION 4. This proposed constitutional amendment shall be  
2 submitted to the voters at an election to be held November 5, 2024.  
3 The ballot shall be printed to permit voting for or against the  
4 proposition: "The constitutional amendment providing requirements  
5 for the exercise of the power of impeachment by the House of  
6 Representatives and providing that officers against whom articles  
7 of impeachment are preferred receive pay during the pendency of  
8 impeachment proceedings."