

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 4th 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."