

By: Wohlgemuth

H.J.R. No. 50

A JOINT RESOLUTION

1 proposing a constitutional amendment allowing the governor to  
2 remove from office officers in the executive branch of state  
3 government who were appointed by a governor.

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

5 SECTION 1. Article IV, Texas Constitution, is amended by  
6 adding Section 12A to read as follows:

7 Sec. 12A. (a) The governor may remove from office an officer  
8 in the executive branch of state government if the office is filled  
9 by gubernatorial appointment without regard to whether the officer  
10 was appointed by the governor who removes the officer or by a  
11 previous governor. The governor may remove the officer:

12 (1) with or without cause; and

13 (2) without a trial or other proceeding.

14 (b) The governor may remove from office an officer in the  
15 executive branch of state government who is serving in an elective  
16 office if the officer was appointed by a governor to fill a vacancy  
17 in the current term of the office, without regard to whether the  
18 officer was appointed by the governor who removes the officer or by  
19 a previous governor. This subsection does not apply to an officer  
20 who was elected to the officer's current term, including an officer  
21 elected to fill the remainder of a vacancy in the current term.

22 SECTION 2. Section 9, Article XV, Texas Constitution, is  
23 repealed.

24 SECTION 3. This proposed constitutional amendment shall be

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1 submitted to the voters at an election to be held November 4, 2003.  
2 The ballot shall be printed to permit voting for or against the  
3 proposition: "The constitutional amendment authorizing the  
4 governor to remove from office appointed officers in the executive  
5 branch of state government with or without cause."