

1-1 By: Ellis S.J.R. No. 28
1-2 (In the Senate - Filed February 19, 2003; February 25, 2003,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 March 31, 2003, reported favorably by the following vote: Yeas 4,
1-5 Nays 2; March 31, 2003, sent to printer.)

1-6 SENATE JOINT RESOLUTION

1-7 proposing a constitutional amendment authorizing the governor to
1-8 grant one or more reprieves in a capital case.

1-9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subsection (b), Section 11, Article IV, Texas
1-11 Constitution, is amended to read as follows:

1-12 (b) In all criminal cases, except treason and impeachment,
1-13 the Governor shall have power, after conviction, on the written
1-14 signed recommendation and advice of the Board of Pardons and
1-15 Paroles, or a majority thereof, to grant reprieves and commutations
1-16 of punishment and pardons; and under such rules as the Legislature
1-17 may prescribe, and upon the written recommendation and advice of a
1-18 majority of the Board of Pardons and Paroles, he shall have the
1-19 power to remit fines and forfeitures. The Governor shall have the
1-20 power to grant one or more reprieves [~~reprieve~~] in any capital case
1-21 for a period not to exceed thirty (30) days for each reprieve; and
1-22 he shall have power to revoke conditional pardons. With the advice
1-23 and consent of the Legislature, he may grant reprieves,
1-24 commutations of punishment and pardons in cases of treason.

1-25 SECTION 2. This proposed constitutional amendment shall be
1-26 submitted to the voters at an election to be held November 4, 2003.
1-27 The ballot shall be printed to permit voting for or against the
1-28 proposition: "The constitutional amendment authorizing the
1-29 governor to grant more than one reprieve in a capital case."

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