

By: Seliger, Duncan

S.J.R. No. 14

1 SENATE JOINT RESOLUTION

2 proposing a constitutional amendment allowing Potter or Randall  
3 County to abolish and reinstate the office of constable in the  
4 county or in a precinct of the county.

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

6 SECTION 1. Article V, Texas Constitution, is amended by  
7 adding Section 18A to read as follows:

8 Sec. 18A. (a) The Commissioners Court of Potter or Randall  
9 County may call an election in the county to abolish the office of  
10 constable countywide or in a specified precinct.

11 (b) At an election to abolish the office countywide:

12 (1) any voter of the county may vote in the election;

13 and

14 (2) the commissioners court shall prepare ballots to  
15 permit voting for or against the proposition: "Abolishing the  
16 office of constable in \_\_\_\_\_ (name of county) County."

17 (c) At an election to abolish the office in a specified  
18 precinct:

19 (1) only voters of the specified precinct may vote in  
20 the election; and

21 (2) the commissioners court shall prepare ballots to  
22 permit voting for or against the proposition: "Abolishing the  
23 office of constable in Precinct \_\_ (number of precinct), \_\_\_\_\_ (name  
24 of county) County."

1       (d) If a majority of the votes cast approve a proposition  
2 under Subsection (b) or (c) of this section, on the 91st day after  
3 the date of the election the office of constable is abolished in the  
4 county or precinct and all powers, duties, and records of the office  
5 are transferred to the county sheriff.

6       (e) A county that abolishes the office of constable under  
7 Subsection (b) or (c) of this section may reinstate that office at  
8 an election called by the commissioners court to reinstate the  
9 office. If the office of constable has been abolished for five  
10 years or more, the commissioners court may call the election on its  
11 own initiative. If the office of constable has been abolished for  
12 less than five years, the commissioners court shall call the  
13 election only if the court receives a petition that requests the  
14 office of constable be reinstated and that is signed by a number of  
15 qualified voters of:

16           (1) the county equal to at least 10 percent of the  
17 registered voters of the county as of the date of the most recent  
18 general election for county officers, for an election to reinstate  
19 the office countywide; or

20           (2) the specified precinct equal to at least 10  
21 percent of the registered voters of the precinct as of the date of  
22 the most recent general election for county officers, for an  
23 election to reinstate the office in a specified precinct.

24       (f) At an election to reinstate the office of constable  
25 countywide:

26           (1) any voter of the county may vote in the election;  
27 and

1           (2) the commissioners court shall prepare the ballots  
2 to permit voting for or against the proposition: "Reinstating the  
3 office of constable in \_\_\_\_\_ (name of county) County."

4           (g) At an election to reinstate the office of constable in a  
5 specified precinct:

6           (1) only voters of the specified precinct may vote in  
7 the election; and

8           (2) the commissioners court shall prepare the ballots  
9 to permit voting for or against the proposition: "Reinstating the  
10 office of constable in Precinct \_\_\_\_ (number of precinct),  
11 \_\_\_\_\_ (name of county) County."

12           (h) If a majority of the votes cast approve a proposition  
13 under Subsection (f) or (g) of this section, on the 91st day after  
14 the date of the election the office of constable is reinstated in  
15 the county or precinct. On reinstatement of the office following a  
16 countywide election on the proposition, the office exists in each  
17 precinct established under Subsection (a), Section 18, of this  
18 article.

19           SECTION 2. This proposed constitutional amendment shall be  
20 submitted to the voters at an election to be held November 8, 2005.  
21 The ballot shall be printed to permit voting for or against the  
22 proposition: "The constitutional amendment allowing Potter or  
23 Randall County to abolish and reinstate the office of constable in  
24 the county or in a precinct of the county."