

## **BILL ANALYSIS**

Senate Research Center  
80R16311 E

C.S.H.J.R. 36  
By: McReynolds et al. (Watson)  
Jurisprudence  
4/19/2007  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Constitution currently requires a judge to leave the bench when the judge turns 75 years of age or an earlier age, not less than 70 years, which the legislature prescribes as retirement age.

C.S.H.J.R. 36 proposes a constitutional amendment to permit a judge reaching retirement age to complete the remainder of his or her term.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1-a(1), Article V, Texas Constitution, to require the office of justices and judges of the appellate courts and district and criminal district courts to become vacant on the expiration of the term during which, rather than to become vacant when, the incumbent reaches the ages of 75 years or such earlier age, not less than 70 years, as the legislature may prescribe, except that if a justice or judge elected to serve or fill the remainder of a six-year term reaches the age of 75 years during the first four years of the term, the office of that justice or judge is required to become vacant on December 31 of the fourth year of the term to which the justice or judge was elected.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2007. Sets forth the required language for the ballot.