

By: Dunnam

H.J.R. No. 4

A JOINT RESOLUTION

1 proposing a constitutional amendment allowing general law to
2 provide for the vote required to be elected governor.

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

4 SECTION 1. Sections 3 and 3a, Article IV, Texas
5 Constitution, are amended to read as follows:

6 Sec. 3. (a) The returns of every election for said
7 executive officers, until otherwise provided by law, shall be made
8 out, sealed up, and transmitted by the returning officers
9 prescribed by law, to the seat of Government, directed to the
10 Secretary of State, who shall deliver the same to the Speaker of the
11 House of Representatives, as soon as the Speaker shall be chosen,
12 and the said Speaker shall, during the first week of the session of
13 the Legislature, open and publish them in the presence of both
14 Houses of the Legislature.

15 (b) The person, voted for at said election, having the
16 ~~[highest]~~ number of votes required for election provided by general
17 law for each of said offices respectively, and being
18 constitutionally eligible, shall be declared by the Speaker, under
19 sanction of the Legislature, to be elected to said office. ~~[But, if~~
20 ~~two or more persons shall have the highest and an equal number of~~
21 ~~votes for either of said offices, one of them shall be immediately~~
22 ~~chosen to such office by joint vote of both Houses of the~~
23 ~~Legislature.]~~ Contested elections for either of said offices,
24 shall be determined by both Houses of the Legislature in joint

1 session.

2 Sec. 3a. If, at the time the Legislature shall canvass the
3 election returns for the offices of Governor and Lieutenant
4 Governor, the person elected to the office of Governor [~~receiving~~
5 ~~the highest number of votes for the office of Governor, as declared~~
6 ~~by the Speaker,~~] has died, fails to qualify, or for any other reason
7 is unable to assume the office of Governor, then the person elected
8 to [~~having the highest number of votes for~~] the office of Lieutenant
9 Governor shall become Governor for the full term to which the person
10 was elected as Governor. By becoming the Governor, the person
11 forfeits the office of Lieutenant Governor, and the resulting
12 vacancy in the office of Lieutenant Governor shall be filled as
13 provided by Section 9, Article III, of this Constitution. If the
14 person elected to the office of Governor [~~with the highest number of~~
15 ~~votes for the office of Governor, as declared by the Speaker,~~]
16 becomes temporarily unable to take office, then the Lieutenant
17 Governor shall act as Governor until the person elected to [~~with the~~
18 ~~highest number of votes for~~] the office of Governor becomes able to
19 assume the office of Governor. Any succession to the Governorship
20 not otherwise provided for in this Constitution, may be provided
21 for by law; provided, however, that any person succeeding to the
22 office of Governor shall be qualified as otherwise provided in this
23 Constitution, and shall, during the entire term to which he may
24 succeed, be under all the restrictions and inhibitions imposed in
25 this Constitution on the Governor.

26 SECTION 2. This proposed constitutional amendment shall be
27 submitted to the voters at an election to be held November 6, 2007.

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1 The ballot shall be printed to permit voting for or against the
2 proposition: "The constitutional amendment allowing general law to
3 provide for the vote required to be elected governor."