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H.J.R. No. 36

A JOINT RESOLUTION

1 proposing a constitutional amendment to permit a state justice or
2 judge who reaches the mandatory age of retirement while in office to
3 complete the justice's or judge's current term.

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

5 SECTION 1. Section 1-a(1), Article V, Texas Constitution,
6 is amended to read as follows:

7 (1) Subject to the further provisions of this Section, the
8 Legislature shall provide for the retirement and compensation of
9 Justices and Judges of the Appellate Courts and District and
10 Criminal District Courts on account of length of service, age and
11 disability, and for their reassignment to active duty where and
12 when needed. The office of every such Justice and Judge shall
13 become vacant on the expiration of the term during which ~~when~~ the
14 incumbent reaches the age of seventy-five (75) years or such
15 earlier age, not less than seventy (70) years, as the Legislature
16 may prescribe.

17 SECTION 2. This proposed constitutional amendment shall be
18 submitted to the voters at an election to be held November 6, 2007.
19 The ballot shall be printed to permit voting for or against the
20 proposition: "The constitutional amendment permitting a justice or
21 judge who reaches the mandatory retirement age while in office to
22 serve the remainder of the justice's or judge's current term."