

1-1 By: McReynolds, et al. (Senate Sponsor - Watson) H.J.R. No. 36  
1-2 (In the Senate - Received from the House March 22, 2007;  
1-3 April 3, 2007, read first time and referred to Committee on  
1-4 Jurisprudence; April 23, 2007, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 1;  
1-6 April 23, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.J.R. No. 36 By: Watson

1-8 HOUSE JOINT RESOLUTION

1-9 proposing a constitutional amendment to permit a state justice or  
1-10 judge who reaches the mandatory age of retirement while in office to  
1-11 complete the justice's or judge's current term.

1-12 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 1-a(1), Article V, Texas Constitution,  
1-14 is amended to read as follows:

1-15 (1) Subject to the further provisions of this Section, the  
1-16 Legislature shall provide for the retirement and compensation of  
1-17 Justices and Judges of the Appellate Courts and District and  
1-18 Criminal District Courts on account of length of service, age and  
1-19 disability, and for their reassignment to active duty where and  
1-20 when needed. The office of every such Justice and Judge shall  
1-21 become vacant on the expiration of the term during which [when] the  
1-22 incumbent reaches the age of seventy-five (75) years or such  
1-23 earlier age, not less than seventy (70) years, as the Legislature  
1-24 may prescribe, except that if a Justice or Judge elected to serve or  
1-25 fill the remainder of a six-year term reaches the age of  
1-26 seventy-five (75) years during the first four years of the term, the  
1-27 office of that Justice or Judge shall become vacant on December 31  
1-28 of the fourth year of the term to which the Justice or Judge was  
1-29 elected.

1-30 SECTION 2. This proposed constitutional amendment shall be  
1-31 submitted to the voters at an election to be held November 6, 2007.  
1-32 The ballot shall be printed to permit voting for or against the  
1-33 proposition: "The constitutional amendment permitting a justice or  
1-34 judge who reaches the mandatory retirement age while in office to  
1-35 serve the remainder of the justice's or judge's current term."

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