

By: Ogden

S.J.R. No. 48

A JOINT RESOLUTION

1 proposing a constitutional amendment to limit the time during which
2 a person who holds an appointive position that is subject to senate
3 confirmation on a multimember state board or commission continues
4 to perform the duties of the office after the expiration of the
5 person's term of office.

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

7 SECTION 1. Section 17, Article XVI, Texas Constitution, is
8 amended to read as follows:

9 Sec. 17. (a) Subject to Subsection (b), all ~~[All]~~ officers
10 within this State shall continue to perform the duties of their
11 offices until their successors shall be duly qualified.

12 (b) A person who holds an appointive position that is
13 subject to confirmation by the senate under Section 12, Article IV,
14 of this constitution on a multimember board, commission, or other
15 governing body of a state agency or institution and whose term of
16 office expires during a regular session of the legislature may not
17 continue to perform the duties of the office under Subsection (a) of
18 this section after that regular session ends. If the person's term
19 of office expires during a recess of the senate, the person may not
20 continue to perform the duties of the office under Subsection (a) of
21 this section after the end of the first regular session of the
22 legislature that follows the expiration of the person's term. This
23 subsection does not prohibit the person from being reappointed to a
24 new term of the office as provided by law.

1 SECTION 2. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held November 6, 2007.
3 The ballot shall be printed to permit voting for or against the
4 proposition: "The constitutional amendment to limit the time
5 during which a person who holds an appointive position that is
6 subject to senate confirmation on a multimember state board or
7 commission continues to perform the duties of the office after the
8 expiration of the person's term of office."