

By: Jackson

S.J.R. No. 49

1 SENATE JOINT RESOLUTION

2 proposing a constitutional amendment limiting the service of  
3 certain officeholders after the expiration of the person's term of  
4 office.

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

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

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

12 (b) Following the expiration of a term of an appointive  
13 office that is filled by appointment by the Governor and subject to  
14 the advice and consent of the Senate, the period for which the  
15 officer shall continue to perform the duties of office under  
16 Subsection (a) of this section ends when and if, during a regular or  
17 special session of the legislature, the Senate by a vote of  
18 two-thirds of the members present adopts a resolution declaring an  
19 end to the officer's service. A person whose service ends under  
20 this subsection may not be appointed by the Governor before the next  
21 regular session following the adoption of the resolution to fill a  
22 vacancy in:

23 (1) the office for which service is ended under this  
24 subsection; or

1           (2) if the office for which service is ended under this  
2 subsection is a position on a board, commission, or similar state  
3 entity composed of multiple members, any other membership position  
4 on that board, commission, or entity.

5           SECTION 2. This proposed constitutional amendment shall be  
6 submitted to the voters at an election to be held November 6, 2007.  
7 The ballot shall be printed to permit voting for or against the  
8 proposition: "The constitutional amendment limiting the holdover  
9 period an officeholder appointed by the governor may continue to  
10 perform the duties of the office after the expiration of the  
11 person's term."