

SENATE AMENDMENTS

2nd Printing

By: McReynolds, Deshotel, Hartnett, Gattis,
Dutton

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."

ADOPTED

APR 26 2007

Antony Spivey
Secretary of the Senate

By: _____

H.J.R. No. 36

Substitute the following for ____ J.R. No. _____:

By: *Paul Patton*

C.S. H.J.R. No. 36

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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, except that if a Justice or Judge elected to serve or
17 fill the remainder of a six-year term reaches the age of
18 seventy-five (75) years during the first four years of the term, the
19 office of that Justice or Judge shall become vacant on December 31
20 of the fourth year of the term to which the Justice or Judge was
21 elected.

22 SECTION 2. This proposed constitutional amendment shall be
23 submitted to the voters at an election to be held November 6, 2007.
24 The ballot shall be printed to permit voting for or against the

1 proposition: "The constitutional amendment permitting a justice or
2 judge who reaches the mandatory retirement age while in office to
3 serve the remainder of the justice's or judge's current term."

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 21, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HJR36 by McReynolds (Proposing a constitutional amendment to permit a state justice or judge who reaches the mandatory age of retirement while in office to complete the justice's or judge's current term if less than two years remain in that term.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$77,468.

The joint resolution would permit a state justice or judge who reaches the mandatory age of retirement during the first four years of the justice's or judge's term of office to complete the first four years of the justice's or judge's current term. To the extent the state would accrue a cost savings by having a justice or judge who has reached the mandatory age of retirement continue to be available to dispose of a court's docket, the fiscal implication to the State is not anticipated to be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. Local government may accrue minimal cost savings by having a justice or judge who has reached the mandatory age of retirement continue to be available to dispose of a court's docket.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, ZS, TB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 7, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HJR36** by McReynolds (Proposing a constitutional amendment to permit a state justice or judge who reaches the mandatory age of retirement while in office to complete the justice's or judge's current term.), **As Engrossed**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$77,468.

The joint resolution would permit a state justice or judge who reaches the mandatory age of retirement while in office to complete the justice or judge's current term. To the extent the state would accrue a cost savings by having a justice or judge who has reached the mandatory age of retirement continue to be available to dispose of a court's docket, the fiscal implication to the State is not anticipated to be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. Local government may accrue minimal cost savings by having a justice or judge who has reached the mandatory age of retirement continue to be available to dispose of a court's docket.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, ZS, TB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 25, 2007

TO: Honorable Will Hartnett, Chair, House Committee on Judiciary

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HJR36 by McReynolds (Proposing a constitutional amendment to permit a state justice or judge who reaches the mandatory age of retirement while in office to complete the justice's or judge's current term.), **As Introduced**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$77,468.

The joint resolution would permit a state justice or judge who reaches the mandatory age of retirement while in office to complete the justice or judge's current term. To the extent the state would accrue a cost savings by having a justice or judge who has reached the mandatory age of retirement continue to be available to dispose of a court's docket, the fiscal implication to the State is not anticipated to be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. Local government may accrue minimal cost savings by having a justice or judge who has reached the mandatory age of retirement continue to be available to dispose of a court's docket.

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