

By: Thompson, Naishtat, et al.

H.J.R. No. 58

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the governor to  
2 grant one or more reprieves in a capital case.

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

4 SECTION 1. Section 11(b), Article IV, Texas Constitution,  
5 is amended to read as follows:

6 (b) In all criminal cases, except treason and impeachment,  
7 the Governor shall have power, after conviction, on the written  
8 signed recommendation and advice of the Board of Pardons and  
9 Paroles, or a majority thereof, to grant reprieves and commutations  
10 of punishment and pardons; and under such rules as the Legislature  
11 may prescribe, and upon the written recommendation and advice of a  
12 majority of the Board of Pardons and Paroles, he shall have the  
13 power to remit fines and forfeitures. The Governor shall have the  
14 power to grant one or more reprieves [~~reprieve~~] in any capital case  
15 for a period not to exceed thirty (30) days for each reprieve; and  
16 he shall have power to revoke conditional pardons. With the advice  
17 and consent of the Legislature, he may grant reprieves,  
18 commutations of punishment and pardons in cases of treason.

19 SECTION 2. This proposed constitutional amendment shall be  
20 submitted to the voters at an election to be held November 3, 2009.  
21 The ballot shall be printed to permit voting for or against the  
22 proposition: "The constitutional amendment authorizing the  
23 governor to grant more than one reprieve in a capital case."