

By: Thompson

H.J.R. No. 98

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the governor to  
2 grant a pardon to a person who successfully completes a term of  
3 deferred adjudication community supervision.

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

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

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

21 SECTION 2. This proposed constitutional amendment shall be  
22 submitted to the voters at an election to be held November 3, 2009.  
23 The ballot shall be printed to permit voting for or against the  
24 proposition: "The constitutional amendment authorizing the

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1 governor to grant a pardon to a person who successfully completes a  
2 term of deferred adjudication community supervision."