

A JOINT RESOLUTION

1 proposing a constitutional amendment to allow an officer or  
2 enlisted member of the Texas State Guard or other state militia or  
3 military force to hold other civil offices.

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

5 SECTION 1. Section 40(a), Article XVI, Texas Constitution,  
6 is amended to read as follows:

7 (a) No person shall hold or exercise at the same time, more  
8 than one civil office of emolument, except that of Justice of the  
9 Peace, County Commissioner, Notary Public and Postmaster, Officer  
10 of the National Guard, the National Guard Reserve, and the Officers  
11 Reserve Corps of the United States and enlisted men of the National  
12 Guard, the National Guard Reserve, and the Organized Reserves of  
13 the United States, and retired officers of the United States Army,  
14 Air Force, Navy, Marine Corps, and Coast Guard, and retired warrant  
15 officers, and retired enlisted men of the United States Army, Air  
16 Force, Navy, Marine Corps, and Coast Guard, and officers and  
17 enlisted members of the Texas State Guard and any other active  
18 militia or military force organized under state law, and the  
19 officers and directors of soil and water conservation districts,  
20 unless otherwise specially provided herein. Provided, that nothing  
21 in this Constitution shall be construed to prohibit an officer or  
22 enlisted man of the National Guard, [~~and~~] the National Guard  
23 Reserve, the Texas State Guard, and any other active militia or  
24 military force organized under state law, or an officer in the

1 Officers Reserve Corps of the United States, or an enlisted man in  
2 the Organized Reserves of the United States, or retired officers of  
3 the United States Army, Air Force, Navy, Marine Corps, and Coast  
4 Guard, and retired warrant officers, and retired enlisted men of  
5 the United States Army, Air Force, Navy, Marine Corps, and Coast  
6 Guard, and officers of the State soil and water conservation  
7 districts, from holding at the same time any other office or  
8 position of honor, trust or profit, under this State or the United  
9 States, or from voting at any election, general, special or primary  
10 in this State when otherwise qualified.

11 SECTION 2. This proposed constitutional amendment shall be  
12 submitted to the voters at an election to be held November 3, 2009.  
13 The ballot shall be printed to permit voting for or against the  
14 proposition: "The constitutional amendment to allow an officer or  
15 enlisted member of the Texas State Guard or other state militia or  
16 military force to hold other civil offices."

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President of the Senate

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Speaker of the House

I certify that H.J.R. No. 127 was passed by the House on May 11, 2009, by the following vote: Yeas 145, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.J.R. No. 127 on May 29, 2009, by a non-record vote; and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.J.R. No. 127 on May 31, 2009, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

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Chief Clerk of the House

H.J.R. No. 127

I certify that H.J.R. No. 127 was passed by the Senate, with amendments, on May 25, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.J.R. No. 127 on May 31, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

RECEIVED: \_\_\_\_\_

Date

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Secretary of State