

1-1 By: King of Parker, Chavez H.J.R. No. 127
1-2 (Senate Sponsor - Carona)
1-3 (In the Senate - Received from the House May 12, 2009;
1-4 May 13, 2009, read first time and referred to Committee on State
1-5 Affairs; May 22, 2009, reported favorably by the following vote:
1-6 Yeas 9, Nays 0; May 22, 2009, sent to printer.)

1-7 HOUSE JOINT RESOLUTION

1-8 proposing a constitutional amendment to allow an officer or
1-9 enlisted member of the Texas State Guard or other state militia or
1-10 military force to hold other civil offices.

1-11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 40(a), Article XVI, Texas Constitution,
1-13 is amended to read as follows:

1-14 (a) No person shall hold or exercise at the same time, more
1-15 than one civil office of emolument, except that of Justice of the
1-16 Peace, County Commissioner, Notary Public and Postmaster, Officer
1-17 of the National Guard, the National Guard Reserve, and the Officers
1-18 Reserve Corps of the United States and enlisted men of the National
1-19 Guard, the National Guard Reserve, and the Organized Reserves of
1-20 the United States, and retired officers of the United States Army,
1-21 Air Force, Navy, Marine Corps, and Coast Guard, and retired warrant
1-22 officers, and retired enlisted men of the United States Army, Air
1-23 Force, Navy, Marine Corps, and Coast Guard, and officers and
1-24 enlisted members of the Texas State Guard and any other active
1-25 militia or military force organized under state law, and the
1-26 officers and directors of soil and water conservation districts,
1-27 unless otherwise specially provided herein. Provided, that nothing
1-28 in this Constitution shall be construed to prohibit an officer or
1-29 enlisted man of the National Guard, [~~and~~] the National Guard
1-30 Reserve, the Texas State Guard, and any other active militia or
1-31 military force organized under state law, or an officer in the
1-32 Officers Reserve Corps of the United States, or an enlisted man in
1-33 the Organized Reserves of the United States, or retired officers of
1-34 the United States Army, Air Force, Navy, Marine Corps, and Coast
1-35 Guard, and retired warrant officers, and retired enlisted men of
1-36 the United States Army, Air Force, Navy, Marine Corps, and Coast
1-37 Guard, and officers of the State soil and water conservation
1-38 districts, from holding at the same time any other office or
1-39 position of honor, trust or profit, under this State or the United
1-40 States, or from voting at any election, general, special or primary
1-41 in this State when otherwise qualified.

1-42 SECTION 2. This proposed constitutional amendment shall be
1-43 submitted to the voters at an election to be held November 3, 2009.
1-44 The ballot shall be printed to permit voting for or against the
1-45 proposition: "The constitutional amendment to allow an officer or
1-46 enlisted member of the Texas State Guard or other state militia or
1-47 military force to hold other civil offices."

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