

BILL ANALYSIS

Senate Research Center

S.J.R. 37
By: Van de Putte
State Affairs
9/7/2011
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.J.R. 37 proposes a constitutional amendment to change the length of the unexpired term that causes the automatic resignation of certain elected county, municipal, or district officeholders if they become candidates for another office.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 65(b), Article XVI, Texas Constitution, to provide that if any of the officers named herein shall announce their candidacy, or shall in fact become a candidate, in any General, Special or Primary Election, for any office of profit or trust under the laws of this State or the United States other than the office then held, at any time when the unexpired term of the office then shall exceed one year and 30 days, rather than shall exceed one year, such announcement or such candidacy shall constitute an automatic resignation of the office then held, and the vacancy thereby created shall be filled pursuant to law in the same manner as other vacancies for such office are filled.

SECTION 2. (a) Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 8, 2011, only if the secretary of the state (SOS) certifies that an enactment of the 82nd Legislature, Regular Session, that became law provides for a filing deadline for an application for a place on the general primary ballot that occurs in the calendar year before the year in which the primary is held. Provides that if SOS does not make a certification under this subsection, this resolution has no effect.

(b) Sets forth the required language of the ballot.