

## **BILL ANALYSIS**

S.J.R. 37  
By: Van de Putte  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under the Texas Constitution, if certain elected county or district officeholders with more than one year left in the officeholder's term announces a candidacy for any public office other than the office currently held, or becomes a candidate for another office, such announcement or candidacy constitutes an automatic resignation from the office then held. S.J.R. 37 changes the length of the unexpired term that causes the automatic resignation of certain elected county or district officeholders if they become candidates for another office.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.J.R. 37 proposes an amendment to the Texas Constitution to specify that an announcement by certain elected county or district officeholders of candidacy for another office, or such candidacy itself, constitutes an automatic resignation of the office then held if the announcement or candidacy occurs at any time when the officeholder's unexpired term exceeds one year and 30 days, rather than one year.

S.J.R. 37 makes the submission of the constitutional amendment proposed by the resolution to the voters contingent on the secretary of state certifying that an enactment of the 82nd Legislature, Regular Session, 2011, 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. The resolution specifies that its provisions have no effect if the secretary of state does not make such a certification. The resolution sets out the required ballot language.

### **ELECTION DATE**

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 8, 2011, only if the secretary of state certifies that an enactment of the 82nd Legislature, Regular Session, 2011, 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.