

By: Christian

H.J.R. No. 115

A JOINT RESOLUTION

1 proposing a constitutional amendment to change the number, method
2 of appointment, and terms of the Texas Ethics Commission members
3 and the term and selection of the presiding officer of the Texas
4 Ethics Commission.

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

6 SECTION 1. Sections 24a(a), (b), and (c), Article III,
7 Texas Constitution, are amended to read as follows:

8 (a) The Texas Ethics Commission is a state agency consisting
9 of the following six [~~eight~~] members:

10 (1) three [~~two~~] members of the same political party as
11 the governor, [~~different political parties~~] appointed by the
12 governor [~~from a list of at least 10 names submitted by the members~~
13 ~~of the house of representatives from each political party required~~
14 ~~by law to hold a primary~~]; and

15 (2) three [~~two~~] members of a political party required
16 by law to hold a primary that is not the political party of the
17 governor, [~~different political parties~~] appointed by the governor
18 [~~from a list of at least 10 names submitted by the members of the~~
19 ~~senate from each political party required by law to hold a primary,~~

20 [~~(3) two members of different political parties~~
21 ~~appointed by the speaker of the house of representatives from a list~~
22 ~~of at least 10 names submitted by the members of the house from each~~
23 ~~political party required by law to hold a primary, and~~

24 [~~(4) two members of different political parties~~

1 ~~appointed by the lieutenant governor from a list of at least 10~~
2 ~~names submitted by the members of the senate from each political~~
3 ~~party required by law to hold a primary].~~

4 (b) ~~[The governor may reject all names on any list submitted~~
5 ~~under Subsection (a)(1) or (2) of this section and require a new~~
6 ~~list to be submitted.]~~ The position of presiding officer of the
7 commission shall rotate biennially among the members of the
8 commission who are from the same political party as the governor
9 ~~[shall elect annually the chairman of the commission].~~

10 (c) Commission ~~[With the exception of the initial~~
11 ~~appointees, commission]~~ members serve for staggered six-year
12 ~~[four-year]~~ terms. ~~[Each appointing official will make one initial~~
13 ~~appointment for a two-year term and one initial appointment for a~~
14 ~~four-year term.]~~ A vacancy on the commission shall be filled for
15 the unexpired portion of the term in the same manner as the original
16 appointment. A member who has served for one term and any part of a
17 second term is not eligible for reappointment.

18 SECTION 2. Article III, Texas Constitution, is amended by
19 adding the following temporary provision to read as follows:

20 TEMPORARY PROVISION. On January 1, 2012, the terms of all of
21 the members of the Texas Ethics Commission expire, and the governor
22 shall appoint two persons to terms expiring February 1, 2013, two
23 persons to terms expiring February 1, 2015, and two persons to terms
24 expiring February 1, 2017. Thereafter, members of the Texas Ethics
25 Commission serve six-year terms, as provided by Section 24a(c) of
26 this article. This temporary provision expires January 1, 2013.

27 SECTION 3. This proposed constitutional amendment shall be

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1 submitted to the voters at an election to be held November 8, 2011.
2 The ballot shall be printed to provide for voting for or against the
3 proposition: "The constitutional amendment providing for a
4 decrease in the size of the Texas Ethics Commission from eight to
5 six members appointed by the governor to serve six-year terms and
6 providing for the rotation of the position of presiding officer of
7 the Texas Ethics Commission."