

BILL ANALYSIS

S.J.R. 13
By: Eltife
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Term limits for elected officials can encourage new ideas and fresh perspectives in government. Texas places no limits on the number of terms an individual may serve in state offices, although some Texas cities limit terms for mayors and city council members. According to one source, nearly 75 percent of states impose some form of term limits for governors and more than half of states limit the lieutenant governor's term of office. Some states have also imposed term limits on attorneys general, secretaries of state, and treasurers. S.J.R. 13 seeks to impose term limits on the offices constituting the executive department and any other state office normally filled by the voters at a statewide election, except for a statewide judicial 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. 13 proposes an amendment to the Texas Constitution to make ineligible for election or appointment to serve a third consecutive term in office a person who has been elected or appointed to serve two consecutive terms in the office of governor, lieutenant governor, secretary of state, comptroller of public accounts, commissioner of the general land office, or attorney general or any other state office normally filled by the voters at a statewide election, other than a statewide judicial office. The resolution establishes that this provision of the resolution does not limit a person's eligibility for election or appointment to serve nonconsecutive terms.

S.J.R. 13 establishes that nothing in its provisions prohibits a person from continuing to serve in such an office after the end of a term as a holdover until a successor is qualified and that the term of a person appointed to serve for the remainder of a term to fill a vacancy in a statewide office is not counted in determining whether a person is eligible to serve under the resolution's provisions.

S.J.R. 13 adds a temporary provision, set to expire February 1, 2031, establishing that a term of office that begins before January 1, 2014, is not counted in determining whether a person is eligible to serve under the resolution's provisions.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 5, 2013.