

By: González

H.J.R. No. 31

A JOINT RESOLUTION

1 proposing a constitutional amendment to require the attorney  
2 general to be licensed and eligible to practice law in this state.

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

4 SECTION 1. Section 22, Article IV, Texas Constitution, is  
5 amended to read as follows:

6 Sec. 22. (a) The Attorney General shall represent the  
7 State in all suits and pleas in the Supreme Court of the State in  
8 which the State may be a party, and shall especially inquire into  
9 the charter rights of all private corporations, and from time to  
10 time, in the name of the State, take such action in the courts as may  
11 be proper and necessary to prevent any private corporation from  
12 exercising any power or demanding or collecting any species of  
13 taxes, tolls, freight or wharfage not authorized by law. The  
14 Attorney General [~~He~~] shall, whenever sufficient cause exists, seek  
15 a judicial forfeiture of such charters, unless otherwise expressly  
16 directed by law, and give legal advice in writing to the Governor  
17 and other executive officers, when requested by them, and perform  
18 such other duties as may be required by law.

19 (b) To be eligible to serve in the office of Attorney  
20 General, a person must be licensed and eligible to practice law in  
21 this state.

22 SECTION 2. The following temporary provision is added to  
23 the Texas Constitution:

24 TEMPORARY PROVISION. (a) This temporary provision applies

1 to the constitutional amendment proposed by the 84th Legislature,  
2 Regular Session, 2015, requiring the attorney general to be  
3 licensed and eligible to practice law in this state.

4 (b) A person who on December 31, 2015, does not meet the  
5 qualifications to serve in the office of attorney general under  
6 Section 22(b), Article IV, of this constitution, as added by the  
7 amendment, is removed from office on that date. If the office of  
8 attorney general becomes vacant as a result of this temporary  
9 provision, the vacancy shall be filled in the manner provided by  
10 this constitution and general law.

11 (c) This temporary provision expires December 31, 2016.

12 SECTION 3. This proposed constitutional amendment shall be  
13 submitted to the voters at an election to be held November 3, 2015.  
14 The ballot shall be printed to permit voting for or against the  
15 proposition: "The constitutional amendment requiring the attorney  
16 general to be licensed and eligible to practice law in this state."