

By: Huffines

S.B. No. 63

A BILL TO BE ENTITLED

AN ACT

relating to the qualifications for and time that a person may serve in certain offices.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 301, Government Code, is amended by adding Section 301.0135 to read as follows:

Sec. 301.0135. QUALIFICATIONS FOR STANDING COMMITTEE CHAIRS. (a) A member of the senate or house of representatives is not eligible to be designated as chair of a standing committee if at the time of designation the member has previously served as chair of that standing committee for 72 or more calendar months and regardless of whether the months the member served as chair were concurrent.

(b) Service as chair of a standing committee before January 1, 2016, is not counted in determining whether a member is disqualified from designation as chair of that standing committee under this section.

SECTION 2. Subchapter A, Chapter 302, Government Code, is amended by adding Section 302.002 to read as follows:

Sec. 302.002. QUALIFICATIONS. (a) A member of the house of representatives is not eligible to be elected as speaker unless at the time of election the member has served at least one full two-year term as a member of the house of representatives.

(b) A member of the house of representatives is not eligible

1 to be elected as speaker if at the time of election the member has
2 previously served as speaker for 72 or more calendar months,
3 regardless of whether the months the member served as speaker were
4 concurrent.

5 (c) Service as speaker before January 1, 2016, is not
6 counted in determining whether a member is disqualified from
7 election as speaker under Subsection (b).

8 SECTION 3. Chapter 601, Government Code, is amended by
9 adding Section 601.009 to read as follows:

10 Sec. 601.009. TERM LIMITS FOR CERTAIN ELECTIVE OFFICES. (a)
11 In this section, "elective office under this state" means every
12 state or district office or office of a political subdivision of
13 this state that is filled by popular election and for which the
14 qualifications for office or term of office is not provided by the
15 constitution of this state.

16 (b) A person is not eligible to be elected to a full or
17 partial term in any elective office under this state if on the date
18 the term begins the person has served in that office during any part
19 of each of eight or more calendar years.

20 (c) For purposes of this section, service in more than one
21 elective position on a governing body is considered service in the
22 same office. This subsection does not apply to ex officio service
23 on a governing body.

24 (d) Nothing in this section prohibits a person from
25 continuing to serve in an office covered by this section after the
26 end of a term as a holdover under Section 17, Article XVI, Texas
27 Constitution, until a successor is qualified.

1 (e) Service in office before January 1, 2016, does not count
2 for purposes of determining whether a person is disqualified from
3 election to office under this section.

4 (f) This section does not prohibit a political subdivision
5 of this state by charter, ordinance, order, or other appropriate
6 means from imposing a more restrictive limit on the time or number
7 of terms that a person may serve in an elective office.

8 (g) This section does not apply to an office for which
9 another law imposes a more restrictive limit on the time or number
10 of terms that a person may serve in the office.

11 SECTION 4. Chapter 651, Government Code, is amended by
12 adding Section 651.011 to read as follows:

13 Sec. 651.011. QUALIFICATIONS FOR CERTAIN APPOINTED STATE
14 OFFICERS. (a) This section applies to a state office:

15 (1) the duties of which include serving as the head of
16 a state agency;

17 (2) that is filled by appointment by the governor with
18 the advice and consent of the senate;

19 (3) for which the qualifications for office are not
20 provided by the constitution of this state; and

21 (4) for which the term of office is not provided by the
22 constitution of this state.

23 (b) A person is not eligible for appointment to an office to
24 which this section applies if at the time of appointment the person
25 has previously served in that office for a cumulative period of four
26 or more years.

27 (c) Nothing in this section prohibits a person from

1 continuing to serve in an office covered by this section after the
2 end of a term as a holdover under Section 17, Article XVI, Texas
3 Constitution, until a successor is qualified.

4 (d) Service in office before January 1, 2016, is not counted
5 in determining whether a person is disqualified from appointment to
6 office under this section.

7 (e) This section does not apply to an office for which
8 another law imposes a more restrictive limit on the time or number
9 of terms that a person may serve in the office.

10 SECTION 5. This Act takes effect September 1, 2015.