

By: Smithee

H.J.R. No. 10

Substitute the following for H.J.R. No. 10:

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C.S.H.J.R. No. 10

A JOINT RESOLUTION

1 proposing a constitutional amendment changing the eligibility
2 requirements for certain judicial offices.

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

4 SECTION 1. Section 2(b), Article V, Texas Constitution, is
5 amended to read as follows:

6 (b) No person shall be eligible to serve in the office of
7 Chief Justice or Justice of the Supreme Court unless the person is
8 licensed to practice law in the State of Texas [~~this state~~] and is,
9 at the time of election, a citizen of the United States and of the
10 State of Texas [~~this state~~], and has attained the age of thirty-five
11 years, and has been a practicing lawyer licensed in the State of
12 Texas for at least ten consecutive years, or has been a practicing
13 lawyer licensed in the State of Texas and judge of a state court or
14 county court established by the Legislature by statute for a
15 combined total of [~~court of record together~~] at least ten
16 consecutive years, during which time the person's license to
17 practice law has not been revoked, suspended, or subject to a
18 probated suspension. The Legislature by general law may require
19 additional qualifications to be eligible to serve as Chief Justice
20 or Justice of the Supreme Court.

21 SECTION 2. Section 7, Article V, Texas Constitution, is
22 amended to read as follows:

23 Sec. 7. The State shall be divided into judicial districts,
24 with each district having one or more Judges as may be provided by

1 law or by this Constitution. Each district judge shall be elected
2 by the qualified voters at a General Election and shall be a citizen
3 of the United States and of this State, who is licensed to practice
4 law in this State and has been a practicing lawyer or a Judge of a
5 Court in this State, or both combined, for six [~~four (4)~~] years next
6 preceding the judge's [~~his~~] election, during which time the judge's
7 license to practice law has not been revoked, suspended, or subject
8 to a probated suspension, who has resided in the district in which
9 the judge [~~he~~] was elected for two [~~(2)~~] years next preceding the
10 [~~his~~] election, and who shall reside in the [~~his~~] district during
11 the judge's [~~his~~] term of office and hold the [~~his~~] office for the
12 period of four [~~(4)~~] years, and who shall receive for the judge's
13 [~~his~~] services an annual salary to be fixed by the Legislature. The
14 Legislature by general law may require additional qualifications to
15 be eligible to serve as a district judge. The Court shall conduct
16 its proceedings at the county seat of the county in which the case
17 is pending, except as otherwise provided by law. The judge [~~He~~]
18 shall hold the regular terms of the judge's [~~his~~] Court at the
19 County Seat of each County in the [~~his~~] district in such manner as
20 may be prescribed by law. The Legislature shall have power by
21 General or Special Laws to make such provisions concerning the
22 terms or sessions of each Court as it may deem necessary.

23 The Legislature shall also provide for the holding of
24 District Court when the Judge thereof is absent, or is from any
25 cause disabled or disqualified from presiding.

26 SECTION 3. The following temporary provision is added to
27 the Texas Constitution:

1 TEMPORARY PROVISION. (a) This temporary provision applies
2 to the constitutional amendment proposed by the 85th Legislature,
3 Regular Session, 2017, changing the eligibility requirements for a
4 justice of the supreme court, a judge of the court of criminal
5 appeals, a justice of a court of appeals, and a district judge.

6 (b) The amendment to Section 2(b), Article V, of this
7 constitution takes effect January 1, 2018, and applies only to a
8 chief justice or other justice of the supreme court, a presiding
9 judge or other judge of the court of criminal appeals, or a chief
10 justice or other justice of a court of appeals who is first elected
11 for a term that begins on or after that date, or who is appointed on
12 or after that date.

13 (c) The amendment to Section 7, Article V, of this
14 constitution takes effect January 1, 2018, and applies only to a
15 district judge who is first elected for a term that begins on or
16 after January 1, 2018, or who is appointed on or after that date.

17 (d) This temporary provision expires January 1, 2019.

18 SECTION 4. This proposed constitutional amendment shall be
19 submitted to the voters at an election to be held November 7, 2017.
20 The ballot shall be printed to provide for voting for or against the
21 proposition: "The constitutional amendment changing the
22 eligibility requirements for a justice of the supreme court, a
23 judge of the court of criminal appeals, a justice of a court of
24 appeals, and a district judge."