

RESOLUTION ANALYSIS

H.J.R. 71
By: Canales
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the resulting court vacancies triggered by the Texas Constitution's automatic resignation provisions may not serve the public interest. H.J.R. 71 seeks to address this issue by proposing a constitutional amendment to exempt judges of the county courts at law, county criminal courts, county probate courts, and county domestic relations courts from the applicable provision.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.J.R. 71 proposes an amendment to the Texas Constitution to exempt judges of the county courts at law, county criminal courts, county probate courts, and county domestic relations courts from the constitutional provision establishing that an applicable officer's candidacy or announcement of candidacy for any other state or federal office constitutes an automatic resignation of the office already held, if the unexpired term of the office already held exceeds one year and 30 days.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 5, 2019.