86R1754 SRS-D

By:  Zaffirini S.J.R. No. 35

A JOINT RESOLUTION

proposing a constitutional amendment increasing the amount of time a person must have been a practicing lawyer or judge to be eligible to serve as a supreme court justice, court of criminal appeals judge, court of appeals justice, or district court judge.

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

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

(b)  No person shall be eligible to serve in the office of Chief Justice or Justice of the Supreme Court unless the person is licensed to practice law in this state and is, at the time of election, a citizen of the United States and of this state, and has attained the age of thirty-five years, and has been a practicing lawyer, or a lawyer and judge of a court of record together at least 12 [~~ten~~] years.

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

Sec. 7.  The State shall be divided into judicial districts, with each district having one or more Judges as may be provided by law or by this Constitution. Each district judge shall be elected by the qualified voters at a General Election and shall be a citizen of the United States and of this State, who is licensed to practice law in this State and has been a practicing lawyer or a Judge of a Court in this State, or both combined, for eight [~~four (4)~~] years next preceding the judge's [~~his~~] election, who has resided in the district in which the judge [~~he~~] was elected for two [~~(2)~~] years next preceding the judge's [~~his~~] election, and who shall reside in the [~~his~~] district during the judge's [~~his~~] term of office and hold [~~his~~] office for the period of four [~~(4)~~] years, and who shall receive for the judge's [~~his~~] services an annual salary to be fixed by the Legislature. The Court shall conduct its proceedings at the county seat of the county in which the case is pending, except as otherwise provided by law. The judge [~~He~~] shall hold the regular terms of [~~his~~] Court at the County Seat of each County in the [~~his~~] district in such manner as may be prescribed by law. The Legislature shall have power by General or Special Laws to make such provisions concerning the terms or sessions of each Court as it may deem necessary.

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

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

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, increasing the amount of time a person must have been a practicing lawyer or judge to be eligible to serve as a supreme court justice, court of criminal appeals judge, court of appeals justice, or district court judge. The constitutional amendment takes effect January 1, 2020, and applies only to a person elected on or after that date.

(b)  This temporary provision expires January 1, 2027.

SECTION 4.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 2019. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment increasing the amount of time a person must have been a practicing lawyer or judge to be eligible to serve as a supreme court justice, court of criminal appeals judge, court of appeals justice, or district court judge."