

By: Slaton

H.J.R. No. 177

A JOINT RESOLUTION

1 proposing a constitutional amendment requiring the secretary of
2 state to be elected by the qualified voters at a general election
3 instead of appointed by the governor.

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

5 SECTION 1. Sections 2, 21, and 23, Article IV, Texas
6 Constitution, are amended to read as follows:

7 Sec. 2. All the above officers of the Executive Department
8 [~~except Secretary of State~~] shall be elected by the qualified
9 voters of the State at the time and places of election for members
10 of the Legislature.

11 Sec. 21. The [~~There shall be a~~] Secretary of State[~~, who~~
12 ~~shall be appointed by the Governor, by and with the advice and~~
13 ~~consent of the Senate, and who shall continue in office during the~~
14 ~~term of service of the Governor. He~~] shall authenticate the
15 publication of the laws, and keep a fair register of all official
16 acts and proceedings of the Governor, and shall, when required, lay
17 the same and all papers, minutes and vouchers relative thereto,
18 before the Legislature, or either House thereof, and shall perform
19 such other duties as may be required [~~of him~~] by law. [~~He shall~~
20 ~~receive for his services an annual salary in an amount to be fixed~~
21 ~~by the Legislature.~~]

22 Sec. 23. The Comptroller of Public Accounts, the Secretary
23 of State, the Commissioner of the General Land Office, the Attorney
24 General, and any statutory State officer who is elected by the

1 electorate of Texas at large, unless a term of office is otherwise
2 specifically provided in this Constitution, shall each hold office
3 for the term of four years. Each shall receive an annual salary in
4 an amount to be fixed by the Legislature and perform such duties as
5 are or may be required by law. They [~~and the Secretary of State~~]
6 shall not receive to their own use any fees, costs or perquisites of
7 office. All fees that may be payable by law for any service
8 performed by any officer specified in this section or in the
9 officer's office, shall be paid, when received, into the State
10 Treasury.

11 SECTION 2. Section 2, Article XV, Texas Constitution, is
12 amended to read as follows:

13 Sec. 2. Impeachment of the Governor, Lieutenant Governor,
14 Attorney General, Commissioner of the General Land Office,
15 Secretary of State, Comptroller and the Judges of the Supreme
16 Court, Court of Appeals and District Court shall be tried by the
17 Senate.

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

20 TEMPORARY PROVISION. (a) This temporary provision applies
21 to the constitutional amendment proposed by the 88th Legislature,
22 Regular Session, 2023, requiring the secretary of state to be
23 elected by the qualified voters at a general election instead of
24 appointed by the governor.

25 (b) Unless otherwise removed as provided by law, the
26 secretary of state serving on the date that the adoption of the
27 amendment by the voters is shown by the official canvass of returns

1 shall continue in office under the former law and that former law is
2 continued in effect for that purpose.

3 (c) This temporary provision expires January 1, 2028.

4 SECTION 4. This proposed constitutional amendment shall be
5 submitted to the voters at an election to be held November 7, 2023.
6 The ballot shall be printed to provide for voting for or against the
7 proposition: "The constitutional amendment requiring the
8 secretary of state to be elected by the qualified voters at a
9 general election instead of appointed by the governor."