

By: Hinojosa

S.J.R. No. 40

A JOINT RESOLUTION

1 proposing a constitutional amendment to increase the mandatory age
2 of retirement for state justices and judges.

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

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

6 (1) Subject to the further provisions of this Section,
7 the Legislature shall provide for the retirement and compensation
8 of Justices and Judges of the Appellate Courts and District and
9 Criminal District Courts on account of length of service, age and
10 disability, and for their reassignment to active duty where and
11 when needed. The office of every such Justice and Judge shall
12 become vacant on the expiration of the term during which the
13 incumbent reaches the age of 79 [~~seventy-five (75)~~] years or such
14 earlier age, not less than 75 [~~seventy (70)~~] years, as the
15 Legislature may prescribe[, ~~except that if a Justice or Judge~~
16 ~~elected to serve or fill the remainder of a six-year term reaches~~
17 ~~the age of seventy-five (75) years during the first four years of~~
18 ~~the term, the office of that Justice or Judge shall become vacant on~~
19 ~~December 31 of the fourth year of the term to which the Justice or~~
20 ~~Judge was elected~~].

21 SECTION 2. This proposed constitutional amendment shall be
22 submitted to the voters at an election to be held November 7, 2023.
23 The ballot shall be printed to permit voting for or against the
24 proposition: "The constitutional amendment to increase the

1 mandatory age of retirement for state justices and judges."