

A JOINT RESOLUTION

1 proposing a constitutional amendment to permit a state justice or
2 judge who reaches the mandatory age of retirement while in office to
3 complete the justice's or judge's current term.

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

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

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

22 SECTION 2. This proposed constitutional amendment shall be
23 submitted to the voters at an election to be held November 6, 2007.
24 The ballot shall be printed to permit voting for or against the

H.J.R. No. 36

1 proposition: "The constitutional amendment permitting a justice or
2 judge who reaches the mandatory retirement age while in office to
3 serve the remainder of the justice's or judge's current term."

David Newhall

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.J.R. No. 36 was passed by the House on March 21, 2007, by the following vote: Yeas 137, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 36 on May 1, 2007, by the following vote: Yeas 144, Nays 1, 2 present, not voting.

Robert Nancy

Chief Clerk of the House

H.J.R. No. 36

I certify that H.J.R. No. 36 was passed by the Senate, with amendments, on April 26, 2007, by the following vote: Yeas 28, Nays 2.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
~~2:28~~ p.m. O'CLOCK
MAY 02 2007


Secretary of the Senate

RECEIVED: _____

Date


Secretary of State