

By: Larson

H.J.R. No. 38

A JOINT RESOLUTION

1 proposing a constitutional amendment limiting to two the number of
2 consecutive terms for which a person may be elected or appointed to
3 hold certain state offices.

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

5 SECTION 1. Article IV, Texas Constitution, is amended by
6 adding Section 2a to read as follows:

7 Sec. 2a. (a) A person who has been elected or appointed to
8 serve two consecutive terms in an office listed in Section 1 of this
9 article or any other statewide elective office, other than a
10 statewide judicial office, is not eligible for election or
11 appointment to serve a third consecutive term. This provision does
12 not limit a person's eligibility for election or appointment to
13 serve nonconsecutive terms.

14 (b) Nothing in this section prohibits a person from
15 continuing to serve in an office covered by this section after the
16 end of a term as a holdover under Section 17, Article XVI, of this
17 constitution until a successor is qualified.

18 (c) The term of a person appointed to serve for the
19 remainder of a term to fill a vacancy in an office to which
20 Subsection (a) of this section applies is not counted in
21 determining whether the person is eligible to serve under that
22 subsection.

23 SECTION 2. The following temporary provision is added to
24 the Texas Constitution:

1 TEMPORARY PROVISION. (a) This temporary provision applies
2 to the constitutional amendment proposed by the 84th Legislature,
3 Regular Session, 2015, limiting to two the number of consecutive
4 terms for which a person may be elected or appointed to hold certain
5 state offices.

6 (b) A term of office that begins before January 1, 2016, is
7 not counted in determining whether a person is eligible to serve
8 under Section 2a, Article IV, of this constitution.

9 (c) This temporary provision expires February 1, 2033.

10 SECTION 3. This proposed constitutional amendment shall be
11 submitted to the voters at an election to be held November 3, 2015.
12 The ballot shall be printed to permit voting for or against the
13 proposition: "The constitutional amendment limiting to two the
14 number of consecutive terms for which a person may be elected or
15 appointed to hold the office of governor, lieutenant governor,
16 secretary of state, comptroller of public accounts, commissioner of
17 the General Land Office, attorney general, commissioner of
18 agriculture, or railroad commissioner."