

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

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