

## **BILL ANALYSIS**

Senate Research Center

C.S.S.J.R. 41  
By: Madla  
State Affairs  
4/9/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, neither public school teachers nor faculty members at a public institution of higher education may serve in the state legislature. This resolution would require the submission to the voters of a constitutional amendment to authorize a public school teacher or faculty member at a public institution of higher education to serve in the state legislature.

### **PURPOSE**

As proposed, C.S.S.J.R. 41 requires the submission to the voters of a constitutional amendment to authorize a public school teacher or faculty member at a public institution of higher education to serve in the state legislature.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 40, Article XVI, Texas Constitution, to prohibit a member of the state legislature from holding any other office or position of profit under this state, or the United States, except as a notary public, school teacher, or professor, instructor, or other faculty member at a public institution of higher education. Authorizes a member to elect to receive either the salary authorized by Section 24(a), Article III of this Constitution for services as a member of the legislature or the compensation provided for service in the position of profit described by Subsection (d)(2) or (d)(3) of this section, but may not receive both, for any period during which a member of the legislature also holds a position of profit described by Subsection (d)(2) or (d)(3) of this section.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 2, 1999. Sets forth the required language for the ballot.

### **SUMMARY OF COMMITTEE CHANGES**

Relating clause.

Amends the relating clause to propose a constitutional amendment to permit, rather than allow, a public school teacher or faculty member of a public institution of higher education to serve as a member of the legislature.

SECTION 1.

Amends Section 40(e), Article XVI, Texas Constitution, to make nonsubstantive changes.

SECTION 2.

Amends SECTION 2 to make conforming changes to the required language for the ballot.