

BILL ANALYSIS

Senate Research Center
80R10509 DRH-D

S.J.R. 49
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Constitution allows for a "hold over," which authorizes an appointee of the governor to serve indefinitely until the governor makes a new appointment. In addition, if a reappointment is made while the legislature is not in session, the Senate Nominations Committee must take up the confirmation process upon commencement of the next legislative session or in a special session, if such a session is called by the governor.

S.J.R. 49 proposes a constitutional amendment to limit the service of a gubernatorial appointee whose term of office expires.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 17, Article XVI, Texas Constitution, as follows:

Sec. 17. (a) Requires all officers of, rather than within, this state to continue to perform the duties of their offices until successors are duly qualified, except as provided by Subsection (b).

(b) Provides that, following the expiration of a term of an appointive office filled by appointment of the governor with the advice and consent of the senate, the period for which the officer is required to continue to perform the duties of office under Subsection (a) ends on a certain date.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2007. Sets forth the required language for the ballot.