

## **BILL ANALYSIS**

Senate Research Center

C.S.S.J.R. 36  
By: Duncan  
Jurisprudence  
4-3-97  
Committee Report (Substituted)

### **DIGEST**

Currently, the law prohibits one individual from serving in two public offices of emolument. In many smaller cities the activities of a municipal court do not require a full-time judge. These cities have appointed judges who serve as municipal judges in other municipalities. This bill authorizes a municipal court judge to hold that position in more than one county.

### **PURPOSE**

As proposed, C.S.S.J.R. 36 requires the submission to the voters of a constitutional amendment regarding the authorization of a municipal judge to hold that position in more than one county.

### **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, as follows:

Sec. 40. Provides that no person shall hold, at the same time, more than one civil office of emolument, except that of, among others, a municipal court judge.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 1997. Sets forth the required language for the ballot.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 40, Article XVI, Texas Constitution to make a nonsubstantive change.