

## **BILL ANALYSIS**

Senate Research Center  
80R19601 DRH-D

S.J.R. 68  
By: Wentworth  
State Affairs  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, a county or district officeholder is deemed to automatically resign office if the officeholder announces a candidacy for another office while having more than one year left on the officeholder's unexpired term. Pending legislation would require these officeholders to resign and cause many positions to be left unfilled.

S.J.R. 68 proposes a constitutional amendment to provide that the requirement that a resignation occur at the time that an officeholder announces his or her candidacy for an office other than the one then held, if the unexpired term for the office then held exceeds one year, does not apply in certain cases.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 65, Article XVI, Texas Constitution, by adding Subsection (c), as follows:

(c) Provides that Subsection (b) (requiring that an officeholder's announcement of candidacy for an office other than the one then held, if the announcement is at any time when the unexpired term of the office then held exceeds one year, constitute an automatic resignation of the office then held) of this section does not apply to an officer who announces the officer's candidacy or becomes a candidate for the nomination of a political party that elects its nominees at a primary election if the primary election is held in the final year of the term of the office and the officer announces the candidacy or becomes a candidate during the period for filing an application for a place on the primary election ballot.

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.