



Justices of the Peace and Constables Association

Constable Chad Jordan, President

# JPs & Constables Legislative Update

November 3, 2011

## November ballot item: Proposition 10

E-Day 2011 is Tuesday, November 8. The statewide ballot contains ten constitutional amendments. Of the ten proposed amendments, one is of specific interest to JPCA. JPCA supports passage of Proposition 10.

Our friend Elna Christopher at the Texas Association of Counties affirms there is no organized opposition to any of the propositions, and a quick survey of newspapers across the state show active support for Prop. 10.

“The constitutional amendment to change the length of the unexpired term that causes the automatic resignation of certain elected county or district officeholders if they become candidates for another office.”

## Sampling of support from newspapers around Texas

**The Dallas Morning News editorial:** “We recommend a ‘yes’ vote on Prop 10”

“Proposition 10 on the Nov. 8 ballot, is a constitutional amendment that extends by 30 days the length of the unexpired term that triggers automatic resignation. This amendment passed unanimously in the Senate and overwhelmingly in the House. It’s a reasonable fix to a bookkeeping issue that this newspaper supports.”

**The Corpus Christi Caller-Times:** “The Caller-Times Editorial Board recommends approval of all 10, and urges that all registered voters exercise their right to vote.”

**The San Antonio Express-News:** “...changing length of unexpired term that causes automatic resignation when an elected county official becomes a candidate for another office. For.”

**The Lufkin News:** “This proposition would allow serving elected official to file for another elected position. Some critics call this the “elected official full employment act.” However, since voters ultimately have the final say in who is elected and the current law can preclude a proven elected official from filing for an office we recommend a vote for Proposition 10.”

**Conroe Courier of Montgomery County:** “The amendment would not change policy but only adjust the dates to be in line with the new federal filing date enacted to allow more time for the delivery of ballots to the military and others overseas. We support Proposition 10.”

We are ramping up JPCA social networking!  
Check out the website – [JPCA.com](http://JPCA.com)  
and join us on Facebook – [facebook.com/pages/JPCA-of-Texas/436947315601](https://facebook.com/pages/JPCA-of-Texas/436947315601)

More information about Proposition 10 can be found at this wiki:

[http://ballotpedia.org/wiki/index.php/Texas\\_Automatic\\_Resignation\\_Term\\_Length\\_Amendment\\_Proposition\\_10\\_%282011%29](http://ballotpedia.org/wiki/index.php/Texas_Automatic_Resignation_Term_Length_Amendment_Proposition_10_%282011%29)

## Voters Guide, League of Women Voters

“... ‘resign-to-run’ provision was added to the Constitution in 1958 after the terms for certain officials were changed from two to four years. With a one-year unexpired term, it provided a window for elected officials to file for office by January 2 for an election within the same calendar year without resigning their offices.”

“Because Senate Bill 100 changed the filing deadline for offices from January 2 of the primary election year to the second Monday in December of the preceding year, the one-year unexpired term no longer allowed the same opportunity for office holders to continue in their current office while running for a new office.”

“Proposition 10 would change the length of the unexpired term that causes the automatic resignation from one year to one year and 30 days, thus preserving the original intent of the provision.”

## FOCUS: Legislative Interim Charges

Speaker Joe Straus issued his interim charges to the House in late October. Here are the first ones we find of immediate professional interest to our members. A couple charges that focus on municipal/county retirement systems are included for personal interest. As other issues come to our attention, we'll track them as well.

### House Committee on County Affairs, Garnet Coleman, chair

Study opportunities for cost savings through the abolishment of certain elected offices or the consolidation of county services.

### House Committee on Appropriations, Jim Pitts, chair

Examine ways to minimize the timing imbalance of the state's revenues and expenditures, and recommend policies that will minimize the annual short-term borrowing need.

Assess the current infrastructure and funding mechanisms for mental health services in both rural and urban areas throughout the state. Study innovative local programs that could be expanded, as well as successful delivery and financial models in other states. Make recommendations to expand access and improve services through increase efficiency, competition, and transparency.

### House Committee on Border & Intergovernmental Affairs, Veronica Gonzales, chair

Examine the impact of the state's various economic development programs and evaluate their impact on communities along the Texas-Mexico border. Identify any changes to these programs that would improve economic development activity in those communities.

### House Committee on Pensions, Investments & Financial Services, Vicki Truitt, chair

Review local retirement systems that are not a part of statewide systems, the administration of these retirement systems, and current liabilities. Study and make recommendations aimed at curbing rising pension costs to local governments.

Review the Texas County and District Retirement System and the Texas Municipal Retirement System and examine plan provisions offered to individual participating counties and cities.

Please share this newsletter with your colleagues  
and invite them to join JPCA today!

### Upcoming JPCA training

Juvenile Case Manager Summit  
Midland, December 8 & 9  
Hilton Midland Plaza  
Reservations 800.722.6131  
reservation cut-off Nov. 24  
questions: James Henry  
Juvenile Case Manager  
Office of Judge David Cobos  
Justice of the Peace, Pct 2  
432.688.4737 / 432.967.0805  
[james\\_henry@co.midland.tx.us](mailto:james_henry@co.midland.tx.us)

### Upcoming TJCTC seminars

#### Justices of the Peace

Rockwall Nov 14-17  
Austin Jan 8-11  
Galveston March 25-28  
San Antonio April 15-18  
Lubbock May 22-25

#### Civil Process seminars

San Antonio Feb 7-10  
Austin Mar 18-21  
Galveston April 29-May 2  
Rockwall July 15-18

#### Court Personnel seminars

Austin Dec 14-16  
San Antonio Feb 1-3  
San Marcos Feb 27-29  
Galveston May 7-9  
Rockwall July 18-20

### TJCTC 10-hour workshops

Rockport Dec 1-2  
San Antonio Feb 23-24  
Lake Sam Rayburn Mar 8-9  
San Angelo Apr 26-27  
Tyler Jun 4-5  
League City July 26-27  
San Marcos Aug 9-10

Info: [www.tjctc.org](http://www.tjctc.org)