

By: _____

H.R. No. _____

R E S O L U T I O N

1 WHEREAS, The House of Representatives of the State of Texas
2 has the responsibility and authority under Chapter 665, Government
3 Code, as authorized by Section 7, Article XV, Texas Constitution,
4 to present articles of impeachment to the Texas Senate calling for
5 the removal from office of a member, regent, trustee, or
6 commissioner having control or management of a state institution or
7 enterprise for misconduct, malfeasance, abuse of office, or
8 incompetency; and

9 WHEREAS, The Texas Supreme Court in *Ferguson v. Maddox*, 263
10 S.W. 888 (Tex. 1924), established that impeachable offenses need
11 not be violations of the law, finding that "[t]he purposes of an
12 impeachment lie wholly beyond the penalties of the statute or the
13 customary law.' The Constitution, in relation to impeachment, has
14 in mind the protection of the people from official delinquencies or
15 malfeasances"; and

16 WHEREAS, Wallace L. Hall Jr., a member of the Board of
17 Regents of The University of Texas System, may have obtained that
18 office through misrepresentation of material facts regarding his
19 experience and qualifications in a manner that violates the penal
20 laws of this state, including Section 37.10, Penal Code, and casts
21 doubt on his fitness to hold public office and ability to carry out
22 the responsibilities of that office with the integrity expected of
23 a person holding a position of public trust in this state; and

24 WHEREAS, Mr. Hall, through ongoing concealment of that

1 misrepresentation, may have continued to violate the public trust
2 and demonstrate continuing unfitness to hold office throughout his
3 service on the board of regents; and

4 WHEREAS, Mr. Hall, while holding office as a member of the
5 Board of Regents of The University of Texas System, may have abused
6 that office by making numerous unreasonably burdensome, wasteful,
7 and intrusive requests for information of certain University of
8 Texas System institutions as a member of the board of regents as
9 well as on his own behalf; and

10 WHEREAS, Mr. Hall has exhibited behavior that calls into
11 question his fitness for office by giving the incorrect and
12 misleading impression to certain institutions and personnel of The
13 University of Texas System that certain actions taken and requests
14 for information made by him were approved by the board of regents,
15 when in fact the actions taken or requests made were without
16 approval of the board of regents; and

17 WHEREAS, Mr. Hall may have violated the duties and
18 responsibilities of his office and interfered with the proper
19 functioning of The University of Texas System and its component
20 institutions by disregarding the processes and procedures of the
21 board of regents concerning the gathering and handling of
22 information from institutions of the system; now, therefore, be it

23 RESOLVED, That the House of Representatives of the 83rd Texas
24 Legislature initiate impeachment proceedings under Chapter 665,
25 Government Code, including the investigation of matters related to
26 a contemplated impeachment, against Wallace L. Hall Jr., a member
27 of the Board of Regents of The University of Texas System, and any

1 other state officer that the investigation of the matters described
2 by this resolution reveals may have engaged in misconduct,
3 malfeasance, abuse of office, or incompetency; and, be it further

4 RESOLVED, That the house of representatives adopt the
5 following procedures for investigating the matters described by
6 this resolution and, if appropriate, preparing appropriate
7 articles of impeachment and acting on those articles of
8 impeachment:

9 SECTION 1. SPECIAL COMMITTEE ON IMPEACHMENT. The speaker
10 of the house of representatives shall appoint the House Special
11 Committee on Impeachment composed of seven members of the house of
12 representatives appointed by the speaker. The speaker shall
13 designate a committee member to serve as chair of the committee and
14 a committee member to serve as vice chair of the committee.

15 SECTION 2. INVESTIGATION; ARTICLES OF IMPEACHMENT. The
16 committee shall conduct a full and fair investigation under Chapter
17 665, Government Code, of the matters described by this resolution
18 and, if warranted, propose appropriate articles of impeachment
19 against Wallace L. Hall Jr., a member of the Board of Regents of The
20 University of Texas System, and any other state officer that the
21 investigation of the matters described by this resolution reveals
22 may have engaged in misconduct, malfeasance, abuse of office, or
23 incompetency, and present those articles to the Texas House of
24 Representatives to consider for presentment to the Texas Senate.

25 SECTION 3. POWERS; ADMINISTRATION. (a) The committee
26 shall meet at the call of the chair and may meet in executive
27 session if approved by a majority of the members of the committee.

1 (b) The committee has all the powers granted to a standing
2 committee under the Rules of the House of Representatives and under
3 Subchapter B, Chapter 301, Government Code, including the power to
4 issue process to procure testimony or other evidence, and any
5 powers provided to a legislative committee by Subchapter B, Chapter
6 301, or Chapter 665, Government Code, or other law. The committee
7 is a general investigating committee of the house for purposes of
8 Subchapter B, Chapter 301, Government Code.

9 (c) On the request of the committee, the Texas House of
10 Representatives or the Texas Legislative Council shall provide the
11 staff necessary to assist the committee in carrying out its duties.

12 (d) The operating expenses of the committee shall be paid as
13 determined by the Committee on House Administration.

1 Adopting procedures regarding the impeachment of Wallace L. Hall
2 Jr., a member of the Board of Regents of The University of Texas
3 System, or other state officers, for certain misconduct.