

RESOLUTION ANALYSIS

C.S.H.J.R. 152
By: Raney
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Constitution prohibits legislators from acting on legislation within the first 60 days of a regular legislative session unless the legislation relates to an emergency appropriation or a matter declared an emergency by the governor. This translates to approximately 40 percent of the session's duration in which most legislation cannot be considered. Additionally, the constitution does not provide the legislature the opportunity to convene in an organizational session prior to the start of the regular legislative session to handle organizational matters such as the swearing in of members, election of officers, or the adoption of rules of procedure. This, in turn, results in more time spent during a legislative session not handling the people's business. It has been suggested that these outdated regulations need to be modernized so that state legislators are able to make the best use of their limited time in Austin. C.S.H.J.R. 152 seeks to amend the Texas Constitution to allow the legislature to meet in an organizational session before convening in regular session and to consider any legislation not otherwise prohibited by the constitution or applicable rules of procedure at any time during a regular legislative session.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.J.R. 152 proposes an amendment to the Texas Constitution to revise provisions relating to the organization and operation of the Texas Legislature to do the following:

- require the legislature to convene for an organizational session at noon on the second Tuesday in December of each even-numbered year to swear in members, elect officers, and adopt rules of procedure;
- exclude the number of days spent in organizational session from the 140 day maximum duration of a regular legislative session;
- require the speaker of the house of representatives to announce committee assignments not later than the second Tuesday in January following the date the legislature convenes in regular session; and
- remove the provision prohibiting the legislature from acting on legislation in the first 60 days of a regular session, other than legislation related to emergency items submitted by the governor, and instead authorize the legislature to hold hearings and act on bills and resolution, including appropriations, emergency matters submitted by the governor, and any other matters not otherwise prohibited by the constitution or the applicable rules of procedure adopted by each house of the legislature at any time during a regular session.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 2, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.J.R. 152 differs from the original in minor or nonsubstantive ways by conforming to certain resolution drafting conventions.