

BILL ANALYSIS

Senate Research Center
78R7005 JSA-D

S.J.R. 39
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DIGEST AND PURPOSE

As proposed, S.J.R. 39 amends the Texas Constitution to include “an attack by a person other than a foreign government” under the provisions of an enemy attack. The amendment also authorizes the legislature to meet via telecommunications in an emergency situation.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 62(a) and (c), Article III, Texas Constitution, as follows:

- (a) Adds “including an attack by a person or group other than a foreign government” in relation to an emergency circumstance in which the governor and legislature are authorized to take certain actions to ensure the continuity of state and local government.
- (c) Authorizes the governor to allow the legislature to hold its sessions by telecommunications so that the members are not required to assemble in one place to conduct business and to notify the legislature that they are authorized to meet by telecommunications.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 2003. Requires the ballot to be printed to permit voting for or against the proposition: “The constitutional amendment to clarify the circumstances in which the governor and legislature may take certain actions to ensure the continuity of state and local government in the event of an enemy attack or threat of enemy attack and authorizing the legislature to meet by telecommunications in that event.”