

## **BILL ANALYSIS**

Senate Research Center  
79R1192 DRH-D

S.J.R. 8  
By: Shapleigh  
State Affairs  
2/21/2005  
As Filed

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

Currently, the Texas Constitution directs the legislature to apportion Texas into senatorial and representative districts at the legislature's first regular session after the publication of the United States decennial census. In the past, Texas legislators have attempted to modify the senatorial and representative districts of this state at times other than those specified in the Texas Constitution. When final resolutions were unable to be reached during these regular legislative sessions, special sessions were called until the redistricting modifications were decided upon and made.

As proposed, S.J.R. 8 would limit the time in which the legislature could enact bills regarding appointment or modification of senatorial or representative districts solely to the time at which the legislature is required to make changes as specified under Article III, Section 28 of the Texas constitution. Should the legislature be unable to pass a redistricting plan during the specified regular session, the decision will be made by a special state judicial panel.

### **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 Article III, Texas Constitution, by adding Section 28A, as follows:

Sec. 28A. (a) Prohibits the legislature from enacting a bill that provides for an apportionment or modification of senatorial or representative districts at a time other than the time in which the legislature is required to make an appointment, except as provide by Subsection (c).

(b) Prohibits the legislature from enacting a bill that provides for or modifies the composition of districts for the election of members of the United States House of Representatives at a time other than certain times of the calendar year.

(c) Authorizes the legislature to enact a bill, as appropriate, relating to the same legislative body within one year after the date of the court or agency action, if a trial or appellate court or other governmental agency with jurisdiction over the matter finds that one ore more districts in effect for or previously enacted or ordered for the election of members of the legislature or the United States House of Representatives are invalid or takes any action that has the effect of prohibiting this state from holding elections in one or more of those districts. Prohibits the legislature from enacting a bill apportioning or modifying districts of a house of the legislature during the period the Legislative Redistricting Board has exclusive jurisdiction to act on those districts.

SECTION 2. Requires a constitutional amendment to be submitted to the voters at an election to be held November 8, 2005. Requires the ballot to be printed to permit voting for or against the stated proposition.