

## **BILL ANALYSIS**

Senate Research Center  
80R1566 EAM-D

H.J.R. 39  
By: Allen, Alma et al. (Ellis)  
State Affairs  
5/15/2007  
Engrossed

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

Amendment XXIV to the Constitution of the United States, prohibiting the imposition of a poll tax upon persons wishing to vote in elections, was ratified in 1964. Texas is one of 12 states that failed to ratify this amendment. Other states that did not initially ratify this amendment, such as Alabama, Virginia, and North Carolina, have subsequently ratified the amendment as a symbolic gesture. Texas should follow suit and extend its hand in the symbolic gesture of post-ratifying Amendment XXIV.

H.J.R 39 would place Texas on official record as post-ratifying Amendment XXIV to the Constitution of the United States.

### **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. Cites the proposal and ratification of Amendment XXIV, Constitution of the United States, and provides the amendment's full text.

SECTION 2. Provides contemporary quotations in support of Amendment XXIV by President John Fitzgerald Kennedy, just before Congress proposed the amendment to the state legislatures, and President Lyndon Baines Johnson, shortly after the amendment was ratified.

SECTION 3. Acknowledges the ability of the Texas Legislature to post-ratify Amendment XXIV and cites the symbolic post-ratifications of Amendment XXIV by lawmakers in Alabama (2002), North Carolina (1989), and Virginia (1977).

SECTION 4. Acknowledges that the Legislature of Texas has never approved Amendment XXIV, but makes clear that the Legislature of Texas has the opportunity to do so.

SECTION 5. States that the Legislature of the State of Texas post-ratifies Amendment XXIV to the Constitution of the United States.

SECTION 6. Directs the Texas secretary of state to transmit to the archivist of the United States a duly certified copy of this resolution.

SECTION 7. Directs the Texas secretary of state to transmit to the presiding officers of both houses of the United States Congress, as well as the Texas Congressional Delegation, duly certified copies of this resolution, with the request that its full text be printed in the Congressional Record.