

From: Karin Dyer <Karin.Dyer@house.texas.gov>
Sent: Tuesday, April 06, 2021 11:30 AM EDT
To: records@americanoversight.org <records@americanoversight.org>
Subject: FW: Public Information Request (TX-REP-21-0367)
Attachment(s): "TX-REP-21-0367.pdf", "FOIA_Standard Reply.pdf", "lewis_FOIA_all_.pdf"

EXTERNAL SENDER

Ms. Lewis/American Oversight,
Please see the attached. The first attachment is your request, second is the material that was responsive, and third is our standard reply to an open records request.

Thanks,

Karin Dyer
Chief of Staff
Rep. Kyle Biedermann
512.463.0325
E2.418

From: AO Records <records@americanoversight.org>
Sent: Thursday, March 18, 2021 1:09 PM
To: Kyle Biedermann <Kyle.Biedermann@house.texas.gov>
Subject: Public Information Request (TX-REP-21-0367)

Dear Public Information Officer:

Please find attached a request for records under Texas public records laws.

Sincerely,

Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

Public Information Request: TX-REP-21-0367



KYLE BIEDERMANN

TEXAS STATE REPRESENTATIVE • DISTRICT 73

Public Information Requests

To Whom It May Concern,

While all requests are responded to promptly, some requests take longer due to the nature of the request and the time of year it is requested. All requests are fulfilled in full compliance with the law. The Office of Representative Biedermann follows the required retention schedule laid out by the House Records Retention Schedule.

Please note that in response to your open records request, it is our office's policy not to disclose information that is confidential by law, for example, information that is confidential under Government Code §§ 306.003 or 306.004. Additionally, information that does not meet the definition of "public information" under Government Code §552.002 may also be withheld. If we intend to request a decision from the Office of the Attorney General to withhold information that we consider to be within one or more exceptions under Subchapter C, you will be notified. You can read the full statute at <https://statutes.capitol.texas.gov>.

Thank you,

The Office of Representative Kyle Biedermann

Gingrich

1 message

Kyle Biedermann <kyle@kylefortexas.com>
To: Karin Dyer <Karin.Dyer@house.texas.gov>

Mon, Jan 11, 2021 at 3:24 PM

... from Newt Gingrich:

"I've been active in this since 1958; that's 62 years. I'm the angriest I have been in that entire six decades. You have a group of corrupt people who have absolute contempt for the American people, who believe that we're so spineless, so cowardly, so unwilling to stand up for ourselves that they can steal the presidency, and we'll wring our hands, bring in a few lawyers, and do nothing.

"My hope is that President Trump will lead the millions of Americans who understand exactly what's going on: [that] the Philadelphia machine is corrupt, that the Atlanta machine is corrupt, the machine in Detroit is corrupt, and they're trying to steal the presidency, and we should not allow them to do that.

"First of all, we should lock up the people who are breaking the law. You stop someone from being an observer — you just broke federal law. You hide and put up paper so nobody can see what you're doing — you just broke federal law. You bring in ballots that aren't real — you just broke federal law.

"I am sick and tired of corrupt left-wing Democrats who believe that we are too timid and too easy to intimidate, and therefore they'll just go out and steal it...You are watching an effort to steal the presidency of the United States, and this is not about Donald Trump. This is about the American people, [who] have the right, in an honest election, with honest, legitimate ballots, to pick their leader. Or are we now just sheep, to be dominated by the high-tech businesses, the news media, and the various political machines?...This is a crisis in the American system, comparable to Washington on Christmas Eve or...Lincoln at Gettysburg. This is a genuine, deep crisis of our survival."

Gingrich said that in any precinct in which Republicans were not able to observe, the votes should be taken back — "strip those votes out, do not count them, because they're by definition corrupt."

Its not about Donald Trump, it is about us, the American people. Are we willing to fight for our freedom and liberty. We must answer this question .

Government by the people for the people or servants of our own government. Patriots we must rise.

Kyle Biedermann
State Representative
District 73
830 998-7111 cell

House Rules Resolution with Synopsis.pdf

1 message

Kyle Biedermann <kyle@kylefortexas.com>
To: Jeff Cason <Jhcason@tx.rr.com>

Tue, Jan 12, 2021 at 5:23 PM

Kyle Biedermann
State Representative
District 73
830 998-7111 cell

 **House Rules Resolution with Synopsis.pdf**
777K

Synopsis of Proposed Changes to the House Rules of Procedure 87th Legislature

Note: Some proposed changes require language changes to be made to several different rules. In this synopsis, a proposed change is described under the rule in which the significant portion of the changes has been made.

Statement of Authorization and Precedence

No change.

Rule 1—Duties and Rights of the Speaker

1. The powers and duties of the speaker pro tempore and temporary chair are clarified to expressly link those powers and duties to presiding over House deliberations. A provision is added to clarify that the permanent speaker pro tempore does not become the speaker in the case of a vacancy in the office of speaker.
(Rule 1, § 10)

Rule 2—Officers and Employees

No change.

Rule 3—Standing Committees

2. The jurisdictions of the standing committees have been updated to reflect the creation, abolition, or name changes of state agencies by action of a previous legislature:
 - a. The jurisdiction of the Committee on Culture, Recreation, and Tourism is updated to reflect the abolition of the San Jacinto Historical Advisory Board by the 86th Legislature.
(Rule 3, § 8)
 - b. The jurisdiction of the Committee on Homeland Security and Public Safety is updated to reflect the abolition of the Texas Private Security Board by the 86th Legislature.
(Rule 3, § 15)
 - c. The Committee on Human Services is granted jurisdiction over the Texas Behavioral Health Executive Council, created by the 86th Legislature, as it relates to the committee's subject matter jurisdiction.
(Rule 3, § 17)
 - d. The jurisdiction of the Committee on Licensing and Administrative Procedures is updated to reflect the merger of the Texas Board of Professional Land Surveying with the Texas Board of Professional Engineers.
(Rule 3, § 23)
 - e. The jurisdiction of the Committee on Public Education is updated to reflect the change in name of the Office of the Southern Regional Education Compact Commissioner for Texas.
(Rule 3, § 27)
 - f. The jurisdiction of the Committee on Public Health is updated to reflect the abolition of the Interagency Obesity Council by the 86th Legislature and include jurisdiction over the:
 - (1) Texas Behavioral Health Executive Council, created by the 86th Legislature, as it relates to the committee's subject matter jurisdiction;
 - (2) Texas State Board of Examiners of Marriage and Family Therapists, which was previously unassigned; and
 - (3) Texas Child Mental Health Care Consortium, created by the 86th Legislature.
(Rule 3, § 28)
 - g. The jurisdiction of the Committee on Ways and Means is updated to reflect the change in name of the Office of Multistate Tax Compact Commissioner for Texas.
(Rule 3, § 34)

*Synopsis of Proposed Changes to the
House Rules of Procedure, 87th Legislature*

3. The membership of the Committee on Pensions, Investments, and Financial Services has been decreased from 11 to 9 members to implement the restrictions on committee service proposed in Rule 4, below.
(Rule 3, § 26)

Rule 4—Organization, Powers, and Duties of Committees

4. A provision is added to prohibit the chair of the Committee on Ways and Means from serving on any other substantive committee. A provision is added to prohibit the permanent speaker pro tempore from serving: (1) on more than one substantive committee; or (2) as chair of a standing committee.
(Rule 4, § 4)
5. Committee rules will be required to be filed with the chief clerk and, if adopted during a session, delivered to the journal clerk and printed in the journal.
(Rule 4, § 13(a))
6. As a non-substantive change, the provision governing the authority of a committee to determine whether or not to permit broadcasts of its proceedings is transferred from Rule 5 to Rule 4 and a technical change is made to reflect the transfer to Rule 4.
(Rule 4, § 13(c); Rule 5 § 20).
7. Solely for the purpose of the deadline to turn in committee minutes, the Redistricting Committee will be treated as a substantive committee and given three days after a committee meeting to turn in minutes. Currently, all procedural committees, including the Redistricting Committee, must turn in committee minutes within one day of a committee meeting.
(Rule 4, § 18(c))
8. The Appropriations Committee will be required to hold one or more interim hearings on the LARs submitted by major state agencies and institutions of higher education (those receiving an appropriation of \$40 million or greater in the most recent general appropriations act). The duties of the committee can be performed by a subcommittee.
(Rule 4, § 24)
9. As a non-substantive change, the provisions relating to reports of select committees is transferred from the chapter governing committees of the whole to the chapter governing interim study committees, and the chapter title is amended to reflect this transfer.
(Rule 4, § 56; heading to Rule 4, Chapter F)

Rule 5—Floor Procedure

10. The existing provisions governing issuance of media credentials and floor access by the media are modified to: (1) make explicit criteria used by the House Business Office to determine eligibility; (2) provide procedural due process through an appeals procedure when an application for media credentials is denied; and (3) clarify provisions relating to photography and broadcasting from the House floor or gallery to ensure uniformity of application.
(Rule 5, § 20)
11. The provision of the House Rules that requires a record vote to be taken at the request of any one member is harmonized to be consistent with Article III, Section 12(b), Texas Constitution, which requires a record vote to be taken at the request of any three members. The rules were amended in 2005 to reduce the required number of members to request a record vote before the Texas Constitution was amended in 2007 to require record votes on final passage of all bills, joint resolutions, and non-ceremonial resolutions.
(Rule 5, § 51)

Rule 6—Order of Business and Calendars

No change.

Rule 7—Motions

No change.

Rule 8—Bills

No change.

Rule 9—Joint Resolutions

No change.

Rule 10—House Resolutions and Concurrent Resolutions

No change.

Rule 11—Amendments

12. The provisions related to the filing of amendments are: (1) updated to reflect current practice regarding the number of copies required to be filed and the posting of all submitted amendments on the Floor Amendment System; and (2) modified to allow for the electronic filing of amendments that are required to be prefiled under this section or pursuant to a Calendars Committee rule adopted by the House. The programming changes required to implement (2) have already been completed.

(Rule 11, § 6)

Rule 12—Printing

No change.

Rule 13—Interactions with the Governor and the Senate

13. The layout period for a conference committee report on the general appropriations bill during the regular session is increased from 24 hours to 48 hours; this change makes the House layout requirement for the conference committee report consistent with the layout requirement for the outside the bounds resolution and the Senate's layout requirement for the conference committee report.

(Rule 13, § 10)

Rule 14—General Provisions

No change.

Rule 15—Appropriate Workplace Conduct

No change.

Rule 16—Special Rule

14. The Workgroup on Legislative Operations During a Pandemic and the Rules Review Team reviewed constitutional, legal, and public health considerations governing the House's operation during regular and special sessions and interim periods during times of disaster, including epidemics and pandemics. A new Rule 16 is proposed to address these considerations to ensure that the House can fulfill its constitutional responsibilities and citizens may exercise their constitutional right to petition the government. A discussion of the specific provisions of the rule follow.

(Rule 16, § 1)

*Synopsis of Proposed Changes to the
House Rules of Procedure, 87th Legislature*

15. The special rule is divided into chapters that generally reflect the organization of the House rules. Some chapters are reserved for expansion. For ease of understanding:
- If a provision of Rule 16 is new, the entire text is underlined;
 - If a provision of Rule 16 is an amended version of an existing permanent rule, the text is underlined and bracketed against the existing (or proposed) permanent rule.
- (Rule 16 generally)*

Chapter A: General Provisions

16. The special rule, in its entirety, is effective immediately upon final passage of the rules resolution. The rule may be deactivated in whole or in part once a disaster subsides. The rule may be reactivated in whole or in part in the event of a subsequent disaster (including an epidemic or pandemic) as necessary to respond to changing circumstances. Deactivations and reactivations are discussed below.
- (Rule 16, §§ 2-4)*
17. After deactivation, the special rule may be reactivated in whole or in part only if there is:
- a. a disaster declaration in effect by the president that applies to Texas or a disaster declaration by the governor or the governing body of a political subdivision; or
 - b. a public health disaster determination in effect by the state health services commission or a local health authority.

If the House is convened in regular or special session, the rule may be reactivated in whole or in part only by a resolution that is introduced, referred to the Committee on House Administration, and reported favorably. The resolution must identify both the disaster declaration or determination that serves as the triggering event and the section(s) of the rule to be reactivated.

If the House is *not* convened in regular or special session, the rule may be reactivated in whole or in part only by a majority of the membership of the Committee on House Administration at a duly posted meeting. The posting notice must identify both the disaster declaration or determination that serves as the triggering event and the section(s) of the rule to be reactivated, and the committee minutes must reflect both the event and the section(s) the committee voted to reactivate.

(Rule 16, § 3)

18. The special rule may be deactivated by a similar process:
- If the House is convened in regular or special session, the rule may be deactivated in whole or in part only by a resolution that is introduced, referred to the Committee on House Administration, and reported favorably. The resolution must identify the section(s) of the rule to be deactivated.
- If the House is *not* convened in regular or special session, the rule may be deactivated in whole or in part only by a majority of the membership of the Committee on House Administration at a duly posted meeting. The posting notice must identify the section(s) of the rule to be deactivated, and the committee minutes must reflect the section(s) the committee voted to deactivate.
- (Rule 16, § 4)*

Chapter B: Duties and Rights of the Speaker

19. A provision is added that authorizes the speaker to file with the chief clerk an advance list of members, in priority order, who are authorized to call the House to order and preside over the deliberations of the House in the absence of the speaker and speaker pro tempore.
- (Rule 16, § 5, adding Rule 1, § 10A)*

*Synopsis of Proposed Changes to the
House Rules of Procedure, 87th Legislature*

20. The current provisions of Rule 1, Section 11, governing emergency adjournments without fixing the hour of reconvening, are amended to authorize an emergency adjournment for up to 3 calendar days, subject to the Texas Constitution's prohibition on adjournment of the House for more than 3 days without consent of the Senate. The current provisions of this section are also amended to permit the first available member who appears on the speaker's advance list of temporary chairs to preside if the Speaker, Speaker Pro Tempore, and chair of the Committee on State Affairs are all unavailable.
(Rule 16, § 6, amending Rule 1, § 11)
21. The current provisions of Rule 1, Section 12, governing postponement of reconvening if the House adjourned to a time certain, are amended to authorize the speaker to postpone reconvening of the House for up to 3 calendar days, subject to the Texas Constitution's prohibition on adjournment of the House for more than 3 days without consent of the Senate. The current provisions of this section are also amended to permit the permanent speaker pro tempore, the chair of the Committee on State Affairs, or the first available member who appears on the speaker's advance list of temporary chairs, in that order, to preside if the speaker is not available.
(Rule 16, § 7, amending Rule 1, § 12)

Chapter D: Organization, Powers, and Duties of Committees

22. A provision is added to require face masks that comply with CDC guidelines to be worn by all Members, House officers and employees, and all other persons attending a House committee meeting. Masks may be removed only as follows:
- Members are authorized to remove their masks when speaking from a microphone on the dais or when protected by barriers installed by the Committee on House Administration if unprotected persons are socially distanced.
 - House officers and employees are authorized to remove their masks when speaking from a microphone or as directed by the committee chair.
 - Witnesses are authorized to remove their masks when speaking from a microphone on the witness podium.
- (Rule 16, § 8, adding Rule 4, § 8A)*
23. The current provisions of Rule 4, Section 11, governing posting notice of committee meetings, are amended to require a minimum of 30 minutes' notice before the scheduled meeting time for formal meetings.
(Rule 16, § 9, amending Rule 4, § 11)
24. A provision is added to require committee posting notices to include instructions:
- related to public access to the meeting location and health and safety protocols for attending the meeting;
 - for a public hearing, for individuals who wish to:
 - testify in person at the hearing; or
 - electronically submit public comments without testifying.
- A link to any required instructions on the House website may be provided instead of setting those instructions out in full.
The notice must include the House website link for a meeting that will be livestreamed.
(Rule 16, § 9 adding Rule 4, § 11A)
25. A provision is added to authorize committees to livestream committee meetings, including public hearings and formal meetings, to satisfy the current public access requirements. The livestream must be accessible from a link on the House website.
(Rule 16, § 10, adding Rule 4, § 12A)
26. Solely for the purpose of taking testimony at a public hearing, a provision is added requiring only two committee members to be physically present to constitute a quorum. Other committee members may participate by two-way video conferencing that permits all committee members to hear each other and testifying witnesses.
(Rule 16, § 11, adding Rule 4, § 16A)

*Synopsis of Proposed Changes to the
House Rules of Procedure, 87th Legislature*

27. Provisions are added to provide that committee minutes and committee reports are not required to contain the list of persons who registered but did not testify.
(Rule 16, § 12, adding Rule 4, § 18B, and Rule 16, § 14, adding Rule 4, § 32A)
28. A provision is added requiring committee chairs to use best efforts to invite witnesses to testify at public hearings that represent different viewpoints. Under the current rules, invited witnesses may testify by two-way video conferencing that permits all committee members to hear each other and testifying witnesses. A provision is added to require a committee chair to comply with a request by a requisite number of members that certain witnesses be invited to testify. The requisite number of members is based on the size of the committee membership. Committee members may not sign more than two requests for each posted measure or matter to be taken up at the public hearing. These provisions also apply to subcommittees.
(Rule 16, § 13, adding Rule 4, § 20A)
29. A provision is added authorizing the public to electronically submit written comments to committees for the measures or matters scheduled for consideration at each public hearing. The Committee on House Administration is required to develop a standard system for submitting and posting public comments.
(Rule 16, § 13, adding Rule 4, § 20B)

Chapter E: Floor Procedure

30. Current provisions governing floor access to the House chamber by accredited media representatives are amended to reflect that those representatives will be stationed in the gallery during the session.
(Rule 16, § 15, amending Rule 5, §§ 11, 12, and adding Rule 5, § 20A)
31. A provision is added to require face masks that comply with CDC recommendations to be worn by all Members, House officers and employees, and all other persons admitted to the House floor or gallery for the purpose of participating in, attending, providing support for, or observing house proceedings. Masks may be removed only as follows:
- Members are authorized to temporarily remove their masks only when speaking from the front or back microphones.
 - House and Senate officers and employees are authorized to remove their masks when speaking from a microphone or as directed by the presiding officer.
 - The speaker or a member temporarily presiding may remove the person's mask when speaking from the microphone at the speaker's desk.
- (Rule 16, § 16, adding Rule 5, § 19A)
32. Provisions are added to authorize Members to cast a division or record vote during a floor session from a secure portable device when the Member is inside the House chamber, gallery, or an adjacent room on the 2nd or 3rd floor (e.g., speaker's committee room, sergeant's office, member's lounge, 2nd floor back hall, and 3rd floor back hall).
(Rule 16, §§17, 18, amending Rule 5, §§ 40, 45)

Chapter F: Order of Business and Calendars

33. Provisions related to the daily order of business are amended to:
- add an additional period for bill referrals after second reading of bills is finished for a legislative day; and
 - on a new calendar day following a recess:
 - eliminate the requirement for registration of members; and
 - add a routine motion period and a period for bill referrals, both of which are not provided for under current rules.
- (Rule 16, § 19, amending Rule 6, § 1)

*Synopsis of Proposed Changes to the
House Rules of Procedure, 87th Legislature*

34. Provisions are added to create a new consensus calendar category that will be included as part of the Daily Calendar set by the Calendars Committee. This new category will be used to expedite consideration of non-controversial bills that were not recommended to be sent to the Local and Consent Calendars Committee under the following conditions:
- Floor amendments to bills on the consensus calendar must be approved by the Calendars Committee in advance.
 - All speeches are limited to 3 minutes (author's opening and closing speeches and all other speeches on the bill and amendments).
- (Rule 16, § 20, amending Rule 6, § 7, and adding Rule 6, § 7A)*

Chapter H: Bills

35. A provision is added to authorize the electronic distribution of the committee report on the general appropriations bill (which has a 7-day layout period) to be the official distribution that begins the clock on the layout period. A provision is added to require a hard copy to be delivered to each member as soon as practicable after the electronic distribution. This change is necessary due to aging equipment and social distancing considerations for staff required to operate the printing equipment used to print the general appropriations bill.
- (Rule 16, § 21, amending Rule 8, § 14)*

Chapter K: Amendments

36. A provision is added to require second reading amendments to bills on the emergency or major state calendar to be filed with the chief clerk at least 12 hours before the calendar is eligible for consideration and to allow for the electronic filing of those amendments. These provisions would not apply to amendments on sunset bills or the general appropriations bill, which are subject to different, lengthier pre-filing requirements under current rules.
- (Rule 16, § 22, adding Rule 11, § 6A)*

By: Hunter, Hernandez, Landgraf, Moody

H.R. No. 4

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, That the following are adopted as the permanent rules of the
3 House of Representatives of the 87th Legislature:

4 RULES OF
5 THE HOUSE OF REPRESENTATIVES
6 OF THE TEXAS LEGISLATURE
7 TABLE OF CONTENTS

8	RULE	
9	1. DUTIES AND RIGHTS OF THE SPEAKER	2
10	2. OFFICERS AND EMPLOYEES	11
11	3. STANDING COMMITTEES	24
12	4. ORGANIZATION, POWERS, AND DUTIES OF	
13	COMMITTEES	54
14	5. FLOOR PROCEDURE	90
15	6. ORDER OF BUSINESS AND CALENDARS	113
16	7. MOTIONS	133
17	8. BILLS	149
18	9. JOINT RESOLUTIONS	165
19	10. HOUSE RESOLUTIONS AND CONCURRENT	
20	RESOLUTIONS	167
21	11. AMENDMENTS	170
22	12. PRINTING	179
23	13. INTERACTIONS WITH THE GOVERNOR	
24	AND SENATE	183

1 14. GENERAL PROVISIONS 196

2 15. APPROPRIATE WORKPLACE CONDUCT 198

3 16. SPECIAL RULE 200

4 STATEMENT OF AUTHORIZATION AND PRECEDENCE

5 Pursuant to and under the authority of Section 11, Article

6 III, Texas Constitution, and notwithstanding any provision of

7 statute, the House of Representatives adopts the following rules to

8 govern its operations and procedures. The provisions of these

9 rules shall be deemed the only requirements binding on the House of

10 Representatives under Section 11, Article III, Texas Constitution,

11 notwithstanding any other requirements expressed in statute.

12 RULE 1. DUTIES AND RIGHTS OF THE SPEAKER

13 CHAPTER A. DUTIES AS PRESIDING OFFICER

14 Sec. 1. ENFORCEMENT OF THE RULES. The speaker shall

15 enforce, apply, and interpret the rules of the house in all

16 deliberations of the house and shall enforce the legislative rules

17 prescribed by the statutes and the Constitution of Texas.

18 Sec. 2. CALL TO ORDER. The speaker shall take the chair on

19 each calendar day precisely at the hour to which the house adjourned

20 or recessed at its last sitting and shall immediately call the

21 members to order.

22 Sec. 3. LAYING BUSINESS BEFORE THE HOUSE. The speaker

23 shall lay before the house its business in the order indicated by

24 the rules and shall receive propositions made by members and put

25 them to the house.

26 Sec. 4. REFERRAL OF PROPOSED LEGISLATION TO COMMITTEE. All

27 proposed legislation shall be referred by the speaker to an

1 appropriate standing or select committee with jurisdiction,
2 subject to correction by a majority vote of the house. A bill or
3 resolution may not be referred simultaneously to more than one
4 committee.

5 Sec. 5. PRESERVATION OF ORDER AND DECORUM. The speaker
6 shall preserve order and decorum. In case of disturbance or
7 disorderly conduct in the galleries or in the lobby, the speaker may
8 order that these areas be cleared. No signs, placards, or other
9 objects of similar nature shall be permitted in the rooms, lobby,
10 gallery, and hall of the house. The speaker shall see that the
11 members of the house conduct themselves in a civil manner in
12 accordance with accepted standards of parliamentary conduct and
13 may, when necessary, order the sergeant-at-arms to clear the aisles
14 and seat the members of the house so that business may be conducted
15 in an orderly manner.

16 Sec. 6. RECOGNITION OF GALLERY VISITORS. On written
17 request of a member, the speaker may recognize persons in the
18 gallery. The speaker shall afford that recognition at a convenient
19 place in the order of business, considering the need for order and
20 decorum and the need for continuity of debate. The request must be
21 made on a form prescribed by the Committee on House Administration.
22 The speaker may recognize, at a time he or she considers appropriate
23 during floor proceedings, the person serving as physician of the
24 day.

25 Sec. 7. STATING AND VOTING ON QUESTIONS. The speaker shall
26 rise to put a question but may state it sitting. The question shall
27 be put substantially in this form: "The question occurs on

1 _____" (here state the question or proposition under
2 consideration). "All in favor say 'Aye,'" and after the affirmative
3 vote is expressed, "All opposed say 'No.'" If the speaker is in
4 doubt as to the result, or if a division is called for, the house
5 shall divide: those voting in the affirmative on the question
6 shall register "Aye" on the voting machine, and those voting in the
7 negative on the question shall register "No." The decision of the
8 house on the question shall be printed in the journal and shall
9 include the yeas and nays if a record of the yeas and nays is ordered
10 in accordance with the rules.

11 Sec. 8. VOTING RIGHTS OF THE PRESIDING OFFICER. The
12 speaker shall have the same right as other members to vote. If the
13 speaker, or a member temporarily presiding, has not voted, he or she
14 may cast the deciding vote at the time such opportunity becomes
15 official, whether to make or break a tie. If a verification of the
16 vote is called for and granted, the decision of the speaker, or a
17 member temporarily presiding, to cast the deciding vote need not be
18 made until the verification has been completed. In case of error in
19 a vote, if the correction leaves decisive effect to the vote of the
20 speaker, or a member temporarily presiding, the deciding vote may
21 be cast even though the result has been announced.

22 Sec. 9. QUESTIONS OF ORDER. (a) The speaker shall decide
23 on all questions of order; however, such decisions are subject to an
24 appeal to the house made by any 10 members. Pending an appeal, the
25 speaker shall call a member to the chair, who shall not have the
26 authority to entertain or decide any other matter or proposition
27 until the appeal has first been determined by the house. The

1 question on appeal is, "Shall the chair be sustained?"

2 (b) No member shall speak more than once on an appeal unless
3 given leave by a majority of the house. No motion shall be in order,
4 pending an appeal, except a motion to adjourn, a motion to lay on
5 the table, a motion for the previous question, or a motion for a
6 call of the house. Responses to parliamentary inquiries and
7 decisions of recognition made by the chair may not be appealed,
8 except as provided by Rule 5, Section 24.

9 (c) Further consideration of the matter or proposition that
10 is the subject of a question of order is prohibited until the
11 speaker decides the question of order and any appeal of that
12 decision has been determined by the house. Consideration of any
13 other matter or proposition is also prohibited while a question of
14 order is pending, unless the question of order is temporarily
15 withdrawn and the matter or proposition that is the subject of the
16 question of order is postponed. Withdrawal of the question of order
17 does not prevent any member from raising that question of order when
18 the matter or proposition is again before the house.

19 (d) A point of order raised as to a violation of a section of
20 the rules governing committee reports, committee minutes, or
21 accompanying documentation may be overruled if the purpose of that
22 section of the rules has been substantially fulfilled and the
23 violation does not deceive or mislead.

24 (e) When a question of order is pending before the house,
25 only the member who raised the question of order, and one other
26 member designated by that member, and the primary proponent of the
27 matter or proposition to which the question of order applies, and

1 one other member designated by the proponent, may present arguments
2 to the speaker or parliamentarian regarding the question of order.
3 This subsection does not limit any remarks that a member may make
4 before the full house if the member is recognized for that purpose.

5 Sec. 10. APPOINTMENT OF SPEAKER PRO TEMPORE AND TEMPORARY
6 CHAIR. The speaker shall have the right to name any member to
7 perform the duties of the chair related to presiding over the
8 deliberations of the house and may name a member to serve as speaker
9 pro tempore by delivering a written order to the chief clerk and a
10 copy to the journal clerk. A permanent speaker pro tempore shall,
11 in the absence or inability of the speaker, call the house to order
12 and perform all other duties of the chair in presiding over the
13 deliberations of the house and perform other duties and exercise
14 other responsibilities related to presiding over the deliberations
15 of the house as may be assigned in writing by the speaker. If the
16 house is not in session, and a permanent speaker pro tempore has not
17 been named, or if the speaker pro tempore is not available or for
18 any reason is not able to function, the speaker may deliver a
19 written order to the chief clerk, with a copy to the journal clerk,
20 naming the member who shall call the house to order and preside
21 during the speaker's absence. The speaker pro tempore shall serve
22 at the pleasure of the speaker. In the event of a vacancy in the
23 office of speaker, the speaker pro tempore does not assume the
24 office of speaker. The authority of the speaker pro tempore to
25 perform the duties and exercise the responsibilities of the speaker
26 is limited as provided by this section.

27 Sec. 11. EMERGENCY ADJOURNMENT. In the event of an

1 emergency of such compelling nature that the speaker must adjourn
2 the house without fixing a date and hour of reconvening, the speaker
3 shall have authority to determine the date and hour of reconvening
4 and to notify the members of the house by any means the speaker
5 considers adequate. Should the speaker be disabled or otherwise
6 unable to exercise these emergency powers, the permanent speaker
7 pro tempore, if one has been named, shall have authority to act. If
8 there is no permanent speaker pro tempore, or if that officer is
9 unable to act, authority shall be exercised by the chair of the
10 Committee on State Affairs, who shall preside until the house can
11 proceed to the selection of a temporary presiding officer to
12 function until the speaker or the speaker pro tempore is again able
13 to exercise the duties and responsibilities of the office.

14 Sec. 12. POSTPONEMENT OF RECONVENING. When the house is
15 not in session, if the speaker determines that it would be a hazard
16 to the safety of the members, officers, employees, and others
17 attending the legislature to reconvene at the time determined by
18 the house at its last sitting, the speaker may clear the area of the
19 capitol under the control of the house and postpone the reconvening
20 of the house for a period of not more than 12 hours. On making that
21 determination, the speaker shall order the sergeant-at-arms to post
22 an assistant at each first floor entrance to the capitol and other
23 places and advise all persons entering of the determination and the
24 time set for the house to reconvene. The speaker shall also notify
25 the journal clerk and the news media of the action, and the action
26 shall be entered in the house journal.

27 Sec. 13. SIGNING BILLS AND RESOLUTIONS. All bills, joint

1 resolutions, and concurrent resolutions shall be signed by the
2 speaker in the presence of the house, as required by the
3 constitution; and all writs, warrants, and subpoenas issued by
4 order of the house shall be signed by the speaker and attested by
5 the chief clerk, or the person acting as chief clerk.

6 CHAPTER B. ADMINISTRATIVE DUTIES

7 Sec. 14. CONTROL OVER HALL OF THE HOUSE. The speaker shall
8 have general control, except as otherwise provided by law, of the
9 hall of the house, its lobbies, galleries, corridors, and passages,
10 and other rooms in those parts of the capitol assigned to the use of
11 the house; except that the hall of the house shall not be used for
12 any meeting other than legislative meetings during any regular or
13 special session of the legislature unless specifically authorized
14 by resolution.

15 Sec. 15. STANDING COMMITTEE APPOINTMENTS. (a) The
16 speaker shall designate the chair and vice-chair of each standing
17 substantive committee and shall also appoint membership of the
18 committee, subject to the provisions of Rule 4, Section 2.

19 (b) If members of equal seniority request the same
20 committee, the speaker shall decide which among them shall be
21 assigned to that committee.

22 (c) In announcing the membership of the standing
23 substantive committees, the speaker shall designate which are
24 appointees and which acquire membership by seniority.

25 (d) The speaker shall appoint the chair and vice-chair of
26 each standing procedural committee and the remaining membership of
27 the committee.

1 (e) If a new speaker is elected to fill a vacancy in the
2 office after the appointment of standing committees, the new
3 speaker may not alter the composition of any standing committee
4 before the end of the session, except that the new speaker may:

5 (1) vacate the new speaker's membership on any
6 committee;

7 (2) make committee appointments for the member who was
8 removed as speaker;

9 (3) designate a different member of a standing
10 committee as committee chair; and

11 (4) fill vacancies that occur on a committee.

12 Sec. 16. APPOINTMENT OF SELECT AND CONFERENCE
13 COMMITTEES. (a) The speaker shall appoint all conference
14 committees. The speaker shall name the chair of each conference
15 committee, and may also name the vice-chair thereof.

16 (b) The speaker may at any time by proclamation create a
17 select committee. The speaker shall name the chair and vice-chair
18 thereof. A select committee has the jurisdiction, authority, and
19 duties and exists for the period of time specified in the
20 proclamation. A select committee has the powers granted by these
21 rules to a standing committee except as limited by the
22 proclamation. A copy of each proclamation creating a select
23 committee shall be filed with the chief clerk.

24 Sec. 17. INTERIM STUDIES. When the legislature is not in
25 session, the speaker shall have the authority to direct committees
26 to make interim studies for such purposes as the speaker may
27 designate, and the committees shall meet as often as necessary to

1 transact effectively the business assigned to them. The speaker
2 shall provide to the chief clerk a copy of interim charges made to a
3 standing or select committee.

4 CHAPTER C. CAMPAIGNS FOR SPEAKER

5 Sec. 18. PLEDGES FOR SPEAKER PROHIBITED DURING REGULAR
6 SESSION. During a regular session of the legislature a member may
7 not solicit written pledges from other members for their support of
8 or promise to vote for any person for the office of speaker.

1 RULE 2. OFFICERS AND EMPLOYEES

2 CHAPTER A. DUTIES OF OFFICERS OF THE HOUSE

3 Sec. 1. CHIEF CLERK. (a) The chief clerk shall:

4 (1) be the custodian of all bills, resolutions, and
5 amendments;

6 (2) number in the order of their filing, with a
7 separate sequence for each category, all bills, joint resolutions,
8 concurrent resolutions, and house resolutions;

9 (3) provide for the keeping of a complete record of
10 introduction and action on all bills and resolutions, including the
11 number, author, brief description of the subject matter, committee
12 reference, and the time sequence of action taken on all bills and
13 resolutions to reflect at all times their status in the legislative
14 process;

15 (4) on the day of numbering a bill relating to a
16 conservation and reclamation district created under Article XVI,
17 Section 59, of the Texas Constitution, send two copies of the bill,
18 with two copies of the notice of intention to introduce the bill, to
19 the governor and notify the journal clerk of the action;

20 (5) receive the recommendations of the Texas
21 Commission on Environmental Quality on a bill forwarded to the
22 commission under Article XVI, Section 59, of the Texas
23 Constitution, attach them to the bill to which they apply, and
24 notify the journal clerk that the recommendations have been filed;

25 (6) forward to a committee chair in an electronic or
26 other format determined by the chief clerk a certified copy of each
27 legislative document referred to the committee, including all

1 official attachments to the document;

2 (7) have printed and distributed correct copies of all
3 legislative documents, as provided in the subchapter on printing,
4 and keep an exact record of the date and hour of transmittal to the
5 printer, return from the printer, and distribution of the document
6 to members of the house with that information time-stamped on the
7 originals of the document;

8 (8) certify the passage of bills and resolutions,
9 noting on them the date of passage and the vote by which passed,
10 including the yeas and nays if a record of the yeas and nays is
11 ordered;

12 (9) be responsible for engrossing all house bills and
13 resolutions that have passed second reading and those that have
14 passed third reading, and for enrolling all house bills and
15 resolutions that have passed both houses.

16 All engrossed and enrolled documents shall be prepared
17 without erasures, interlineations, or additions in the margin.

18 House concurrent resolutions passed without amendment
19 shall not be engrossed but shall be certified and forwarded
20 directly to the senate.

21 Engrossed riders may be used in lieu of full engrossment
22 on second reading passage;

23 (10) be authorized to amend the caption to conform to
24 the body of each house bill and joint resolution ordered engrossed
25 or enrolled;

26 (11) be responsible for noting on each house bill or
27 joint resolution, for certification by the speaker of the house,

1 the lieutenant governor, the chief clerk of the house, and the
2 secretary of the senate, the following information:

3 (A) date of final passage, and the vote on final
4 passage, including the yeas and nays if a record of the yeas and
5 nays is ordered. If the bill was amended in the senate, this fact
6 shall also be noted;

7 (B) date of concurrence by the house in senate
8 amendments, and the vote on concurrence, including the yeas and
9 nays if a record of the yeas and nays is ordered;

10 (C) date of adoption by each house of a
11 conference committee report and the vote on adoption, including the
12 yeas and nays if a record of the yeas and nays is ordered;

13 (D) that a bill containing an appropriation was
14 passed subject to the provisions of Article III, Section 49a, of the
15 Texas Constitution; and

16 (E) that a concurrent resolution was adopted by
17 both houses directing the correction of an enrolled bill, if
18 applicable;

19 (12) transmit over signature all messages from the
20 house to the senate, including typewritten copies of amendments to
21 senate bills;

22 (13) prepare copies of senate amendments to house
23 bills for the journal before the amendments and the bill or
24 resolution to which they relate are sent to the printer or to the
25 speaker;

26 (14) notify the speaker in writing that the senate did
27 not concur in house amendments to a bill or resolution and requests

1 a conference committee, and include in this notice the names of the
2 senate conferees;

3 (15) provide a certified copy of a house bill or
4 resolution which may be lost showing each parliamentary step taken
5 on the bill; and

6 (16) request fiscal notes on house bills and joint
7 resolutions with senate amendments and distribute fiscal notes on
8 house bills and joint resolutions with senate amendments and
9 conference committee reports as required by Rule 13, Sections 5 and
10 10.

11 (b) The chief clerk shall also:

12 (1) attest all writs, warrants and subpoenas issued by
13 order of the house;

14 (2) receive reports of select committees and forward
15 copies to the speaker and journal clerk;

16 (3) not later than 30 days after the close of each
17 session, acquire from each of the various clerks of the house,
18 except the journal clerk, all reports, records, bills, papers, and
19 other documents remaining in their possession and file them with
20 the Legislative Reference Library, unless otherwise provided by
21 law;

22 (4) receive and file all other documents required by
23 law or by the rules of the house;

24 (5) prepare a roster of members in order of seniority
25 showing the number of years of service of each member, as provided
26 in Rule 4, Section 2; and

27 (6) have posted the list of Items Eligible for

1 Consideration as required by the rules.

2 (c) The chief clerk shall also provide for the following to
3 be made available on the electronic legislative information system:

4 (1) all house calendars and lists of items eligible
5 for consideration and the time-stamp information for those
6 calendars and lists; and

7 (2) the time-stamp information for all official
8 printings of bills and resolutions.

9 (d) The chief clerk shall provide notice to a Capitol e-mail
10 address designated by each member when a new house calendar or list
11 of items eligible for consideration is posted on the electronic
12 legislative information system. If a member informs the chief
13 clerk that the member also desires to receive a paper copy of house
14 calendars or lists of items eligible for consideration, the chief
15 clerk shall place paper copies of those documents designated by the
16 member in the newspaper box of the member as soon as practicable
17 after the electronic copies are posted.

18 Sec. 2. JOURNAL CLERK. (a) The journal clerk shall:

19 (1) keep a journal of the proceedings of the house,
20 except when the house is acting as a committee of the whole, and
21 enter the following:

22 (A) the number, author, and caption of every bill
23 introduced;

24 (B) descriptions of all congratulatory and
25 memorial resolutions on committee report, motions, amendments,
26 questions of order and decisions on them, messages from the
27 governor, and messages from the senate;

1 (C) the summaries of congratulatory and memorial
2 resolutions, as printed on the congratulatory and memorial
3 calendar;

4 (D) the number of each bill, joint resolution,
5 and concurrent resolution signed in the presence of the house;

6 (E) a listing of reports made by standing
7 committees;

8 (F) reports of select committees, when ordered by
9 the house;

10 (G) every vote where a record of the yeas and nays
11 is ordered or registration of the house with a concise statement of
12 the action and the result;

13 (H) the names of all absentees, both excused and
14 not excused;

15 (I) senate amendments to house bills or
16 resolutions, when concurred in by the house;

17 (J) the date each bill is transmitted to the
18 governor;

19 (K) the date recommendations of the Texas
20 Commission on Environmental Quality on each bill subject to Article
21 XVI, Section 59, of the Texas Constitution, are filed with the chief
22 clerk;

23 (L) all pairs as a part of a vote where a record
24 of the yeas and nays is ordered;

25 (M) reasons for a vote;

26 (N) the vote of a member on any question where a
27 record of the yeas and nays has not been ordered;

1 (O) the statement of a member who was absent when
2 a vote was taken indicating how the member would have voted;

3 (P) official state documents, reports, and other
4 matters, when ordered by the house; and

5 (Q) the written copy of the speaker's ruling on a
6 point of order, which includes the citation of the authorities
7 relied upon in the grounds for decision, as provided in Section
8 9(b-1) of this rule;

9 (2) prepare a daily journal for each calendar day that
10 the house is in session and distribute on the succeeding calendar
11 day or the earliest possible date copies to the members of the house
12 who have submitted requests to the journal clerk to receive a copy;
13 and

14 (3) prepare and have printed a permanent house journal
15 of regular and special sessions in accordance with the law and the
16 following provisions:

17 (A) When completed, no more than 300 copies shall
18 be bound and distributed as follows:

19 (i) one copy to each member of the house of
20 representatives who submitted a request to the journal clerk to
21 receive a copy;

22 (ii) one copy to each member of the senate
23 who submitted a request to the journal clerk to receive a copy; and

24 (iii) the remainder of the copies to be
25 distributed by the Committee on House Administration.

26 (B) The journal clerk shall not receive or
27 receipt for the permanent house journal until it has been correctly

1 published.

2 (b) The journal clerk shall lock the voting machine of each
3 member who is excused or who is otherwise known to be absent when
4 the house is in session until the member personally requests that
5 the machine be unlocked.

6 (c) The journal clerk shall determine and enter in the
7 journal the clock of record for the house and that clock may not be
8 delayed, set back, or otherwise tampered with to deviate from the
9 standard time, as provided by statute, for the place where the house
10 is meeting. The journal clerk shall enter in the journal the time
11 according to the clock of record when the house convenes, recesses,
12 and adjourns. A motion to suspend this rule must be decided by a
13 record vote.

14 Sec. 3. READING CLERKS. The reading clerks, under the
15 supervision of the speaker, shall:

16 (1) call the roll of the house in alphabetical order
17 when ordered to do so by the speaker; and

18 (2) read all bills, resolutions, motions, and other
19 matters required by the rules or directed by the speaker.

20 Sec. 4. SERGEANT-AT-ARMS. The sergeant-at-arms shall:

21 (1) under the direction of the speaker, have charge of
22 and maintain order in the hall of the house, its lobbies and
23 galleries, and all other rooms in the capitol assigned for the use
24 of the house of representatives;

25 (2) attend the house and the committee of the whole
26 during all meetings and maintain order under the direction of the
27 speaker or other presiding officer;

1 (3) execute the commands of the house and serve the
2 writs and processes issued by the authority of the house and
3 directed by the speaker;

4 (4) supervise assistants to the sergeant-at-arms who
5 shall aid in the performance of prescribed duties and have the same
6 authority, subject to the control of the speaker;

7 (5) clear the floor of the house of all persons not
8 entitled to the privileges of the floor at least 30 minutes prior to
9 the convening of each session of the house;

10 (6) bring in absent members when so directed under a
11 call of the house;

12 (7) not allow the distribution of any printed matter
13 in the hall of the house, other than newspapers that have been
14 published at least once a week for a period of one year, unless it
15 first has been authorized in writing by at least one member of the
16 house and the name of the member appears on the printed matter. The
17 sergeant-at-arms shall refuse to accept for distribution any
18 printed matter which does not bear the name of the member or members
19 authorizing the distribution;

20 (8) keep a copy of written authorization and a record
21 of the matter distributed in the permanent files of the house;

22 (9) enforce parking regulations applicable to areas of
23 the capitol complex under the control of the house and supervise
24 parking attendants;

25 (10) provide for issuance of an identification card to
26 each member and employee of the house; and

27 (11) supervise the doorkeeper.

1 Sec. 5. DOORKEEPER. The doorkeeper, under the supervision
2 of the sergeant-at-arms, shall:

3 (1) enforce strictly the rules of the house relating
4 to privileges of the floor and perform other duties as directed by
5 the speaker;

6 (2) close the main entrance and permit no member to
7 leave the house without written permission from the speaker when a
8 call of the house or a call of the committee of the whole is ordered,
9 take up permission cards as members leave the hall, and take up
10 permission cards of those who are admitted to the floor of the house
11 under the rules and practice of the house;

12 (3) obtain recognition from the speaker and announce a
13 messenger from the governor or the senate on arrival at the bar of
14 the house; and

15 (4) obtain recognition from the speaker and announce
16 the arrival of the governor or the senate on arrival at the bar of
17 the house for official proceedings in the house.

18 Sec. 6. CHAPLAIN. The chaplain shall open the first
19 session on each calendar day with a prayer and shall perform such
20 other duties as directed by the Committee on House Administration.

21 Sec. 7. VOTING CLERK. The voting clerk, under the
22 supervision of the speaker, shall:

23 (1) open and close the voting machine on registrations
24 and record votes as ordered by the speaker;

25 (2) record votes from the floor as directed by the
26 speaker;

27 (3) prepare official copies of all record votes for

1 the journal; and

2 (4) make no additions, subtractions, or other changes
3 in any registration or record vote unless specifically granted
4 permission by the house or directed by the speaker prior to the
5 announcement of the final result.

6 Sec. 8. COMMITTEE COORDINATOR. (a) The committee
7 coordinator shall:

8 (1) under the direction of the Committee on House
9 Administration, prepare a schedule for regular meetings of all
10 standing committees as provided by Rule 4, Section 8(a);

11 (2) post committee meeting notices, as directed by the
12 chair of a committee, in accordance with Rule 4, Section 11(a);

13 (3) maintain duplicate originals of committee minutes
14 as required by Rule 4, Sections 18(c) and (d);

15 (4) direct the maintenance of sworn statements either
16 in electronic or paper format and, under the direction of the
17 Committee on House Administration, prescribe the form of those
18 statements, as required by Rule 4, Sections 20(a) and (c);

19 (5) receive and forward impact statements as required
20 by Rule 4, Section 34(e);

21 (6) receive committee reports as required by Rule 4,
22 Section 37, and refer them for printing as provided by Rule 6,
23 Section 19; and

24 (7) receive and distribute the recommendations and
25 final reports of interim study committees as provided by Rule 4,
26 Section 61.

27 (b) The committee coordinator may exclude from the

1 committee coordinator's office or refuse to interact with a member
2 or a member's staff if the member or member's staff engages in
3 abusive, harassing, or threatening behavior.

4 Sec. 9. PARLIAMENTARIAN. (a) The speaker may appoint not
5 more than two individuals to serve as parliamentarians. The
6 parliamentarians are officers of the house who serve at the
7 pleasure of the speaker. The parliamentarians shall advise and
8 assist the presiding officer and the members of the house on matters
9 of procedure. The parliamentarians have a duty of confidentiality
10 to the speaker and to each member of the house and shall keep
11 confidential all requests made by members of the house for advice or
12 guidance regarding procedure unless the parties otherwise agree.

13 (b) After the initial appointment of the parliamentarians
14 by the speaker, the appointment of a new parliamentarian to fill a
15 vacancy must be approved by a majority of the membership of the
16 house if the appointment is made during a regular or special
17 session. If the appointment to fill the vacancy is made when the
18 house is not in session, the appointment must be approved by a
19 majority of the membership not later than the third day of the first
20 special session that occurs after the date the appointment is made.
21 If no special session occurs after the appointment, approval by the
22 membership is not required.

23 (b-1) The speaker shall instruct the parliamentarians to
24 provide to each member a written copy of the speaker's ruling on a
25 point of order, including the citation of the authorities relied
26 upon in the grounds for decision. The written ruling shall be
27 provided to each member through the electronic legislative

1 information system not later than 24 hours after the ruling is
2 announced in the house.

3 (c) In the event of a conflict between this section and the
4 housekeeping resolution, this section controls.

5 CHAPTER B. OTHER EMPLOYEES

6 Sec. 10. LEGISLATIVE COUNCIL EMPLOYEES: CONFIDENTIALITY.

7 (a) Communications between an attorney employed by the Texas
8 Legislative Council and the speaker, another member of the house,
9 or an employee of a member or committee of the house are
10 confidential in accordance with the rules and laws concerning
11 attorney-client privilege.

12 (b) Communications between any employee of the Texas
13 Legislative Council and the speaker, another member of the house,
14 or an employee of a member or committee of the house are
15 confidential. The General Investigating Committee of the House may
16 investigate an alleged violation of this subsection.

17 (c) This section does not prohibit the speaker, member, or
18 committee from waiving a privilege as otherwise permitted by law or
19 from waiving confidentiality under this section.

1 the state treasury;

2 (2) all bills and resolutions containing provisions
3 resulting in automatic allocation of funds from the state treasury;

4 (3) all bills and resolutions diverting funds from the
5 state treasury or preventing funds from going in that otherwise
6 would be placed in the state treasury; and

7 (4) all matters pertaining to claims and accounts
8 filed with the legislature against the state unless jurisdiction
9 over those bills and resolutions is specifically granted by these
10 rules to some other standing committee.

11 (b) The appropriations committee may comment upon any bill
12 or resolution containing a provision resulting in an automatic
13 allocation of funds.

14 Sec. 3. BUSINESS AND INDUSTRY. The committee shall have
15 nine members, with jurisdiction over all matters pertaining to:

16 (1) industry and manufacturing;

17 (2) industrial safety and adequate and safe working
18 conditions, and the regulation and control of those conditions;

19 (3) hours, wages, collective bargaining, and the
20 relationship between employers and employees;

21 (4) unemployment compensation, including coverage,
22 benefits, taxes, and eligibility;

23 (5) labor unions and their organization, control,
24 management, and administration;

25 (6) the regulation of business transactions and
26 transactions involving property interests;

27 (7) the organization, incorporation, management, and

1 regulation of private corporations and professional associations
2 and the Uniform Commercial Code and the Business Organizations
3 Code;

4 (8) the protection of consumers, governmental
5 regulations incident thereto, the agencies of government
6 authorized to regulate such activities, and the role of the
7 government in consumer protection;

8 (9) privacy and identity theft;

9 (10) homeowners' associations;

10 (11) oversight and regulation of the construction
11 industry; and

12 (12) the following state agencies: the State Office of
13 Risk Management, the Risk Management Board, the Division of
14 Workers' Compensation of the Texas Department of Insurance, the
15 Workers' compensation research and evaluation group in the Texas
16 Department of Insurance, the Office of Injured Employee Counsel,
17 including the ombudsman program of that office, and the Texas
18 Mutual Insurance Company Board of Directors.

19 Sec. 4. CALENDARS (PROCEDURAL). The committee shall have
20 11 members, with jurisdiction over:

21 (1) the placement of bills and resolutions on
22 appropriate calendars, except those within the jurisdiction of the
23 Committee on Resolutions Calendars;

24 (2) the determination of priorities and proposal of
25 rules for floor consideration of such bills and resolutions; and

26 (3) all other matters concerning the calendar system
27 and the expediting of the business of the house as may be assigned

1 by the speaker.

2 Sec. 5. CORRECTIONS. The committee shall have nine
3 members, with jurisdiction over all matters pertaining to:

4 (1) the incarceration and rehabilitation of convicted
5 felons;

6 (2) the establishment and maintenance of programs that
7 provide alternatives to incarceration; and

8 (3) the following state agencies: the Texas
9 Department of Criminal Justice, the Special Prosecution Unit, the
10 Board of Pardons and Paroles, the Texas Civil Commitment Office,
11 and the Texas Correctional Office on Offenders with Medical or
12 Mental Impairments.

13 Sec. 6. COUNTY AFFAIRS. The committee shall have nine
14 members, with jurisdiction over all matters pertaining to:

15 (1) counties, including their organization, creation,
16 boundaries, government, and finance and the compensation and duties
17 of their officers and employees;

18 (2) establishing districts for the election of
19 governing bodies of counties;

20 (3) regional councils of governments;

21 (4) multicounty boards or commissions;

22 (5) relationships or contracts between counties;

23 (6) other units of local government; and

24 (7) the following state agency: the Commission on
25 Jail Standards.

26 Sec. 7. CRIMINAL JURISPRUDENCE. The committee shall have
27 nine members, with jurisdiction over all matters pertaining to:

- 1 (1) criminal law, prohibitions, standards, and
2 penalties;
- 3 (2) probation and parole;
- 4 (3) criminal procedure in the courts of Texas;
- 5 (4) revision or amendment of the Penal Code; and
- 6 (5) the following state agencies: the Office of State
7 Prosecuting Attorney and the Texas State Council for Interstate
8 Adult Offender Supervision.

9 Sec. 8. CULTURE, RECREATION, AND TOURISM. The committee
10 shall have nine members, with jurisdiction over:

11 (1) the creation, operation, and control of state
12 parks, including the development, maintenance, and operation of
13 state parks in connection with the sales and use tax imposed on
14 sporting goods, but not including any matter within the
15 jurisdiction of the Committee on Appropriations;

16 (2) the regulation and control of the propagation and
17 preservation of wildlife and fish in the state;

18 (3) the development and regulation of the fish and
19 oyster industries of the state;

20 (4) hunting and fishing in the state, and the
21 regulation and control thereof, including the imposition of fees,
22 fines, and penalties relating to that regulation;

23 (5) the regulation of other recreational activities;

24 (6) cultural resources and their promotion,
25 development, and regulation;

26 (7) historical resources and their promotion,
27 development, and regulation;

1 (8) promotion and development of Texas' image and
2 heritage;

3 (9) preservation and protection of Texas' shrines,
4 monuments, and memorials;

5 (10) international and interstate tourist promotion
6 and development;

7 (11) the Texas Economic Development and Tourism Office
8 as it relates to the subject-matter jurisdiction of this committee;

9 (12) the Gulf States Marine Fisheries Compact; and

10 (13) the following state agencies: the Parks and
11 Wildlife Department, the Texas Commission on the Arts, the State
12 Cemetery Committee, the Texas State Library and Archives
13 Commission, the Texas Historical Commission, the State
14 Preservation Board, [~~the San Jacinto Historical Advisory Board,~~
15 and an office of state government to the extent the office promotes
16 the Texas music industry.

17 Sec. 9. DEFENSE AND VETERANS' AFFAIRS. The committee shall
18 have nine members, with jurisdiction over all matters pertaining
19 to:

20 (1) the relations between the State of Texas and the
21 federal government involving defense, emergency preparedness, and
22 veterans issues;

23 (2) the various branches of the military service of
24 the United States;

25 (3) the realignment or closure of military bases;

26 (4) the defense of the state and nation, including
27 terrorism response;

- 1 (5) emergency preparedness;
- 2 (6) veterans of military and related services; and
- 3 (7) the following state agencies: the Texas Military
- 4 Department, the Texas Veterans Commission, the Veterans' Land
- 5 Board, the Texas Military Preparedness Commission, the Texas
- 6 Division of Emergency Management, and the Emergency Management
- 7 Council.

8 Sec. 10. ELECTIONS. The committee shall have nine members,

9 with jurisdiction over all matters pertaining to:

- 10 (1) the right of suffrage in Texas;
- 11 (2) primary, special, and general elections;
- 12 (3) revision, modification, amendment, or change of
- 13 the Election Code;
- 14 (4) the secretary of state in relation to elections;
- 15 (5) campaign finance; and
- 16 (6) the following state agency: the Office of the
- 17 Secretary of State.

18 Sec. 11. ENERGY RESOURCES. The committee shall have 11

19 members, with jurisdiction over all matters pertaining to:

- 20 (1) the conservation of the energy resources of Texas;
- 21 (2) the production, regulation, transportation, and
- 22 development of oil, gas, and other energy resources;
- 23 (3) mining and the development of mineral deposits
- 24 within the state;
- 25 (4) the leasing and regulation of mineral rights under
- 26 public lands;
- 27 (5) pipelines, pipeline companies, and all others

1 operating as common carriers in the state;

2 (6) electric utility regulation as it relates to
3 energy production and consumption;

4 (7) identifying, developing, and using alternative
5 energy sources;

6 (8) increasing energy efficiency throughout the
7 state;

8 (9) the coordination of the state's efforts related to
9 the federal designation of threatened and endangered species as it
10 relates to energy resources in the state; and

11 (10) the following state agencies: the Railroad
12 Commission of Texas, the Texas representative for the Interstate
13 Oil and Gas Compact Commission, the Office of Interstate Mining
14 Compact Commissioner for Texas, the State Energy Conservation
15 Office, and the Office of Southern States Energy Board Member for
16 Texas.

17 Sec. 12. ENVIRONMENTAL REGULATION. The committee shall
18 have nine members, with jurisdiction over all matters pertaining
19 to:

20 (1) air, land, and water pollution, including the
21 environmental regulation of industrial development;

22 (2) the regulation of waste disposal;

23 (3) environmental matters that are regulated by the
24 Department of State Health Services or the Texas Commission on
25 Environmental Quality;

26 (4) oversight of the Texas Commission on Environmental
27 Quality as it relates to environmental regulation; and

1 (5) the following state agency: the Texas Low-Level
2 Radioactive Waste Disposal Compact Commission.

3 Sec. 13. GENERAL INVESTIGATING (PROCEDURAL). (a) The
4 committee shall have five members of the house appointed by the
5 speaker. The speaker shall appoint the chair and the vice-chair of
6 the committee.

7 (b) The committee has all the powers and duties of a general
8 investigating committee and shall operate as the general
9 investigating committee of the house according to the procedures
10 prescribed by Subchapter B, Chapter 301, Government Code, and the
11 rules of the house, as applicable.

12 (b-1) The committee may begin work as soon as it desires
13 after its members are appointed. The committee shall meet,
14 organize, and adopt rules of evidence and procedure and any other
15 necessary rules. The committee rules may not conflict with Section
16 301.025, Government Code.

17 (b-2) Whether or not the legislature is in session, the
18 committee may meet at any time or place in the state determined
19 necessary by the committee.

20 (b-3) If the committee decides not to conduct joint hearings
21 as provided by Section 301.019, Government Code, the committee
22 shall establish a liaison to fully inform the chair of the senate
23 committee of the nature and progress of any inquiry by the other
24 committee.

25 (b-4) On a majority vote of the committee, the committee may
26 conduct joint hearings and investigations.

27 (b-5) The committee may:

1 (1) initiate or continue inquiries and hearings
2 concerning:

3 (A) state government;

4 (B) any agency or subdivision of government
5 within the state;

6 (C) the expenditure of public funds at any level
7 of government within the state; and

8 (D) any other matter the committee considers
9 necessary for the information of the legislature or for the welfare
10 and protection of state citizens; and

11 (2) inspect the records, documents, and files and may
12 examine the duties, responsibilities, and activities of each state
13 department, agency, and officer and of each municipality, county,
14 or other political subdivision of the state.

15 (b-6) If a person disobeys a subpoena or other process that
16 the committee lawfully issues, the committee may cite the person
17 for contempt and cause the person to be prosecuted for contempt
18 according to the procedure prescribed by Subchapter B, Chapter 301,
19 Government Code, or by other law.

20 (b-7) The committee shall make reports to members of the
21 legislature that the committee determines are necessary and
22 appropriate.

23 (b-8) Information held by the committee that if held by a
24 law enforcement agency or prosecutor would be excepted from the
25 requirements of Section 552.021, Government Code, under Section
26 552.108 of that code is confidential and not subject to public
27 disclosure.

1 (b-9) If for any reason it is necessary to obtain assistance
2 in addition to the services provided by the state auditor, attorney
3 general, Texas Legislative Council, or Department of Public Safety,
4 the committee may employ and compensate assistants to assist in any
5 investigation, audit, or legal matter.

6 (c) The committee may investigate a matter related to the
7 misconduct, malfeasance, misfeasance, abuse of office, or
8 incompetency of an individual or officer under Chapter 665,
9 Government Code. The committee has all the powers and duties
10 conferred by that chapter for the purpose of conducting the
11 investigation, including the authority to propose articles of
12 impeachment.

13 (d) The committee has original jurisdiction over the
14 receipt, processing, investigation, and resolution of complaints
15 related to appropriate workplace conduct under Rule 15, the
16 housekeeping resolution, and policies adopted by the Committee on
17 House Administration. If a complaint relates to the conduct of a
18 member of the committee, that member's employee, or an individual
19 related to the member or the member's employee within the third
20 degree by consanguinity or within the second degree by affinity as
21 determined under Chapter 573, Government Code:

22 (1) the member shall not participate in any committee
23 proceedings related to the complaint; and

24 (2) the speaker shall designate a member of the house
25 drawn by lot under Subsection (e) of this section to act in the
26 place of the disqualified member. The designation of a member under
27 this subsection ends when the committee makes its final disposition

1 of the complaint.

2 (e) When a member of the committee is disqualified under
3 Subsection (d) of this section, the chief clerk shall prepare a list
4 of the currently qualified members of the house, omitting the names
5 of the speaker, the disqualified member, each other member of the
6 committee, and any member elected from the same county as the
7 disqualified member. The chief clerk shall write on a separate
8 piece of paper of uniform size and color the name of each member
9 that appears on the prepared list. The chief clerk shall deposit
10 the pieces of paper in an opaque container that is designed to
11 permit the random distribution of the pieces of paper after their
12 initial deposit and to prevent the viewing of any of the pieces of
13 paper at any time. After the pieces of paper are randomly
14 distributed in the container, the sergeant-at-arms shall draw a
15 single piece of paper and deliver that piece of paper to the chief
16 clerk. The chief clerk shall inform the speaker of the name drawn
17 by the sergeant-at-arms for designation under Subsection (d).

18 Sec. 14. HIGHER EDUCATION. The committee shall have 11
19 members, with jurisdiction over all matters pertaining to:

20 (1) education beyond high school;

21 (2) the colleges and universities of the State of
22 Texas; and

23 (3) the following state agencies: the Texas A&M
24 Engineering Experiment Station, the Texas A&M Engineering
25 Extension Service, the Texas Higher Education Coordinating Board,
26 the Texas Guaranteed Student Loan Corporation, the Prepaid Higher
27 Education Tuition Board, and the Texas A&M Transportation

1 Institute.

2 Sec. 15. HOMELAND SECURITY AND PUBLIC SAFETY. The
3 committee shall have nine members, with jurisdiction over all
4 matters pertaining to:

5 (1) law enforcement;

6 (2) the prevention of crime and the apprehension of
7 criminals;

8 (3) the provision of security services by private
9 entities;

10 (4) homeland security, including:

11 (A) the defense of the state and nation,
12 including terrorism response; and

13 (B) disaster mitigation, preparedness, response,
14 and recovery; and

15 (5) the following state agencies: the Texas Commission
16 on Law Enforcement, the Department of Public Safety, the Texas
17 Division of Emergency Management, the Emergency Management
18 Council, the Texas Forensic Science Commission, the Texas Military
19 Preparedness Commission, [~~the Texas Private Security Board,~~] the
20 Commission on State Emergency Communications, and the Texas Crime
21 Stoppers Council.

22 Sec. 16. HOUSE ADMINISTRATION (PROCEDURAL). (a) The
23 committee shall have 11 members, with jurisdiction over:

24 (1) administrative operation of the house and its
25 employees;

26 (2) the adoption of policies and procedures for
27 appropriate workplace conduct under Rule 15 and the housekeeping

1 resolution, including policies and procedures relating to the
2 training of members, officers, and employees;

3 (3) the general house fund, with full control over all
4 expenditures from the fund;

5 (4) all property, equipment, and supplies obtained by
6 the house for its use and the use of its members;

7 (5) all office space available for the use of the house
8 and its members;

9 (6) the assignment of vacant office space, vacant
10 parking spaces, and vacant desks on the house floor to members with
11 seniority based on cumulative years of service in the house, except
12 that the committee may make these assignments based on physical
13 disability of a member where it deems proper;

14 (7) all admissions to the floor during sessions of the
15 house;

16 (8) all proposals to invite nonmembers to appear
17 before or address the house or a joint session;

18 (9) all radio, television, and Internet broadcasting,
19 live or recorded, of sessions of the house;

20 (10) the electronic recording of the proceedings of
21 the house of representatives and the custody of the recordings of
22 testimony before house committees, with authority to promulgate
23 reasonable rules, regulations, and conditions concerning the
24 safekeeping, reproducing, and transcribing of the recordings, and
25 the defraying of costs for transcribing the recordings, subject to
26 other provisions of these rules;

27 (11) all witnesses appearing before the house or any

1 committee thereof in support of or in opposition to any pending
2 legislative proposal;

3 (12) the Rules of Procedure of the House of
4 Representatives, Joint Rules of the House and Senate, and all
5 proposed amendments;

6 (13) other matters concerning the rules, procedures,
7 and operation of the house assigned by the speaker; and

8 (14) the following state agency: the State
9 Preservation Board.

10 (b) The committee must vote to adopt the annual budget for
11 each house department.

12 Sec. 17. HUMAN SERVICES. The committee shall have nine
13 members, with jurisdiction over all matters pertaining to:

14 (1) welfare and rehabilitation programs and their
15 development, administration, and control;

16 (2) oversight of the Health and Human Services
17 Commission and the Texas Behavioral Health Executive Council as it
18 relates to the subject matter jurisdiction of this committee;

19 (3) intellectual disabilities and the development of
20 programs incident thereto;

21 (4) the prevention and treatment of intellectual
22 disabilities; and

23 (5) the following state agencies: the Department of
24 Family and Protective Services, the Texas State Board of Social
25 Worker Examiners, and the Texas State Board of Examiners of
26 Professional Counselors.

27 Sec. 18. INSURANCE. The committee shall have nine members,

1 with jurisdiction over all matters pertaining to:

2 (1) insurance and the insurance industry;

3 (2) all insurance companies and other organizations of
4 any type writing or issuing policies of insurance in the State of
5 Texas, including their organization, incorporation, management,
6 powers, and limitations; and

7 (3) the following state agencies: the Texas
8 Department of Insurance, the Texas Health Benefits Purchasing
9 Cooperative, and the Office of Public Insurance Counsel.

10 Sec. 19. INTERNATIONAL RELATIONS AND ECONOMIC DEVELOPMENT.

11 The committee shall have nine members, with jurisdiction over all
12 matters pertaining to:

13 (1) the relations between the State of Texas and other
14 nations, including matters related to trade relations and
15 international trade zones;

16 (2) the relations between the State of Texas and the
17 federal government other than matters involving defense, emergency
18 preparedness, and veterans issues;

19 (3) the relations between the State of Texas and other
20 states of the United States;

21 (4) commerce, trade, and manufacturing, including
22 international commerce and trade and the regulation of persons
23 participating in international commerce and trade;

24 (5) cooperation between the state or a local
25 governmental entity and the scientific and technological
26 community, including private businesses, institutions of higher
27 education, and federal governmental laboratories;

- 1 (6) weights and measures;
- 2 (7) workforce training;
- 3 (8) economic and industrial development;
- 4 (9) development and support of small businesses;
- 5 (10) job creation and job-training programs;
- 6 (11) hours, wages, collective bargaining, and the
- 7 relationship between employers and employees;
- 8 (12) international and border regions (as described in
- 9 Sections 2056.002(e)(2) and (3), Government Code) economic
- 10 development, public health and safety issues affecting the border,
- 11 tourist development, and goodwill, and economic development,
- 12 tourist development, and goodwill in other areas of the state that
- 13 have experienced a significant increase in the percentage of the
- 14 population that consists of immigrants from other nations,
- 15 according to the last two federal decennial censuses or another
- 16 reliable measure;
- 17 (13) the provision of public services to persons
- 18 residing in proximity to Texas' international border or in other
- 19 areas of the state that have experienced a significant increase in
- 20 the percentage of the population that consists of immigrants from
- 21 other nations, according to the last two federal decennial censuses
- 22 or another reliable measure; and
- 23 (14) the following state agencies: the Office of
- 24 State-Federal Relations, the Texas Economic Development and
- 25 Tourism Office, the Texas Workforce Commission, and the Texas
- 26 Workforce Investment Council.

27 Sec. 20. JUDICIARY AND CIVIL JURISPRUDENCE. The committee

1 shall have nine members, with jurisdiction over all matters
2 pertaining to:

3 (1) fines and penalties arising under civil laws;

4 (2) civil law, including rights, duties, remedies, and
5 procedures thereunder, and including probate and guardianship
6 matters;

7 (3) civil procedure in the courts of Texas;

8 (4) administrative law and the adjudication of rights
9 by administrative agencies;

10 (5) permission to sue the state;

11 (6) uniform state laws;

12 (7) creating, changing, or otherwise affecting courts
13 of judicial districts of the state;

14 (8) establishing districts for the election of
15 judicial officers;

16 (9) courts and court procedures except where
17 jurisdiction is specifically granted to some other standing
18 committee; and

19 (10) the following state agencies: the Supreme Court,
20 the courts of appeals, the Court of Criminal Appeals, the State
21 Commission on Judicial Conduct, the Office of Court Administration
22 of the Texas Judicial System, the State Law Library, the Texas
23 Judicial Council, the Judicial Branch Certification Commission,
24 the Office of the Attorney General, the Board of Law Examiners, the
25 State Bar of Texas, and the State Office of Administrative
26 Hearings.

27 Sec. 21. JUVENILE JUSTICE AND FAMILY ISSUES. The committee

1 shall have nine members, with jurisdiction over all matters
2 pertaining to:

- 3 (1) the commitment and rehabilitation of youths;
- 4 (2) the construction, operation, and management of
5 correctional facilities of the state and facilities used for the
6 commitment and rehabilitation of youths;
- 7 (3) juvenile delinquency and gang violence;
- 8 (4) criminal law, prohibitions, standards, and
9 penalties as applied to juveniles;
- 10 (5) criminal procedure in the courts of Texas as it
11 relates to juveniles;
- 12 (6) civil law as it relates to familial relationships,
13 including rights, duties, remedies, and procedures; and
- 14 (7) the following state agencies: the Texas Juvenile
15 Justice Board, the Texas Juvenile Justice Department, the Office of
16 Independent Ombudsman for the Texas Juvenile Justice Department,
17 and the Advisory Council on Juvenile Services.

18 Sec. 22. LAND AND RESOURCE MANAGEMENT. The committee shall
19 have nine members, with jurisdiction over all matters pertaining
20 to:

- 21 (1) the management of public lands;
- 22 (2) the power of eminent domain;
- 23 (3) the creation, modification, and regulation of
24 municipal utility districts;
- 25 (4) annexation, zoning, and other governmental
26 regulation of land use; and
- 27 (5) the following state agencies: the School Land

1 Board, the Board for Lease of University Lands, and the General Land
2 Office.

3 Sec. 23. LICENSING AND ADMINISTRATIVE PROCEDURES. The
4 committee shall have 11 members, with jurisdiction over all
5 matters pertaining to:

6 (1) the oversight of businesses, industries, general
7 trades, and occupations regulated by this state;

8 (2) the regulation of greyhound and horse racing and
9 other gaming industries;

10 (3) regulation of the sale of intoxicating beverages
11 and local option control;

12 (4) the Alcoholic Beverage Code; and

13 (5) the following state agencies: the Texas
14 Department of Licensing and Regulation, the State Office of
15 Administrative Hearings, the Texas Board of Architectural
16 Examiners, the Texas State Board of Public Accountancy, the Texas
17 Real Estate Commission, the Texas State Board of Plumbing
18 Examiners, the Texas Board of Professional Engineers and Land
19 Surveyors, the Real Estate Center at Texas A&M University, [~~the~~
20 ~~Texas Board of Professional Land Surveying,~~] the Texas Racing
21 Commission, the Texas Appraiser Licensing and Certification Board,
22 the Texas Lottery Commission, and the Texas Alcoholic Beverage
23 Commission.

24 Sec. 24. LOCAL AND CONSENT CALENDARS (PROCEDURAL). The
25 committee shall have 11 members, with jurisdiction over:

26 (1) the placement on appropriate calendars of bills
27 and resolutions that, in the opinion of the committee, are in fact

1 local or will be uncontested, and have been recommended as such by
2 the standing committee of original jurisdiction; and

3 (2) the determination of priorities for floor
4 consideration of bills and resolutions except those within the
5 jurisdiction of the Committee on Calendars and the Committee on
6 Resolutions Calendars.

7 Sec. 25. NATURAL RESOURCES. The committee shall have 11
8 members, with jurisdiction over all matters pertaining to:

9 (1) the conservation of the natural resources of
10 Texas;

11 (2) the control and development of land and water and
12 land and water resources, including the taking, storing, control,
13 and use of all water in the state, and its appropriation and
14 allocation;

15 (3) irrigation, irrigation companies, and irrigation
16 districts, and their incorporation, management, and powers;

17 (4) the creation, modification, and regulation of
18 groundwater conservation districts, water supply districts, water
19 control and improvement districts, conservation and reclamation
20 districts, and all similar organs of local government dealing with
21 water and water supply not otherwise assigned by these rules to
22 another standing committee;

23 (5) oversight of the Texas Commission on Environmental
24 Quality as it relates to the regulation of water resources; and

25 (6) the following state agencies: the Office of
26 Canadian River Compact Commissioner for Texas, the Office of Pecos
27 River Compact Commissioner for Texas, the Office of Red River

1 Compact Commissioner for Texas, the Office of Rio Grande Compact
2 Commissioner for Texas, the Office of Sabine River Compact
3 Commissioners for Texas, the Southwestern States Water Commission,
4 and the Texas Water Development Board.

5 Sec. 26. PENSIONS, INVESTMENTS, AND FINANCIAL SERVICES.

6 The committee shall have nine [~~11~~] members, with jurisdiction over
7 all matters pertaining to:

8 (1) banking and the state banking system;

9 (2) savings and loan associations;

10 (3) credit unions;

11 (4) the regulation of state and local bonded
12 indebtedness;

13 (5) the lending of money;

14 (6) benefits or participation in benefits of a public
15 retirement system and the financial obligations of a public
16 retirement system;

17 (7) the regulation of securities and investments;

18 (8) privacy and identity theft; and

19 (9) the following state agencies: the Finance

20 Commission of Texas, the Credit Union Commission, the Office of

21 Consumer Credit Commissioner, the Office of Banking Commissioner,

22 the Texas Department of Banking, the Department of Savings and

23 Mortgage Lending, the Texas Treasury Safekeeping Trust Company, the

24 Texas Public Finance Authority, the Bond Review Board, the Texas

25 Emergency Services Retirement System, the Board of Trustees of the

26 Teacher Retirement System of Texas, the Board of Trustees of the

27 Employees Retirement System of Texas, the Board of Trustees of the

1 Texas County and District Retirement System, the Board of Trustees
2 of the Texas Municipal Retirement System, the State Pension Review
3 Board, and the State Securities Board.

4 Sec. 27. PUBLIC EDUCATION. The committee shall have 13
5 members, with jurisdiction over all matters pertaining to:

6 (1) the public schools and the public school system of
7 Texas and the financing thereof;

8 (2) the state programming of elementary and secondary
9 education for the public school system of Texas;

10 (3) proposals to create, change, or otherwise alter
11 school districts of the state; and

12 (4) the following organizations and state agencies:
13 the State Board of Education, the Texas Education Agency, the Texas
14 representatives to the Education Commission of the States, the
15 [~~Office of~~ Southern Regional Education Board [~~Compact~~
16 ~~Commissioner for Texas~~], the Texas School for the Blind and
17 Visually Impaired, the State Board for Educator Certification, and
18 the Texas School for the Deaf.

19 Sec. 28. PUBLIC HEALTH. The committee shall have 11
20 members, with jurisdiction over all matters pertaining to:

21 (1) the protection of public health, including
22 supervision and control of the practice of medicine and dentistry
23 and other allied health services;

24 (2) mental health and the development of programs
25 incident thereto;

26 (3) the prevention and treatment of mental illness;

27 (4) oversight of the Health and Human Services

1 Commission and the Texas Behavioral Health Executive Council as it
2 relates to the subject matter jurisdiction of this committee; and

3 (5) the following state agencies: the Department of
4 State Health Services, the Anatomical Board of the State of Texas,
5 the Texas Funeral Service Commission, the Hearing Instrument
6 Fitters and Dispensers Advisory Board, the Texas Health Services
7 Authority, the Texas Optometry Board, the Texas Radiation Advisory
8 Board, the Texas State Board of Pharmacy, [~~the Interagency Obesity~~
9 ~~Council,~~] the Texas Board of Nursing, the Texas Board of
10 Chiropractic Examiners, the Texas Board of Physical Therapy
11 Examiners, the Massage Therapy Advisory Board, the Podiatric
12 Medical Examiners Advisory Board, the Texas State Board of
13 Examiners of Psychologists, the Texas State Board of Examiners of
14 Marriage and Family Therapists, the Behavior Analyst Advisory
15 Board, the State Board of Dental Examiners, the Texas Medical
16 Board, the Advisory Board of Athletic Trainers, the Cancer
17 Prevention and Research Institute of Texas, the Texas State Board
18 of Acupuncture Examiners, the Health Professions Council, the
19 Office of Patient Protection, [~~and~~] the Texas Board of Occupational
20 Therapy Examiners, and the Texas Child Mental Health Care
21 Consortium.

22 Sec. 29. REDISTRICTING (PROCEDURAL). The committee shall
23 have 15 members, with jurisdiction over all matters pertaining to:

24 (1) legislative districts, both house and senate, and
25 any changes or amendments;

26 (2) congressional districts, their creation, and any
27 changes or amendments;

1 (3) establishing districts for the election of
2 judicial officers or of governing bodies or representatives of
3 political subdivisions or state agencies as required by law; and

4 (4) preparations for the redistricting process.

5 Sec. 30. RESOLUTIONS CALENDARS (PROCEDURAL). The committee
6 shall have 11 members, with jurisdiction over:

7 (1) the placement on appropriate calendars of
8 resolutions that, in the opinion of the committee, are in fact
9 congratulatory or memorial;

10 (2) the determination of priorities for floor
11 consideration of resolutions except those within the jurisdiction
12 of the Committee on Calendars and the Committee on Local and Consent
13 Calendars;

14 (3) all procedures for expediting the business of the
15 house in expressing concern or commendation in an orderly and
16 efficient manner;

17 (4) all resolutions to congratulate, memorialize, or
18 name mascots of the house; and

19 (5) other matters concerning rules, procedures, and
20 operation of the house in expressing concern or commendation
21 assigned by the speaker.

22 Sec. 31. STATE AFFAIRS. The committee shall have 13
23 members, with jurisdiction over all matters pertaining to:

24 (1) questions and matters of state policy;

25 (2) the administration of state government;

26 (3) the organization, operation, powers, regulation,
27 and management of state departments, agencies, and institutions;

1 (4) the operation and regulation of public lands and
2 state buildings;

3 (5) the duties and conduct of officers and employees
4 of the state government;

5 (6) the duties and conduct of candidates for public
6 office and of persons with an interest in influencing public
7 policy;

8 (7) the operation of state government and its agencies
9 and departments; all of above except where jurisdiction is
10 specifically granted to some other standing committee;

11 (8) access of the state agencies to scientific and
12 technological information;

13 (9) the regulation and deregulation of electric
14 utilities and the electric industry;

15 (10) the regulation and deregulation of
16 telecommunications utilities and the telecommunications industry;

17 (11) electric utility regulation as it relates to
18 energy production and consumption;

19 (12) pipelines, pipeline companies, and all others
20 operating as common carriers in the state;

21 (13) the regulation and deregulation of other
22 industries jurisdiction of which is not specifically assigned to
23 another committee under these rules;

24 (14) advances in science and technology, including
25 telecommunications, electronic technology, or automated data
26 processing, by state agencies, including institutions of higher
27 education;

1 (15) the promotion within the state of an advance
2 described by Subdivision (14) of this section;

3 (16) cybersecurity; and

4 (17) the following organizations and state agencies:
5 the Council of State Governments, the National Conference of State
6 Legislatures, the Office of the Governor, the Texas Ethics
7 Commission, the Texas Facilities Commission, the Department of
8 Information Resources, the Inaugural Endowment Fund Committee, the
9 Sunset Advisory Commission, the Public Utility Commission of Texas,
10 and the Office of Public Utility Counsel.

11 Sec. 32. TRANSPORTATION. The committee shall have 13
12 members, with jurisdiction over all matters pertaining to:

13 (1) commercial motor vehicles, both bus and truck, and
14 their control, regulation, licensing, and operation;

15 (2) the Texas highway system, including all roads,
16 bridges, and ferries constituting a part of the system;

17 (3) the licensing of private passenger vehicles to
18 operate on the roads and highways of the state;

19 (4) the regulation and control of traffic on the
20 public highways of the State of Texas;

21 (5) railroads, street railway lines, interurban
22 railway lines, steamship companies, and express companies;

23 (6) airports, air traffic, airlines, and other
24 organizations engaged in transportation by means of aerial flight;

25 (7) water transportation in the State of Texas, and
26 the rivers, harbors, and related facilities used in water
27 transportation and the agencies of government exercising

1 supervision and control thereover;

2 (8) the regulation of metropolitan transit; and

3 (9) the following state agencies: the Texas Department
4 of Motor Vehicles, the Texas Department of Transportation, and the
5 Texas Transportation Commission.

6 Sec. 33. URBAN AFFAIRS. The committee shall have nine
7 members, with jurisdiction over all matters pertaining to:

8 (1) municipalities, including their creation,
9 organization, powers, government, and finance, and the
10 compensation and duties of their officers and employees;

11 (2) home-rule municipalities, their relationship to
12 the state, and their powers, authority, and limitations;

13 (3) the creation or change of metropolitan areas and
14 the form of government under which those areas operate;

15 (4) problems and issues particularly affecting
16 metropolitan areas of the state;

17 (5) other units of local government not otherwise
18 assigned by these rules to other standing committees;

19 (6) establishing districts for the election of
20 governing bodies of municipalities;

21 (7) land use regulation by municipalities; and

22 (8) the following state agencies: the Texas
23 Department of Housing and Community Affairs and the Texas
24 Commission on Fire Protection.

25 Sec. 34. WAYS AND MEANS. The committee shall have 11
26 members, with jurisdiction over:

27 (1) all bills and resolutions proposing to raise state

- 1 revenue;
- 2 (2) all bills or resolutions proposing to levy state
- 3 taxes or other fees;
- 4 (3) all proposals to modify, amend, or change any
- 5 existing state tax or revenue statute;
- 6 (4) all proposals to regulate the manner of collection
- 7 of state revenues and taxes;
- 8 (5) all bills and resolutions containing provisions
- 9 resulting in automatic allocation of funds from the state treasury;
- 10 (6) all bills and resolutions diverting funds from the
- 11 state treasury or preventing funds from going in that otherwise
- 12 would be placed in the state treasury;
- 13 (7) all bills and resolutions proposing to permit a
- 14 local government to raise revenue;
- 15 (8) all bills and resolutions proposing to permit a
- 16 local government to levy or impose property taxes, sales and use
- 17 taxes, or other taxes and fees;
- 18 (9) all proposals to modify, amend, or change any
- 19 existing local government tax or revenue statute;
- 20 (10) all proposals to regulate the manner of
- 21 collection of local government revenues and taxes;
- 22 (11) all bills and resolutions relating to the
- 23 appraisal of property for taxation;
- 24 (12) all bills and resolutions relating to the Tax
- 25 Code; and
- 26 (13) the following organizations and state agencies:
- 27 the [~~Office of~~] Multistate Tax Commission [~~Compact Commissioner for~~

H.R. No. 4

1 ~~Texas~~] and the Comptroller of Public Accounts.

1 RULE 4. ORGANIZATION, POWERS, AND DUTIES OF COMMITTEES

2 CHAPTER A. ORGANIZATION

3 Sec. 1. COMMITTEES, MEMBERSHIP, AND JURISDICTION. Standing
4 committees of the house, and the number of members and general
5 jurisdiction of each, shall be as enumerated in Rule 3.

6 Sec. 2. DETERMINATION OF MEMBERSHIP. (a) Membership on
7 the standing committees shall be determined at the beginning of
8 each regular session in the following manner:

9 (1) For each standing substantive committee, a maximum
10 of one-half of the membership, exclusive of the chair and
11 vice-chair, shall be determined by seniority. The remaining
12 membership of the committee shall be appointed by the speaker.

13 (2) Each member of the house, in order of seniority,
14 may designate three committees on which he or she desires to serve,
15 listed in order of preference. The member is entitled to become a
16 member of the committee of his or her highest preference on which
17 there remains a vacant seniority position.

18 (3) If members of equal seniority request the same
19 committee, the speaker shall appoint the member from among those
20 requesting that committee. Seniority, as the term is used in this
21 subsection, shall mean years of cumulative service as a member of
22 the house of representatives.

23 (4) After each member of the house has selected one
24 committee on the basis of seniority, the remaining membership on
25 each standing committee shall be filled by appointment of the
26 speaker, subject to the limitations imposed in this chapter.

27 (5) Seniority shall not apply to a procedural

1 committee. For purposes of these rules, the procedural committees
2 are the Committee on Calendars, the Committee on Local and Consent
3 Calendars, the Committee on Resolutions Calendars, the General
4 Investigating Committee, the Committee on House Administration,
5 and the Committee on Redistricting. The entire membership of these
6 committees shall be appointed by the speaker.

7 (6) In announcing the membership of committees, the
8 speaker shall designate those appointed by the speaker and those
9 acquiring membership by seniority.

10 (7) The speaker shall designate the chair and
11 vice-chair from the total membership of the committee.

12 (b) In the event of a vacancy in a representative district
13 that has not been filled at the time of the determination of the
14 membership of standing committees, the representative of the
15 district who fills that vacancy shall not be entitled to select a
16 committee on the basis of seniority. Committee appointments on
17 behalf of that district shall be designated by the district number.

18 (c) In the event that a member-elect of the current
19 legislature has not taken the oath of office by the end of the ninth
20 day of the regular session, the representative of that district
21 shall not be entitled to select a committee on the basis of
22 seniority. If the member-elect has not taken the oath of office by
23 the time committee appointments are announced, committee
24 appointments on behalf of that district shall be designated by
25 district number.

26 Sec. 3. RANKING OF COMMITTEE MEMBERS. Except for the chair
27 and vice-chair, members of a standing committee shall rank

1 according to their seniority.

2 Sec. 4. MEMBERSHIP RESTRICTIONS. (a) No member shall serve
3 concurrently on more than two standing substantive committees.

4 (b) A member serving as chair of the Committee on
5 Appropriations, ~~[or]~~ the Committee on State Affairs, or the
6 Committee on Ways and Means may not serve on any other substantive
7 committee.

8 (c) A permanent speaker pro tempore appointed under Rule 1,
9 Section 10, may not serve on more than one substantive committee or
10 as chair of a standing committee.

11 Sec. 5. VACANCIES ON COMMITTEES. Should a vacancy occur on
12 a standing, select, or interim committee subsequent to its
13 organization, the speaker shall appoint an eligible member to fill
14 the vacancy.

15 Sec. 6. DUTIES OF THE CHAIR. The chair of each committee
16 shall:

17 (1) be responsible for the effective conduct of the
18 business of the committee;

19 (2) appoint all subcommittees and determine the number
20 of members to serve on each subcommittee;

21 (3) in consultation with members of the committee,
22 schedule the work of the committee and determine the order in which
23 the committee shall consider and act on bills, resolutions, and
24 other matters referred to the committee;

25 (4) have authority to employ and discharge the staff
26 and employees authorized for the committee and have supervision and
27 control over all the staff and employees;

1 (5) direct the preparation of all committee reports.
2 No committee report shall be official until signed by the chair of
3 the committee, or by the person acting as chair, or by a majority of
4 the membership of the committee;

5 (6) determine the necessity for public hearings,
6 schedule hearings, and be responsible for directing the posting of
7 notice of hearings as required by the rules;

8 (7) preside at all meetings of the committee and
9 control its deliberations and activities in accordance with
10 acceptable parliamentary procedure; and

11 (8) have authority to direct the sergeant-at-arms to
12 assist, where necessary, in enforcing the will of the committee.

13 Sec. 7. BILL ANALYSES. Except for the general
14 appropriations bill, for each bill or joint resolution referred to
15 the committee, the staff of the committee shall be responsible for
16 distributing a copy of a bill analysis to each member of the
17 committee and the author of a house measure at the earliest possible
18 opportunity but not later than the first time the measure is laid
19 out in a committee meeting.

20 CHAPTER B. PROCEDURE

21 Sec. 8. MEETINGS. (a) As soon as practicable after
22 standing committees are constituted and organized, the committee
23 coordinator, under the direction of the Committee on House
24 Administration, shall prepare a schedule for regular meetings of
25 all standing committees. This schedule shall be published in the
26 house journal and posted in a convenient and conspicuous place near
27 the entrance to the house and on other posting boards for committee

1 meeting notices, as determined necessary by the Committee on House
2 Administration. To the extent practicable during each regular
3 session, standing committees shall conduct regular committee
4 meetings in accordance with the schedule of meetings prepared by
5 the committee coordinator under the supervision of the Committee on
6 House Administration.

7 (b) Standing committees shall meet at other times as may be
8 determined by the committee, or as may be called by the chair.
9 Subcommittees of standing committees shall likewise meet at other
10 times as may be determined by the committee, or as may be called by
11 the chair of the committee or subcommittee.

12 (c) Committees shall also meet in such places and at such
13 times as the speaker may designate.

14 Sec. 9. MEETING WHILE HOUSE IN SESSION. No standing
15 committee or subcommittee shall meet during the time the house is in
16 session without permission being given by a majority vote of the
17 house. No standing committee or subcommittee shall conduct its
18 meeting on the floor of the house or in the house chamber while the
19 house is in session, but shall, if given permission to meet while
20 the house is in session, retire to a designated committee room for
21 the conduct of its meeting.

22 Sec. 10. PURPOSES FOR MEETING. A committee or a
23 subcommittee may be assembled for:

24 (1) a public hearing where testimony is to be heard,
25 and where official action may be taken, on bills, resolutions, or
26 other matters;

27 (2) a formal meeting where the committee may discuss

1 and take official action on bills, resolutions, or other matters
2 without testimony; and

3 (3) a work session where the committee may discuss
4 bills, resolutions, or other matters but take no formal action.

5 Sec. 11. POSTING NOTICE. (a) No committee or
6 subcommittee, including a calendars committee, shall assemble for
7 the purpose of a public hearing during a regular session unless
8 notice of the hearing has been posted in accordance with the rules
9 at least five calendar days in advance of the hearing. No committee
10 or subcommittee, including a calendars committee, shall assemble
11 for the purpose of a public hearing during a special session unless
12 notice of the hearing has been posted in accordance with the rules
13 at least 24 hours in advance of the hearing. The committee minutes
14 shall reflect the date of each posting of notice. Notice shall not
15 be required for a public hearing or a formal meeting on a senate
16 bill which is substantially the same as a house bill that has
17 previously been the subject of a duly posted public hearing by the
18 committee.

19 (b) No committee or subcommittee, including a calendars
20 committee, shall assemble for the purpose of a formal meeting or
21 work session during a regular or special session unless written
22 notice has been posted and transmitted to each member of the
23 committee two hours in advance of the meeting or an announcement has
24 been filed with the journal clerk and read by the reading clerk
25 while the house is in session.

26 (c) All committees meeting during the interim for the
27 purpose of a formal meeting, work session, or public hearing shall

1 post notice in accordance with the rules and notify members of the
2 committee at least five calendar days in advance of the meeting.

3 Sec. 12. MEETINGS OPEN TO THE PUBLIC. All meetings of a
4 committee or subcommittee, including a calendars committee, shall
5 be open to other members, the press, and the public unless
6 specifically provided otherwise by resolution adopted by the house.
7 However, the General Investigating Committee or a committee
8 considering an impeachment, an address, the punishment of a member
9 of the house, or any other matter of a quasi-judicial nature may
10 meet in executive session for the limited purpose of examining a
11 witness or deliberating, considering, or debating a decision, but
12 no decision may be made or voted on except in a meeting that is open
13 to the public and otherwise in compliance with the rules of the
14 house.

15 Sec. 13. RULES GOVERNING OPERATIONS. (a) The Rules of
16 Procedure of the House of Representatives, and to the extent
17 applicable, the rules of evidence and procedure in the civil courts
18 of Texas, shall govern the hearings and operations of each
19 committee, including a calendars committee. Subject to the
20 foregoing, and to the extent necessary for orderly transaction of
21 business, each committee may promulgate and adopt additional rules
22 and procedures by which it will function. A copy of the rules and
23 procedures adopted by a committee must be filed with the chief
24 clerk. If the house is convened in a regular or special session, a
25 copy of the rules and procedures shall also be delivered to the
26 journal clerk and printed in the journal.

27 (b) No standing committee, including a calendars committee,

1 or any subcommittee, shall adopt any rule of procedure, including
2 but not limited to an automatic subcommittee rule, which will have
3 the effect of thwarting the will of the majority of the committee or
4 subcommittee or denying the committee or subcommittee the right to
5 ultimately dispose of any pending matter by action of a majority of
6 the committee or subcommittee. A bill or resolution may not be laid
7 on the table subject to call in committee without a majority vote of
8 the committee.

9 (c) Each committee of the house shall have authority to
10 determine whether or not to permit television, radio, or Internet
11 broadcasts, other than official house broadcasts, of any of its
12 proceedings.

13 Sec. 14. APPEALS FROM RULINGS OF THE CHAIR. Appeals from
14 rulings of the chair of a committee shall be in order if seconded by
15 three members of the committee, which may include the member making
16 the appeal. Procedure in committee following an appeal which has
17 been seconded shall be the same as the procedure followed in the
18 house in a similar situation.

19 Sec. 15. PREVIOUS QUESTION. Before the previous question
20 can be ordered in a committee, the motion therefor must be seconded
21 by not less than 4 members of a committee consisting of 21 or more
22 members, 3 members of a committee consisting of less than 21 members
23 and more than 10 members, or 2 members of a committee consisting of
24 10 members or less. If the motion is properly seconded and ordered
25 by a majority vote of the committee, further debate on the
26 proposition under consideration shall be terminated, and the
27 proposition shall be immediately put to a vote of the committee for

1 its action.

2 Sec. 16. QUORUM. A majority of a committee shall
3 constitute a quorum. No action or recommendation of a committee
4 shall be valid unless taken at a meeting of the committee with a
5 quorum actually present, and the committee minutes shall reflect
6 the names of those members of the committee who were actually
7 present. No committee report shall be made to the house nor shall
8 bills or resolutions be placed on a calendar unless ordered by a
9 majority of the membership of the committee, except as otherwise
10 provided in the rules, and a quorum of the committee must be present
11 when the vote is taken on reporting a bill or resolution, on placing
12 bills or resolutions on a calendar, or on taking any other formal
13 action within the authority of the committee. No committee report
14 shall be made nor shall bills or resolutions be placed on a calendar
15 except by record vote of the members of the committee, with the yeas
16 and nays to be recorded in the minutes of the committee. Proxies
17 cannot be used in committees.

18 Sec. 17. MOVING A CALL OF A COMMITTEE. (a) It shall be in
19 order to move a call of a committee at any time to secure and
20 maintain a quorum for any one or more of the following purposes:

21 (1) for the consideration of a specific bill,
22 resolution, or other matter;

23 (2) for a definite period of time; or

24 (3) for the consideration of any designated class of
25 bills or other matters.

26 (b) When a call of a committee is moved for one or more of
27 the foregoing purposes and seconded by two members, one of whom may

1 be the chair, and is ordered by a majority of the members present,
2 no member shall thereafter be permitted to leave the committee
3 meeting without written permission from the chair. After the call
4 is ordered, and in the absence of a quorum, the chair shall have the
5 authority to authorize the sergeant-at-arms to locate absent
6 members of the committee and to compel their attendance for the
7 duration of the call.

8 Sec. 18. MINUTES OF PROCEEDINGS. (a) For each committee,
9 including a calendars committee, the chair, or the member acting as
10 chair, shall keep complete minutes of the proceedings in committee,
11 which shall include:

12 (1) the time and place of each meeting of the
13 committee;

14 (2) a roll call to determine the members present at
15 each meeting of the committee, whether that meeting follows an
16 adjournment or a recess from a previous committee meeting;

17 (3) an accurate record of all votes taken, including a
18 listing of the yeas and nays cast on a record vote;

19 (4) the date of posting of notice of the meeting; and

20 (5) other information that the chair shall determine.

21 (b) The minutes for each public hearing of a committee shall
22 also include an attachment listing the names of the persons, other
23 than members of the legislature, and the persons or entities
24 represented by those persons, who were recognized by the chair to
25 address the committee. The attachment shall also list the name of
26 each person, other than a member of the legislature, who submitted
27 to the committee a sworn statement indicating that the person was

1 present in favor of, in opposition to, or without taking a position
2 on the measure or other matter, but who because of the person's
3 departure or other reason was not recognized by the chair to address
4 the committee; provided that the omission of the name of such a
5 person is not subject to a point of order.

6 (c) Committee minutes shall be corrected only at the
7 direction of the chair as authorized by a majority vote of the
8 committee. Duplicate originals of committee minutes shall be
9 maintained, one to remain with the committee chair and the other to
10 be filed with the committee coordinator. The committee minutes of a
11 meeting of the Appropriations Committee on the general
12 appropriations bill must be filed with the committee coordinator
13 within five days of the committee meeting. All other committee
14 minutes must be filed with the committee coordinator within three
15 days of the committee meeting for a substantive committee or the
16 Committee on Redistricting, and within one day of the committee
17 meeting for a procedural committee other than the Committee on
18 Redistricting. If the date on which the committee minutes are due
19 occurs on a Saturday, Sunday, or holiday on which the house is not
20 in session, the committee minutes shall be filed on the following
21 working day. The time at which the minutes are filed shall be
22 time-stamped on the duplicate originals of the minutes that are
23 filed with the committee coordinator. The duplicate originals
24 shall be available at all reasonable business hours for inspection
25 by members or the public.

26 (d) The committee coordinator shall maintain the minutes
27 and records safe from loss, destruction, and alteration at all

1 times, and may, at any time, turn them, or any portion, over to the
2 Committee on House Administration.

3 Sec. 18A. INTERNET ACCESS TO COMMITTEE DOCUMENTS. (a) The
4 committee coordinator shall establish procedures for making
5 available to the public on the Internet documents relating to the
6 proceedings of substantive committees.

7 (b) A substantive committee shall make available to the
8 public on the Internet:

9 (1) any committee substitute or amendment laid before
10 the committee; and

11 (2) any nonconfidential written testimony submitted
12 by a state agency for consideration by the committee that relates to
13 a measure referred to the committee.

14 (c) A committee's failure to comply with this section is not
15 subject to a point of order.

16 Sec. 19. RECORDING OF TESTIMONY. All testimony before
17 committees and subcommittees shall be electronically recorded
18 under the direction of the Committee on House Administration.
19 Copies of the testimony may be released under guidelines
20 promulgated by the Committee on House Administration.

21 Sec. 19A. RECORDING OF APPROPRIATIONS MEETINGS. (a) The
22 Committee on House Administration shall ensure that an audio and
23 video recording of any public hearing, formal meeting, or work
24 session of the Committee on Appropriations or a subcommittee of the
25 Committee on Appropriations is made available to the public on the
26 Internet in a timely manner.

27 (b) To the extent that current technological capabilities

1 prohibit immediate implementation of this section, the Committee on
2 House Administration shall use the committee's best efforts to
3 conform to the requirements of this section as soon as practicable.

4 Sec. 20. SWORN STATEMENT OF WITNESSES. (a) The committee
5 coordinator, under the direction of the Committee on House
6 Administration, shall prescribe the form of a sworn statement,
7 which may be in electronic or paper format, to be executed by all
8 persons, other than members, who wish to be recognized by the chair
9 to address the committee. The statement shall provide for showing
10 at least:

11 (1) the committee or subcommittee;

12 (2) the name, address, and telephone number of the
13 person appearing;

14 (3) the person, firm, corporation, class, or group
15 represented;

16 (4) the type of business, profession, or occupation in
17 which the person is engaged, if the person is representing himself
18 or herself; and

19 (5) the matter before the committee on which the
20 person wishes to be recognized to address the committee and whether
21 for, against, or neutral on the matter.

22 (b) No person shall be recognized by the chair to address
23 the committee in favor of, in opposition to, or without taking a
24 position on a matter until the sworn statement has been filed with
25 the chair of the committee. The chair of the committee shall
26 indicate whether the person completing the statement was recognized
27 to address the committee.

1 (c) Sworn statements submitted in paper format for those
2 persons recognized by the chair to address the committee shall
3 accompany the copy of the minutes of the meeting filed with the
4 committee coordinator.

5 (d) All persons, other than members, recognized by the chair
6 to address the committee shall give their testimony under oath, and
7 each committee may avail itself of additional powers and
8 prerogatives authorized by law.

9 (e) The committee shall ensure that an individual who is
10 blind receives any necessary assistance in executing the sworn
11 statement.

12 (f) The committee shall inform a witness who is blind which
13 members of the committee are present when the witness begins to
14 testify and shall inform the witness during the testimony of the
15 departure and arrival of committee members.

16 (g) The chair may recognize a witness who has been invited
17 by the committee to attend the meeting but is not present in the
18 same physical location as the committee to testify before the
19 committee through an Internet or other videoconferencing system if:

20 (1) the witness has executed a sworn statement, in
21 electronic or paper format, under this section;

22 (2) the witness has filed the statement or a copy of
23 the statement with the chair before testifying; and

24 (3) two-way communication has been enabled to allow
25 the witness to be clearly visible and audible to the committee
26 members and the committee members to be clearly visible and audible
27 to the witness.

1 (h) A person who serves as a translator, including an
2 interpreter, for a witness before a committee must execute a form
3 prescribed by the committee coordinator, under the direction of the
4 Committee on House Administration. The form must at least include
5 the name of the translator and the name of the witness whom the
6 translator is serving.

7 Sec. 21. POWER TO ISSUE PROCESS AND SUMMON WITNESSES. (a)
8 By a record vote of not less than two-thirds of those present and
9 voting, a quorum being present, each standing committee shall have
10 the power and authority to issue process to witnesses at any place
11 in the State of Texas, to compel their attendance, and to compel the
12 production of all books, records, and instruments. If necessary to
13 obtain compliance with subpoenas or other process, the committee
14 shall have the power to issue writs of attachment. All process
15 issued by the committee may be addressed to and served by an agent
16 of the committee or a sergeant-at-arms appointed by the committee
17 or by any peace officer of the State of Texas. The committee shall
18 also have the power to cite and have prosecuted for contempt, in the
19 manner provided by law, anyone disobeying the subpoenas or other
20 process lawfully issued by the committee. The chair of the
21 committee shall issue, in the name of the committee, the subpoenas
22 and other process as the committee may direct.

23 (b) The chair may summon the governing board or other
24 representatives of a state agency to appear and testify before the
25 committee without issuing process under Subsection (a) of this
26 section. The summons may be communicated in writing, orally, or
27 electronically. If the persons summoned fail or refuse to appear,

1 the committee may issue process under Subsection (a) of this
2 section.

3 Sec. 22. MILEAGE AND PER DIEM FOR WITNESSES. Subject to
4 prior approval by the Committee on House Administration, witnesses
5 attending proceedings of any committee under process of the
6 committee shall be allowed the same mileage and per diem as are
7 allowed members of the committee when in a travel status, to be paid
8 out of the contingent expense fund of the house of representatives
9 on vouchers approved by the chair of the committee, the chair of the
10 Committee on House Administration, and the speaker of the house.

11 Sec. 23. POWER TO REQUEST ASSISTANCE OF STATE AGENCIES.
12 Each committee is authorized to request the assistance, when
13 needed, of all state departments, agencies, and offices, and it
14 shall be the duty of the departments, agencies, and offices to
15 assist the committee when requested to do so. Each committee shall
16 have the power and authority to inspect the records, documents, and
17 files of every state department, agency, and office, to the extent
18 necessary to the discharge of its duties within the area of its
19 jurisdiction.

20 Sec. 23A. ASSISTANCE OF OTHER MEMBERS OF LEGISLATURE. At a
21 meeting of a committee, the chair may recognize a member of the
22 house who is not a member of the committee to provide information to
23 the committee, and may recognize a member of the senate for that
24 purpose. Recognition is solely within the discretion of the chair
25 and is not subject to appeal by that member.

26 CHAPTER C. COMMITTEE FUNCTIONS

27 Sec. 24. INTERIM STUDIES AND HEARINGS. (a) Standing

1 committees, en banc or by subcommittees, are hereby authorized to
2 conduct studies that are authorized by the speaker pursuant to Rule
3 1, Section 17. Studies may not be authorized by resolution. The
4 speaker may appoint public citizens and officials of state and
5 local governments to standing committees to augment the membership
6 for the purpose of interim studies and shall provide a list of such
7 appointments to the chief clerk. The chair of the standing
8 committee shall have authority to name the subcommittees necessary
9 and desirable for the conduct of the interim studies and shall also
10 prepare a budget for interim studies for approval by the Committee
11 on House Administration.

12 (b) The Committee on Appropriations shall hold one or more
13 public hearings to examine the requests for legislative
14 appropriations submitted by each major state agency and institution
15 of higher education under Section 322.007, Government Code, and any
16 other law, to the Legislative Budget Board following sine die
17 adjournment of the regular session. The committee may require the
18 head or any employee of an agency or institution submitting a
19 request to appear at a public hearing and present information about
20 the request. A subcommittee may perform the committee's duties
21 under this subsection as determined by the chair of the committee.
22 As used in this subsection, "major state agency" means an agency for
23 which the most recent general appropriations act made an
24 appropriation in the amount of \$40 million or more.

25 Sec. 25. MOTION PREVENTING REPORTING OR PLACEMENT ON A
26 CALENDAR. No motion is in order in a committee considering a bill,
27 resolution, or other matter that would prevent the committee from

1 reporting it back to the house or placing it on a calendar in
2 accordance with the Rules of the House.

3 Sec. 26. FINAL ACTION IN FORM OF REPORT. No action by a
4 committee on bills or resolutions referred to it shall be
5 considered as final unless it is in the form of a favorable report,
6 an unfavorable report, or a report of inability to recommend a
7 course of action.

8 Sec. 27. VOTE ON MOTION TO REPORT. Motions made in
9 committee to report favorably or unfavorably must receive
10 affirmative majority votes, majority negative votes to either
11 motion being insufficient to report. If a committee is unable to
12 agree on a recommendation for action, as in the case of a tie vote,
13 it should submit a statement of this fact as its report, and the
14 house shall decide, by a majority vote, the disposition of the
15 matter by one of the following alternatives:

16 (1) leave the bill in the committee for further
17 consideration;

18 (2) refer the bill to some other committee; or

19 (3) order the bill printed, in which case the bill
20 shall go to the Committee on Calendars for placement on a calendar
21 and for proposal of an appropriate rule for house consideration.

22 Sec. 28. MINORITY REPORTS. The report of a minority of a
23 committee shall be made in the same general form as a majority
24 report. No minority report shall be recognized by the house unless
25 it has been signed by not less than 4 members of a committee
26 consisting of 21 or more members, 3 members of a committee
27 consisting of less than 21 members and more than 10 members, or 2

1 members of a committee consisting of 10 or less members. Only
2 members who were present when the vote was taken on the bill,
3 resolution, or other matter being reported, and who voted on the
4 losing side, may sign a minority report. Notice of intention to
5 file a minority report shall be given to the assembled committee
6 after the vote on the bill, resolution, or other matter, and before
7 the recess or adjournment of the committee, provided ample
8 opportunity is afforded for the giving of notice; otherwise, notice
9 may be given in writing to the chief clerk within 24 hours after the
10 recess or adjournment of the committee.

11 Sec. 29. ACTION ON BILLS REPORTED UNFAVORABLY. If the
12 majority report on a bill is unfavorable, and a favorable minority
13 report is not signed in accordance with Section 28 of this rule and
14 filed with the chief clerk within two calendar days, exclusive of
15 Sunday and the date of committee action, the chief clerk shall file
16 the bill away as dead; except during the last 15 calendar days of a
17 regular session, or the last 7 calendar days of a special session,
18 when the chief clerk shall hold a bill only one calendar day,
19 exclusive of Sunday and the date of committee action, awaiting the
20 filing of a minority report before the bill is filed away as dead.
21 If the favorable minority report is properly signed and filed, the
22 chief clerk shall hold the bill for five legislative days,
23 exclusive of the legislative day in which the minority report was
24 filed, awaiting adoption by the house of a motion to print the bill
25 on minority report. If the motion to print is carried, the bill
26 shall be printed as if it had been reported favorably, and shall
27 then be immediately forwarded to the Committee on Calendars for

1 placement on a calendar and for proposal of an appropriate rule for
2 house consideration. If a motion to print a bill on minority report
3 is not made within the five legislative days authorized above, the
4 chief clerk shall file the bill away as dead. It shall not be in
5 order to move to recommit a bill adversely reported with no minority
6 report, except as provided in Section 30 of this rule. A two-thirds
7 vote of the house shall be required to print on minority report a
8 joint resolution proposing an amendment to the Constitution of
9 Texas.

10 Sec. 30. MAKING ADVERSE REPORTS WITHOUT HEARING THE
11 AUTHOR. No adverse report shall be made on any bill or resolution
12 by any committee without first giving the author or sponsor of the
13 bill an opportunity to be heard. If it becomes evident to the house
14 that a bill has been reported adversely without the author or
15 sponsor having had an opportunity to be heard as provided in this
16 section, the house may, by a majority vote, order the bill
17 recommitted even though no minority report was filed in the manner
18 prescribed by the rules. This provision shall have precedence over
19 Rule 7, Section 20.

20 Sec. 31. ADVERSE REPORTS ON LOCAL BILLS. If a local bill is
21 reported adversely, it shall be subject to the same rules that
22 govern other bills reported adversely.

23 Sec. 32. FORM OF REPORTS. (a) Reports of standing
24 committees on bills and resolutions shall be made in duplicate,
25 with one copy to be filed with the journal clerk for printing in the
26 journal and the other to accompany the original bill.

27 (b) All committee reports must be in writing and shall:

1 (1) be signed by the chair, or the member acting as
2 chair, or a majority of the membership of the committee;

3 (2) be addressed to the speaker;

4 (3) contain a statement of the recommendations of the
5 committee with reference to the matter which is the subject of the
6 report;

7 (4) contain the date the committee made its
8 recommendation;

9 (5) indicate whether a copy of a bill or resolution was
10 forwarded to the Legislative Budget Board for preparation of a
11 fiscal note or other impact statement, if applicable;

12 (6) contain the record vote by which the report was
13 adopted, including the vote of each member of the committee;

14 (7) contain the recommendation that the bill or
15 resolution be sent to the Committee on Local and Consent Calendars
16 for placement on the local, consent, and resolutions calendar if
17 applicable;

18 (8) state the name of the primary house sponsor of all
19 senate bills and resolutions and indicate the names of all joint
20 sponsors or cosponsors;

21 (9) include a summary of the committee hearing on the
22 bill or resolution;

23 (10) include a list of the names of the persons, other
24 than members of the legislature, and persons or entities
25 represented by those persons, who submitted to the committee sworn
26 statements indicating that the persons were present in favor of, in
27 opposition to, or without taking a position on the bill or

1 resolution. The omission from the list of the name of a person who
2 submitted a sworn statement regarding a bill or resolution but who
3 was not recognized by the chair to address the committee is not
4 subject to a point of order;

5 (11) for a joint resolution proposing a constitutional
6 amendment, include the bill number of any enabling legislation for
7 the constitutional amendment designated as such by the author or
8 sponsor of the joint resolution;

9 (12) for a bill that is designated by the author or
10 sponsor of the bill as enabling legislation for a constitutional
11 amendment proposed by a joint resolution, include the number of the
12 joint resolution; and

13 (13) contain a copy of each form executed by a
14 translator for a witness as required by Section 20(h) of this rule.

15 (c) Except for the general appropriations bill, each
16 committee report on a bill or joint resolution, including a
17 complete committee substitute, and, to the extent considered
18 necessary by the committee, a committee report on any other
19 resolution, must include in summary or section-by-section form a
20 detailed analysis of the subject matter of the bill or resolution,
21 specifically including:

22 (1) background information on the proposal and
23 information on what the bill or resolution proposes to do;

24 (2) an analysis of the content of the bill or
25 resolution, including a separate statement that lists each statute
26 or constitutional provision that is expressly repealed by the bill
27 or resolution;

1 (3) a statement indicating whether or not any
2 rulemaking authority is expressly delegated to a state officer,
3 department, agency, or institution, and, if so, identifying the
4 sections of the measure in which that rulemaking authority is
5 delegated;

6 (4) a statement indicating whether or not the bill or
7 resolution expressly creates a criminal offense, expressly
8 increases the punishment for an existing criminal offense or
9 category of offenses, or expressly changes the eligibility of a
10 person for community supervision, parole, or mandatory
11 supervision;

12 (5) a statement of substantial differences between a
13 complete committee substitute and the original bill; and

14 (6) a brief explanation of each amendment adopted by
15 the committee.

16 (d) The committee to which the bill or resolution is
17 referred may request the Texas Legislative Council to prepare the
18 analysis required by Subsection (c) of this section.

19 (e) A committee chair shall provide to the author of a house
20 measure a copy of the analysis required by Subsection (c) of this
21 section as soon as the analysis is complete.

22 (f) The author of a bill or resolution may request that an
23 analysis prepared for purposes of this section include a statement
24 written by the author that includes any additional information that
25 the author considers appropriate.

26 (g) It shall be the duty of the committee chair, on all
27 matters reported by the committee, to see that all provisions of

1 Rule 12 are satisfied. The chair shall strictly construe this
2 provision to achieve the desired purposes.

3 Sec. 33. FISCAL NOTES. (a) If the chair of a standing
4 committee determines that a bill or joint resolution, other than
5 the general appropriations bill, authorizes or requires the
6 expenditure or diversion of state funds for any purpose, the chair
7 shall send a copy of the measure to the Legislative Budget Board for
8 the preparation of a fiscal note outlining the fiscal implications
9 and probable cost of the measure.

10 (b) If the chair of a standing committee determines that a
11 bill or joint resolution has statewide impact on units of local
12 government of the same type or class and authorizes or requires the
13 expenditure or diversion of local funds, or creates or impacts a
14 local tax, fee, license charge, or penalty, the chair shall send a
15 copy of the measure to the Legislative Budget Board for the
16 preparation of a fiscal note outlining the fiscal implications and
17 probable cost of the measure.

18 (c) In preparing a fiscal note, the director of the
19 Legislative Budget Board may utilize information or data supplied
20 by any person, agency, organization, or governmental unit that the
21 director deems reliable. If the director determines that the fiscal
22 implications of the measure cannot be ascertained, the director
23 shall so state in the fiscal note, shall when reasonably
24 ascertainable provide an estimated range of the fiscal
25 implications, and shall include in the note a statement of the
26 reasons the director is unable to ascertain the fiscal implications
27 of the measure, in which case the fiscal note shall be in full

1 compliance with the rules. If the director of the Legislative
2 Budget Board is unable to acquire or develop sufficient information
3 to prepare the fiscal note within 15 days of receiving the measure
4 from the chair of a committee, the director shall so state in the
5 fiscal note, shall when reasonably ascertainable provide an
6 estimated range of the fiscal implications, and shall include in
7 the note a statement of the reasons the director is unable to
8 acquire or develop sufficient information, in which case the note
9 shall be in full compliance with the rules.

10 (d) If the chair determines that a fiscal note is required,
11 copies of the fiscal note must be distributed to the members of the
12 committee not later than the first time the measure is laid out in a
13 committee meeting. The fiscal note shall be attached to the measure
14 on first printing. If the measure is amended by the committee so as
15 to alter its fiscal implications, the chair shall obtain an updated
16 fiscal note, which shall also be attached to the measure on first
17 printing.

18 (e) All fiscal notes shall remain with the measure
19 throughout the entire legislative process, including submission to
20 the governor.

21 (f) All fiscal notes must include in the summary box on the
22 first page of the fiscal note a statement that indicates whether the
23 bill or joint resolution will have fiscal implications or probable
24 costs in any year.

25 Sec. 34. OTHER IMPACT STATEMENTS. (a) It is the intent of
26 this section that all members of the house are timely informed as to
27 the impact of proposed legislation on the state or other unit of

1 government.

2 (a-1) The chair of the appropriations committee shall send a
3 copy of the general appropriations bill to the Legislative Budget
4 Board for the preparation of a dynamic economic impact statement,
5 specifically including the number of state employees to be affected
6 and the estimated impact on employment by the private sector and
7 local governments in Texas as a result of any change in state
8 expenditures made by the bill as compared to the biennium preceding
9 the biennium to which the bill applies.

10 (b) If the chair of a standing committee determines that a
11 bill or joint resolution:

12 (1) authorizes or requires a change in the sanctions
13 applicable to adults convicted of felony crimes, the chair shall
14 send a copy of the measure to the Legislative Budget Board for the
15 preparation of a criminal justice policy impact statement;

16 (2) authorizes or requires a change in the public
17 school finance system, the chair shall send a copy of the measure to
18 the Legislative Budget Board for the preparation of an equalized
19 education funding impact statement;

20 (3) proposes to change benefits or participation in
21 benefits of a public retirement system or change the financial
22 obligations of a public retirement system, the chair shall send a
23 copy of the measure to the Legislative Budget Board for the
24 preparation of an actuarial impact statement in cooperation with
25 the State Pension Review Board;

26 (4) proposes to create a water district under the
27 authority of Article XVI, Section 59, of the Texas Constitution,

1 the chair shall send a copy of the measure to the Legislative Budget
2 Board for the preparation of a water development policy impact
3 statement; or

4 (5) creates or impacts a state tax or fee, the chair
5 shall send a copy of the measure to the Legislative Budget Board for
6 the preparation of a tax equity note that estimates the general
7 effects of the proposal on the distribution of tax and fee burdens
8 among individuals and businesses.

9 (c) In preparing an impact statement, the director of the
10 Legislative Budget Board may utilize information or data supplied
11 by any person, agency, organization, or governmental unit that the
12 director deems reliable. If the director determines that the
13 particular implications of the measure cannot be ascertained, the
14 director shall so state in the impact statement, in which case the
15 impact statement shall be in full compliance with the rules.

16 (d) An impact statement is not required to be present before
17 a measure is laid out in a committee meeting. If timely received,
18 the impact statement shall be attached to the measure on first
19 printing. If the measure is amended by the committee so as to alter
20 its particular implications, the chair shall obtain an updated
21 impact statement. If timely received, the updated impact statement
22 shall also be attached to the measure on first printing.

23 (e) An impact statement that is received after the first
24 printing of a measure has been distributed to the members shall be
25 forwarded by the chair of the committee to the committee
26 coordinator. The committee coordinator shall have the impact
27 statement printed and distributed to the members.

1 (f) All impact statements received shall remain with the
2 measure throughout the entire legislative process, including
3 submission to the governor.

4 Sec. 35. REPORTS ON HOUSE AND CONCURRENT
5 RESOLUTIONS. Committee reports on house and concurrent
6 resolutions shall be made in the same manner and shall follow the
7 same procedure as provided for bills, subject to any differences
8 otherwise authorized or directed by the rules.

9 Sec. 36. ACTION BY HOUSE ON REPORTS NOT REQUIRED. No
10 action by the house is necessary on the report of a standing
11 committee. The bill, resolution, or proposition recommended or
12 reported by the committee shall automatically be before the house
13 for its consideration after the bill or resolution has been
14 referred to the appropriate calendars committee for placement on a
15 calendar and for proposal of an appropriate rule for house
16 consideration.

17 Sec. 37. REFERRAL OF REPORTS TO COMMITTEE COORDINATOR. All
18 committee reports on bills or resolutions shall be immediately
19 referred to the committee coordinator. The chair of the committee
20 shall be responsible for delivery of the report to the committee
21 coordinator.

22 Sec. 38. DELIVERY OF REPORTS TO CALENDARS
23 COMMITTEES. After printing, the chief clerk shall be responsible
24 for delivery of a certified copy of the committee report to the
25 appropriate calendars committee, which committee shall immediately
26 accept the bill or resolution for placement on a calendar and for
27 the proposal of an appropriate rule for house consideration.

1 Sec. 38A. NOTIFICATION OF SUNSET BILLS. The chief clerk
2 shall provide notice to each member at the member's designated
3 Capitol e-mail address when a committee report under Section 38 of
4 this rule on a bill extending an agency, commission, or advisory
5 committee under the Texas Sunset Act has been printed or posted and
6 is available to be distributed to the appropriate calendars
7 committee.

8 Sec. 39. COMMITTEE AMENDMENTS. No committee shall have the
9 power to amend, delete, or change in any way the nature, purpose, or
10 content of any bill or resolution referred to it, but may draft and
11 recommend amendments to it, which shall become effective only if
12 adopted by a majority vote of the house.

13 Sec. 40. SUBSTITUTES. The committee may adopt and report a
14 complete germane committee substitute containing the title,
15 enacting clause, and text of the bill in lieu of an original bill,
16 in which event the complete substitute bill on committee report
17 shall be laid before the house and shall be the matter then before
18 the house for its consideration, instead of the original bill. If
19 the substitute bill is defeated at any legislative stage, the bill
20 is considered not passed.

21 Sec. 41. GERMANENESS OF SUBSTITUTE. If a point of order is
22 raised that a complete committee substitute is not germane, in
23 whole or in part, and the point of order is sustained, the committee
24 substitute shall be returned to the Committee on Calendars, which
25 may have the original bill printed and distributed and placed on a
26 calendar in lieu of the substitute or may return the original bill
27 to the committee from which it was reported for further action.

1 Sec. 42. AUTHOR'S RIGHT TO OFFER AMENDMENTS TO
2 REPORT. Should the author or sponsor of the bill, resolution, or
3 other proposal not be satisfied with the final recommendation or
4 form of the committee report, the member shall have the privilege of
5 offering on the floor of the house such amendments or changes as he
6 or she considers necessary and desirable, and those amendments or
7 changes shall be given priority during the periods of time when
8 original amendments are in order under the provisions of Rule 11,
9 Section 7.

10 CHAPTER D. SUBCOMMITTEES

11 Sec. 43. JURISDICTION. Each committee is authorized to
12 conduct its activities and perform its work through the use of
13 subcommittees as shall be determined by the chair of the committee.
14 Subcommittees shall be created, organized, and operated in such a
15 way that the subject matter and work area of each subcommittee shall
16 be homogeneous and shall pertain to related governmental
17 activities. The size and jurisdiction of each subcommittee shall
18 be determined by the chair of the committee.

19 Sec. 44. MEMBERSHIP. The chair of each standing committee
20 shall appoint from the membership of the committee the members who
21 are to serve on each subcommittee. Any vacancy on a subcommittee
22 shall be filled by appointment of the chair of the standing
23 committee. The chair and vice-chair of each subcommittee shall be
24 named by the chair of the committee.

25 Sec. 45. RULES GOVERNING OPERATIONS. The Rules of
26 Procedure of the House of Representatives, to the extent
27 applicable, shall govern the hearings and operations of each

1 subcommittee. Subject to the foregoing, and to the extent
2 necessary for orderly transaction of business, each subcommittee
3 may promulgate and adopt additional rules and procedures by which
4 it will function.

5 Sec. 46. QUORUM. A majority of a subcommittee shall
6 constitute a quorum, and no action or recommendation of a
7 subcommittee shall be valid unless taken at a meeting with a quorum
8 actually present. All reports of a subcommittee must be approved by
9 record vote by a majority of the membership of the subcommittee.
10 Minutes of the subcommittee shall be maintained in a manner similar
11 to that required by the rules for standing committees. Proxies
12 cannot be used in subcommittees.

13 Sec. 47. POWER AND AUTHORITY. Each subcommittee, within
14 the area of its jurisdiction, shall have all of the power,
15 authority, and rights granted by the Rules of Procedure of the House
16 of Representatives to the standing committee, except subpoena
17 power, to the extent necessary to discharge the duties and
18 responsibilities of the subcommittee.

19 Sec. 48. REFERRAL OF PROPOSED LEGISLATION TO
20 SUBCOMMITTEE. All bills and resolutions referred to a standing
21 committee shall be reviewed by the chair to determine appropriate
22 disposition of the bills and resolutions. All bills and
23 resolutions shall be considered by the entire standing committee
24 unless the chair of that standing committee determines to refer the
25 bills and resolutions to subcommittee. If a bill or resolution is
26 referred by the chair of the standing committee to a subcommittee,
27 it shall be considered by the subcommittee in the same form in which

1 the measure was referred to the standing committee, and any action
2 taken by the standing committee on a proposed amendment or
3 committee substitute before a measure is referred to subcommittee
4 is therefore voided at the time the measure is referred to
5 subcommittee. The subcommittee shall be charged with the duty and
6 responsibility of conducting the hearing, doing research, and
7 performing such other functions as the subcommittee or its parent
8 standing committee may determine. All meetings of the subcommittee
9 shall be scheduled by the subcommittee chair, with appropriate
10 public notice and notification of each member of the subcommittee
11 under the same rules of procedure as govern the conduct of the
12 standing committee.

13 Sec. 49. REPORT BY SUBCOMMITTEE. At the conclusion of its
14 deliberations on a bill, resolution, or other matter referred to
15 it, the subcommittee may prepare a written report, comprehensive
16 in nature, for submission to the full committee. The report shall
17 include background material as well as recommended action and shall
18 be accompanied by a complete draft of the bill, resolution, or other
19 proposal in such form as the subcommittee shall determine.

20 Sec. 50. ACTION ON SUBCOMMITTEE REPORTS. Subcommittee
21 reports shall be directed to the chair of the committee, who shall
22 schedule meetings of the standing committee from time to time as
23 necessary and appropriate for the reception of subcommittee reports
24 and for action on reports by the standing committee. No
25 subcommittee report shall be scheduled for action by the standing
26 committee until at least 24 hours after a copy of the subcommittee
27 report is provided to each member of the standing committee.

1 CHAPTER E. COMMITTEES OF THE WHOLE HOUSE

2 Sec. 51. RESOLUTION INTO A COMMITTEE OF THE WHOLE
3 HOUSE. The house may resolve itself into a committee of the whole
4 house to consider any matter referred to it by the house. In
5 forming a committee of the whole house, the speaker shall vacate the
6 chair and shall appoint a chair to preside in committee.

7 Sec. 52. RULES GOVERNING OPERATIONS. The rules governing
8 the proceedings of the house and those governing committees shall
9 be observed in committees of the whole, to the extent that they are
10 applicable.

11 Sec. 53. MOTION FOR A CALL OF THE COMMITTEE OF THE
12 WHOLE. (a) It shall be in order to move a call of the committee of
13 the whole at any time to secure and maintain a quorum for the
14 following purposes:

15 (1) for the consideration of a certain or specific
16 matter; or

17 (2) for a definite period of time; or

18 (3) for the consideration of any designated class of
19 bills.

20 (b) When a call of the committee of the whole is moved and
21 seconded by 10 members, of whom the chair may be one, and is ordered
22 by majority vote, the main entrance of the hall and all other doors
23 leading out of the hall shall be locked, and no member shall be
24 permitted to leave the hall without written permission. Other
25 proceedings under a call of the committee shall be the same as under
26 a call of the house.

27 Sec. 54. HANDLING OF A BILL. A bill committed to a

1 committee of the whole house shall be handled in the same manner as
2 in any other committee. The body of the bill shall not be defaced or
3 interlined, but all amendments shall be duly endorsed by the chief
4 clerk as they are adopted by the committee, and so reported to the
5 house. When a bill is reported by the committee of the whole house
6 it shall be referred immediately to the appropriate calendars
7 committee for placement on the appropriate calendar and shall
8 follow the same procedure as any other bill on committee report.

9 Sec. 55. FAILURE TO COMPLETE WORK AT ANY SITTING. In the
10 event that the committee of the whole, at any sitting, fails to
11 complete its work on any bill or resolution under consideration for
12 lack of time, or desires to take any action on that measure that is
13 permitted under the rules for other committees, it may, on a motion
14 made and adopted by majority vote, rise, report progress, and ask
15 leave of the house to sit again generally, or at a time certain.

16 CHAPTER F. SELECT AND INTERIM STUDY COMMITTEES

17 Sec. 56. REPORTS OF SELECT COMMITTEES. Reports of select
18 committees made during a session shall be filed with the chief clerk
19 and printed in the journal, unless otherwise determined by the
20 house.

21 ~~[CHAPTER F. INTERIM STUDY COMMITTEES]~~

22 Sec. 57. INTERIM STUDIES. Pursuant to Rule 1, Section 17,
23 the speaker may create interim study committees to conduct studies
24 by issuing a proclamation for each committee, which shall specify
25 the issue to be studied, committee membership, and any additional
26 authority and duties. A copy of each proclamation creating an
27 interim study committee shall be filed with the chief clerk. An

1 interim study committee expires on release of its final report or
2 when the next legislature convenes, whichever is earlier. An
3 interim study committee may not be created by resolution.

4 Sec. 58. APPOINTMENT AND MEMBERSHIP. The speaker shall
5 appoint all members of an interim study committee, which may
6 include public citizens and officials of state and local
7 governments. The speaker shall also designate the chair and
8 vice-chair and may authorize the chair to create subcommittees and
9 appoint citizen advisory committees.

10 Sec. 59. RULES GOVERNING OPERATIONS. The rules governing
11 the proceedings of the house and those governing standing
12 committees shall be observed by an interim study committee, to the
13 extent that they are applicable. An interim study committee shall
14 have the power to issue process and to request assistance of state
15 agencies as provided for a standing committee in Sections 21, 22,
16 and 23 of this rule.

17 Sec. 60. FUNDING AND STAFF. An interim study committee
18 shall use existing staff resources of its members, standing
19 committees, house offices, and legislative service agencies. The
20 chair of an interim study committee shall prepare a detailed budget
21 for approval by the speaker and the Committee on House
22 Administration. An interim study committee may accept gifts,
23 grants, and donations for the purpose of funding its activities as
24 provided by Sections 301.032(b) and (c), Government Code.

25 Sec. 61. STUDY REPORTS. (a) The final report or
26 recommendations of an interim study committee shall be approved by
27 a majority of the committee membership. Dissenting members may

1 attach statements to the final report.

2 (b) An interim study committee shall submit the committee's
3 final report to the committee coordinator in the manner prescribed
4 by the committee coordinator. The committee coordinator shall:

5 (1) distribute copies of the final report to the
6 speaker, the Legislative Reference Library, and other appropriate
7 agencies; and

8 (2) make a copy of the final report available on the
9 house's Internet website.

10 (c) This section shall also apply to interim study reports
11 of standing committees.

12 Sec. 62. JOINT HOUSE AND SENATE INTERIM
13 STUDIES. Procedures may be established by a concurrent resolution
14 adopted by both houses, by which the speaker may authorize and
15 appoint, jointly with the senate, committees to conduct interim
16 studies. A copy of the authorization for and the appointments to a
17 joint interim study committee shall be filed with the chief clerk.
18 Individual joint interim study committees may not be authorized or
19 created by resolution.

1 RULE 5. FLOOR PROCEDURE

2 CHAPTER A. QUORUM AND ATTENDANCE

3 Sec. 1. QUORUM. Two-thirds of the house shall constitute a
4 quorum to do business.

5 Sec. 2. ROLL CALLS. On every roll call or registration,
6 the names of the members shall be called or listed, as the case may
7 be, alphabetically by surname, except when two or more have the same
8 surname, in which case the initials of the members shall be added.

9 Sec. 3. LEAVE OF ABSENCE. (a) No member shall be absent
10 from the sessions of the house without leave, and no member shall be
11 excused on his or her own motion.

12 (b) A leave of absence may be granted by a majority vote of
13 the house and may be revoked at any time by a similar vote.

14 (c) Any member granted a leave of absence due to a meeting of
15 a committee or conference committee that has authority to meet
16 while the house is in session shall be so designated on each roll
17 call or registration for which that member is excused.

18 Sec. 4. FAILURE TO ANSWER ROLL CALL. Any member who is
19 present and fails or refuses to record on a roll call after being
20 requested to do so by the speaker shall be recorded as present by
21 the speaker and shall be counted for the purpose of making a quorum.

22 Sec. 5. POINT OF ORDER OF "NO QUORUM." (a) The point of
23 order of "No Quorum" shall not be accepted by the chair if the last
24 roll call showed the presence of a quorum, provided the last roll
25 call was taken within two hours of the time the point of order is
26 raised.

27 (b) If the last roll call was taken more than two hours

1 before the point of order is raised, it shall be in order for the
2 member who raised the point of order to request a roll call. Such a
3 request must be seconded by 25 members. If the request for a roll
4 call is properly seconded, the chair shall order a roll call.

5 (c) Once a point of order has been made that a quorum is not
6 present, it may not be withdrawn after the absence of a quorum has
7 been ascertained and announced.

8 Sec. 6. MOTIONS IN ORDER WHEN QUORUM NOT PRESENT. If a
9 registration or record vote reveals that a quorum is not present,
10 only a motion to adjourn or a motion for a call of the house and the
11 motions incidental thereto shall be in order.

12 Sec. 7. MOTION FOR CALL OF THE HOUSE. It shall be in order
13 to move a call of the house at any time to secure and maintain a
14 quorum for one of the following purposes:

15 (1) for the consideration of a specific bill,
16 resolution, motion, or other measure;

17 (2) for the consideration of any designated class of
18 bills; or

19 (3) for a definite period of time.

20 Motions for, and incidental to, a call of the house are not
21 debatable.

22 Sec. 8. SECURING A QUORUM. When a call of the house is moved
23 for one of the above purposes and seconded by 15 members (of whom
24 the speaker may be one) and ordered by a majority vote, the main
25 entrance to the hall and all other doors leading out of the hall
26 shall be locked and no member permitted to leave the house without
27 the written permission of the speaker. The names of members present

1 shall be recorded. All absentees for whom no sufficient excuse is
2 made may, by order of a majority of those present, be sent for and
3 arrested, wherever they may be found, by the sergeant-at-arms or an
4 officer appointed by the sergeant-at-arms for that purpose, and
5 their attendance shall be secured and retained. The house shall
6 determine on what conditions they shall be discharged. Members who
7 voluntarily appear shall, unless the house otherwise directs, be
8 immediately admitted to the hall of the house and shall report their
9 names to the clerk to be entered in the journal as present.

10 Until a quorum appears, should the roll call fail to show one
11 present, no business shall be transacted, except to compel the
12 attendance of absent members or to adjourn. It shall not be in
13 order to recess under a call of the house.

14 Sec. 9. FOLLOWING ACHIEVEMENT OF A QUORUM. When a quorum is
15 shown to be present, the house may proceed with the matters on which
16 the call was ordered, or may enforce the call and await the
17 attendance of as many of the absentees as it desires. When the
18 house proceeds to the business on which the call was ordered, it
19 may, by a majority vote, direct the sergeant-at-arms to cease
20 bringing in absent members.

21 Sec. 10. REPEATING A RECORD VOTE. When a record vote
22 reveals the lack of a quorum, and a call is ordered to secure one, a
23 record vote shall again be taken when the house resumes business
24 with a quorum present.

25 CHAPTER B. ADMITTANCE TO HOUSE CHAMBER

26 Sec. 11. PRIVILEGES OF THE HOUSE FLOOR. Only the following
27 persons shall be entitled to the privileges of the floor of the

1 house when the house is in session: members of the house; employees
2 of the house when performing their official duties as determined by
3 the Committee on House Administration; members of the senate;
4 employees of the senate when performing their official duties; the
5 Governor of Texas and the governor's chief of staff and director of
6 legislative affairs; the lieutenant governor; the secretary of
7 state; duly accredited media representatives as permitted by
8 Section 20 of this rule; contestants in election cases pending
9 before the house; and immediate families of the members of the
10 legislature on such special occasions as may be determined by the
11 Committee on House Administration.

12 Sec. 12. ADMITTANCE WITHIN THE RAILING. Only the following
13 persons shall be admitted to the area on the floor of the house
14 enclosed by the railing when the house is in session: members of the
15 house; members of the senate; the governor; the lieutenant
16 governor; officers and employees of the senate and house when those
17 officers and employees are actually engaged in performing their
18 official duties as determined by the Committee on House
19 Administration; spouses of members of the house on such occasions
20 as may be determined by the Committee on House Administration; and,
21 within the area specifically designated for media representatives,
22 duly accredited media representatives as permitted by Section 20 of
23 this rule.

24 Sec. 13. SOLICITORS AND COLLECTORS PROHIBITED. Solicitors
25 and collectors shall not be admitted to the floor of the house while
26 the house is in session.

27 Sec. 14. INVITATION TO ADDRESS THE HOUSE. A motion to

1 invite a person to address the house while it is in session shall be
2 in order only if the person invited is entitled to the privileges of
3 the floor as defined by Section 11 of this rule and if no business is
4 pending before the house.

5 Sec. 15. LOBBYING ON FLOOR. No one, except the governor or
6 a member of the legislature, who is lobbying or working for or
7 against any pending or prospective legislative measure shall be
8 permitted on the floor of the house or in the adjacent rooms while
9 the house is in session.

10 Sec. 16. SUSPENSION OF FLOOR PRIVILEGES. If any person
11 admitted to the floor of the house under the rules, except the
12 governor or a member of the legislature, lobbies or works for or
13 against any pending or prospective legislation or violates any of
14 the other rules of the house, the privileges extended to that person
15 under the rules shall be suspended by a majority vote of the
16 Committee on House Administration. The action of the committee
17 shall be reviewable by the house only if two members of the
18 committee request an appeal from the decision of the committee. The
19 request shall be in the form of a minority report and shall be
20 subject to the same rules that are applicable to minority reports on
21 bills. Suspension shall remain in force until the accused person
22 purges himself or herself and comes within the rules, or until the
23 house, by majority vote, reverses the action of the committee.

24 Sec. 17. MEMBERS' [~~MEMBERS~~] LOUNGE PRIVILEGES. Only the
25 following persons shall be admitted to the members' [~~members~~]
26 lounge at any time: members of the house; members of the senate;
27 and former members of the house and senate who are not engaged in

1 any form of employment requiring them to lobby or work for or
2 against any pending or prospective legislative measures.

3 Sec. 18. FLOOR DUTIES OF HOUSE OFFICERS AND EMPLOYEES. It
4 shall be the duty of the Committee on House Administration to
5 determine what duties are to be discharged by officers and
6 employees of the house on the floor of the house, specifically in
7 the area enclosed by the railing, when the house is in session. It
8 shall be the duty of the speaker to see that the officers and
9 employees do not violate the regulations promulgated by the
10 Committee on House Administration.

11 Sec. 19. PROPER DECORUM. No person shall be admitted to,
12 or allowed to remain in, the house chamber while the house is in
13 session unless properly attired, and all gentlemen shall wear a
14 coat and tie. Food or beverage shall not be permitted in the house
15 chamber at any time, and no person carrying food or beverage shall
16 be admitted to the chamber, whether the house is in session or in
17 recess. Reading newspapers shall not be permitted in the house
18 chamber while the house is in session. Smoking is not permitted in
19 the members' [~~member's~~] lounge or bathrooms. The Committee on House
20 Administration shall designate an area for smoking that is easily
21 accessible to the house chamber.

22 Sec. 20. MEDIA ACCESS TO HOUSE CHAMBER. (a) When the house
23 is in session, no media representative shall be admitted to the
24 floor of the house or allowed its privileges unless the person is:

25 (1) employed by a print, broadcast, or Internet news
26 organization, or by a wire service serving those organizations:

27 (A) whose principal business is the periodic

1 dissemination of original news and opinion of interest to a broad
2 segment of the public;

3 (B) which has published or operated continuously
4 for 18 months;

5 (i) as a for-profit organization that is
6 supported chiefly by advertising or subscription revenue; or

7 (ii) as a nonprofit organization that has
8 qualified as a public charity under Section 501(c)(3), Internal
9 Revenue Code of 1986; and

10 (C) whose publications or operations are
11 editorially independent of any institution, foundation, or
12 interest group that lobbies the government or that is not
13 principally a general news organization; and

14 (2) not engaged in any lobbying or paid advocacy,
15 advertising, publicity, or promotion work for any individual,
16 political party, corporation, organization, or government agency.

17 (b) Any media representative seeking admission to the floor
18 of the house under the provisions of this section must submit to the
19 Committee on House Administration:

20 (1) a notarized application in a form determined by
21 the committee; and

22 (2) a letter from the media representative's employer
23 certifying that:

24 (A) the media representative is engaged
25 primarily in reporting the sessions of the legislature; and

26 (B) no part of the media representative's salary
27 for legislative coverage is paid from a source other than the news

1 organization or wire service that employs the media representative.

2 (c) Regularly accredited media representatives who have
3 duly qualified under the provisions of this section may, when
4 requested to do so, make recommendations through their professional
5 committees to the Committee on House Administration as to the
6 sufficiency or insufficiency of the credentials of any person
7 seeking admission to the floor of the house under this section.

8 (d) If the Committee on House Administration determines
9 that a person's media credentials meet the requirements of this
10 section, the committee shall issue a pass card to the person. The
11 committee may impose a fee to cover the costs of issuing a pass
12 card. This pass card must be presented to the doorkeeper each time
13 the person seeks admission to the floor of the house while the house
14 is in session. Pass cards issued under this section shall not be
15 transferable. The failure of a media representative to maintain the
16 requirements of this section may result in the revocation of the
17 pass card. Persons admitted to the floor of the house pursuant to
18 the provisions of this section shall work in appropriate convenient
19 seats or work stations in the house, which shall be designated for
20 that purpose by the Committee on House Administration.

21 (e) Members of the house shall not engage in interviews and
22 press conferences on the house floor while the house is in session.
23 The Committee on House Administration is authorized to enforce this
24 provision and to prescribe such other regulations as may be
25 necessary and desirable to achieve these purposes.

26 (f) Permission to make recordings [~~live or recorded~~
27 ~~television, radio, or Internet broadcasts~~] in or from the house

1 chamber while the house is in session may be granted only by the
 2 Committee on House Administration. The committee shall promulgate
 3 rules [~~regulations~~] governing recordings [~~television, radio, or~~
 4 ~~Internet broadcasts, and such regulations shall be printed as an~~
 5 ~~addendum to the rules of the house~~]. When recordings [~~broadcasts~~]
 6 from the [~~floor of the~~] house chamber are permitted [~~recommended~~]
 7 by the Committee on House Administration, the permission
 8 [~~recommendation~~] shall, if necessary, identify those persons in the
 9 technical crews to whom pass cards to the floor of the house and
 10 galleries are to be issued. Passes granted under this authority
 11 shall be subject to revocation by [~~on the recommendation of~~] the
 12 Committee on House Administration. As used in this subsection,
 13 "recording" means an audio, video, or photographic recording for
 14 immediate or delayed transmission by television or radio or through
 15 the Internet [~~Each committee of the house shall have authority to~~
 16 ~~determine whether or not to permit television, radio, or Internet~~
 17 ~~broadcasts of any of its proceedings~~].

18 (g) The following individuals may submit a written
 19 complaint regarding a decision by the Committee on House
 20 Administration under this section:

21 (1) an individual who is aggrieved by the committee's
 22 failure or refusal to grant privileges under this section; or

23 (2) a [~~A~~] member of the house who believes a media
 24 representative granted privileges under this section either does
 25 not meet the requirements of this section or has abused the
 26 privileges granted under this section [~~may submit a written~~
 27 ~~complaint to the Committee on House Administration~~].

1 (h) The Committee on House Administration [~~committee~~] shall
2 investigate the complaint and may, if necessary, temporarily
3 suspend the media representative's privileges pending the
4 investigation. The committee shall notify the aggrieved individual
5 or subject of the complaint of the time and place of a hearing on the
6 complaint. Following the hearing, which must be conducted as
7 provided by committee rule, the committee shall determine whether
8 the aggrieved individual meets the requirements of this section
9 and, as applicable:

10 (1) issue a pass card if the committee determines that
11 the individual's media credentials meet the requirements of this
12 section; or

13 (2) revoke the media representative's privileges
14 granted under this section [~~are revoked~~] if the committee
15 determines that the allegations contained in the complaint are
16 valid.

17 (i) The final determination by the Committee on House
18 Administration on a complaint:

19 (1) must be entered in the committee minutes and, if
20 the house is convened in a regular or special session, delivered to
21 the journal clerk and printed in the journal; and

22 (2) is not subject to further review except as
23 provided by this section.

24 Sec. 21. PUBLIC ADMISSION TO AND NONLEGISLATIVE USE OF THE
25 HOUSE CHAMBER. When the house is not in session, the floor of the
26 house shall remain open on days and hours determined by the
27 Committee on House Administration. By resolution, the house may

1 open the floor of the house during its sessions for the inauguration
2 of the governor and lieutenant governor and for such other public
3 ceremonies as may be deemed warranted.

4 CHAPTER C. SPEAKING AND DEBATE

5 Sec. 22. ADDRESSING THE HOUSE. When a member desires to
6 speak or deliver any matter to the house, the member shall rise and
7 respectfully address the speaker as "Mr. (or Madam) Speaker" and,
8 on being recognized, may address the house from the microphone at
9 the reading clerk's desk, and shall confine all remarks to the
10 question under debate, avoiding personalities.

11 Sec. 23. WHEN TWO MEMBERS RISE AT ONCE. When two or more
12 members rise at once, the speaker shall name the one who is to speak
13 first. This decision shall be final and not open to debate or
14 appeal.

15 Sec. 24. RECOGNITION. (a) Except as otherwise provided
16 by this section, there shall be no appeal from the speaker's
17 recognition, but the speaker shall be governed by rules and usage in
18 priority of entertaining motions from the floor. When a member
19 seeks recognition, the speaker may ask, "For what purpose does the
20 member rise?" or "For what purpose does the member seek
21 recognition?" and may then decide if recognition is to be granted,
22 except that the speaker shall recognize a member who seeks
23 recognition on a question of privilege.

24 (b) If the speaker denies recognition of a member who seeks
25 recognition on a question of privilege, other than a question of
26 privilege relating to the right of the house to remove the speaker
27 and elect a new speaker, the decision of recognition may be appealed

1 using the procedures provided in Rule 1, Section 9.

2 (c) If the speaker denies recognition of a member who seeks
3 recognition on a question of privilege relating to the right of the
4 house to remove the speaker and elect a new speaker, the member may
5 appeal the speaker's denial of recognition if the member submits to
6 the speaker a written request, signed by at least 76 members of the
7 house, to appeal the decision of recognition. Upon receiving a
8 request for appeal in accordance with this subsection, the speaker
9 shall announce the request to the house. The names of the members
10 who signed the request and the time that the announcement was made
11 shall be entered in the journal. The appeal of a decision of
12 recognition under this subsection is eligible for consideration 24
13 hours after the request for appeal has been announced in accordance
14 with this subsection. The appeal and consideration of the question
15 of privilege, if the appeal is successful, takes precedence over
16 all other questions except motions to adjourn.

17 Sec. 25. INTERRUPTION OF A MEMBER WHO HAS THE FLOOR. A
18 member who has the floor shall not be interrupted by another member
19 for any purpose, unless he or she consents to yield to the other
20 member. A member desiring to interrupt another in debate should
21 first address the speaker for the permission of the member
22 speaking. The speaker shall then ask the member who has the floor
23 if he or she wishes to yield, and then announce the decision of that
24 member. The member who has the floor may exercise personal
25 discretion as to whether or not to yield, and it is entirely within
26 the member's discretion to determine who shall interrupt and when.

27 Sec. 26. YIELDING THE FLOOR. A member who obtains the

1 floor on recognition of the speaker may not be taken off the floor
2 by a motion, even the highly privileged motion to adjourn, but if
3 the member yields to another to make a motion or to offer an
4 amendment, he or she thereby loses the floor.

5 Sec. 27. RIGHT TO OPEN AND CLOSE DEBATE. The mover of any
6 proposition, or the member reporting any measure from a committee,
7 or, in the absence of either of them, any other member designated by
8 such absentee, shall have the right to open and close the debate,
9 and for this purpose may speak each time not more than 20 minutes.

10 Sec. 28. TIME LIMITS ON SPEECHES. All speeches shall be
11 limited to 10 minutes in duration, except as provided in Section 27
12 of this rule, and the speaker shall call the members to order at the
13 expiration of their time. If the house by a majority vote extends
14 the time of any member, the extension shall be for 10 minutes only.
15 A second extension of time shall be granted only by unanimous
16 consent. During the last 10 calendar days of the regular session,
17 and the last 5 calendar days of a special session, Sundays excepted,
18 all speeches shall be limited to 10 minutes and shall not be
19 extended. The time limits established by this rule shall include
20 time consumed in yielding to questions from the floor.

21 Sec. 29. LIMIT ON NUMBER OF TIMES TO SPEAK. No member shall
22 speak more than twice on the same question without leave of the
23 house, nor more than once until every member choosing to speak has
24 spoken, nor shall any member be permitted to consume the time of
25 another member without leave of the house being given by a majority
26 vote.

27 Sec. 30. EFFECT OF ADJOURNMENT ON SPEAKING LIMIT. If a

1 pending question is not disposed of because of an adjournment of the
2 house, a member who has spoken twice on the subject shall not be
3 allowed to speak again without leave of the house.

4 Sec. 31. OBJECTION TO READING A PAPER. When the reading of
5 a paper is called for, and objection is made, the matter shall be
6 determined by a majority vote of the house, without debate.

7 Sec. 32. PASSING BETWEEN MICROPHONES DURING DEBATE. No
8 person shall pass between the front and back microphones during
9 debate or when a member has the floor and is addressing the house.

10 Sec. 33. TRANSGRESSION OF RULES WHILE SPEAKING. If any
11 member, in speaking or otherwise, transgresses the rules of the
12 house, the speaker shall, or any member may, call the member to
13 order, in which case the member so called to order shall immediately
14 be seated; however, that member may move for an appeal to the house,
15 and if appeal is duly seconded by 10 members, the matter shall be
16 submitted to the house for decision by majority vote. In such
17 cases, the speaker shall not be required to relinquish the chair, as
18 is required in cases of appeals from the speaker's decisions. The
19 house shall, if appealed to, decide the matter without debate. If
20 the decision is in favor of the member called to order, the member
21 shall be at liberty to proceed; but if the decision is against the
22 member, he or she shall not be allowed to proceed, and, if the case
23 requires it, shall be liable to the censure of the house, or such
24 other punishment as the house may consider proper.

25 Sec. 34. ELECTRONIC RECORDING OF ALL HOUSE PROCEEDINGS. (a)
26 All proceedings of the house of representatives shall be
27 electronically recorded under the direction of the Committee on

1 House Administration. Copies of the proceedings may be released
2 under guidelines promulgated by the Committee on House
3 Administration.

4 (b) Archived video broadcasts of proceedings in the house
5 chamber that are available through the house's Internet or intranet
6 website may, under the direction of the Committee on House
7 Administration, include a link to the point in time in the video
8 where each measure under consideration by the house is laid out.
9 Such a link shall be provided as soon as the committee determines is
10 practical.

11 CHAPTER D. QUESTIONS OF PRIVILEGE

12 Sec. 35. QUESTIONS OF PRIVILEGE DEFINED. Questions of
13 privilege shall be:

14 (1) those affecting the rights of the house
15 collectively, its safety and dignity, and the integrity of its
16 proceedings, including the right of the house to remove the speaker
17 and elect a new speaker; and

18 (2) those affecting the rights, reputation, and
19 conduct of members individually in their representative capacity
20 only.

21 Sec. 36. PRECEDENCE OF QUESTIONS OF PRIVILEGE. Questions
22 of privilege shall have precedence over all other questions except
23 motions to adjourn. When in order, a member may address the house
24 on a question of privilege, or may at any time print it in the
25 journal, provided it contains no reflection on any member of the
26 house.

27 Sec. 37. WHEN QUESTIONS OF PRIVILEGE NOT IN ORDER. (a) It

1 shall not be in order for a member to address the house on a question
2 of privilege:

3 (1) between the time an undebatable motion is offered
4 and the vote is taken on the motion;

5 (2) between the time the previous question is ordered
6 and the vote is taken on the last proposition included under the
7 previous question; or

8 (3) between the time a motion to table is offered and
9 the vote is taken on the motion.

10 (b) If a question of privilege relating to removal of the
11 speaker and election of a new speaker fails, a subsequent attempt to
12 remove the same speaker can be made only by reconsidering the vote
13 by which the original question of privilege failed. Such
14 reconsideration shall be subject to the rules of the house
15 governing reconsideration.

16 Sec. 38. CONFINING REMARKS TO QUESTION OF PRIVILEGE;
17 INTERRUPTIONS PROHIBITED. (a) When speaking on privilege,
18 members must confine their remarks within the limits of Section 35
19 of this rule, which will be strictly construed to achieve the
20 purposes hereof.

21 (b) When a member is speaking on privilege, the member shall
22 not be interrupted by another member for any purpose. While the
23 member is speaking, another member may submit a question of order to
24 the speaker in writing or by approaching the podium in person. The
25 member submitting the question of order shall not interrupt the
26 member who is speaking. The speaker may interrupt the member who is
27 speaking if the speaker determines it is appropriate to address the

1 question of order at that time.

2 Sec. 39. DISCUSSION OF MERITS OF MOTION FORBIDDEN. Merits
3 of a main or subsidiary motion shall not be discussed or debated
4 under the guise of speaking to a question of privilege.

5 CHAPTER E. VOTING

6 Sec. 40. RECORDING ALL VOTES ON VOTING MACHINE. On all
7 votes, except viva voce votes, members shall record their votes on
8 the voting machine and shall not be recognized by the chair to cast
9 their votes from the floor. If a member attempts to vote from the
10 floor, the speaker shall sustain a point of order directed against
11 the member's so doing. This rule shall not be applicable to the
12 mover or the principal opponent of the proposition being voted on
13 nor to a member whose voting machine is out of order. If a member
14 demands strict enforcement of this section, Section 47 shall not
15 apply to the taking of a vote, and the house may discipline a member
16 in violation of this rule pursuant to its inherent authority.

17 Sec. 41. REGISTRATION EQUIVALENT TO ROLL CALL VOTE. A
18 registration or vote taken on the voting machine of the house shall
19 in all instances be considered the equivalent of a roll call or yea
20 and nay vote, which might be had for the same purpose.

21 Sec. 42. DISCLOSURE OF PERSONAL OR PRIVATE INTEREST. Any
22 member who has a personal or private interest in any measure or bill
23 proposed or pending before the house shall disclose the fact and not
24 vote thereon.

25 Sec. 43. DIVIDING THE QUESTION. By a majority vote of the
26 house, a quorum being present, the question shall be divided, if it
27 includes propositions so distinct in substance that, one being

1 taken away, a substantive proposition remains. A motion for a
2 division vote cannot be made after the previous question has been
3 ordered, after a motion to table has been offered, after the
4 question has been put, nor after the yeas and nays have been
5 ordered. Under this subsection, the speaker may divide the
6 question into groups of propositions that are closely related.

7 Sec. 44. FAILURE OR REFUSAL TO VOTE. Any member who is
8 present and fails or refuses to vote after being requested to do so
9 by the speaker shall be recorded as present but not voting, and
10 shall be counted for the purpose of making a quorum.

11 Sec. 45. PRESENCE IN HOUSE REQUIRED IN ORDER TO VOTE. A
12 member must be on the floor of the house or in an adjacent room or
13 hallway on the same level as the house floor, in order to vote.

14 Sec. 46. LOCKING VOTING MACHINES OF ABSENT MEMBERS. During
15 each calendar day in which the house is in session, it shall be the
16 duty of the journal clerk to lock the voting machine of each member
17 who is excused or who is otherwise known to be absent. Each such
18 machine shall remain locked until the member in person contacts the
19 journal clerk and personally requests the unlocking of the machine.
20 Unless otherwise directed by the speaker, the journal clerk shall
21 not unlock any machine except at the personal request of the member
22 to whom the machine is assigned. Any violation, or any attempt by a
23 member or employee to circumvent the letter or spirit of this
24 section, shall be reported immediately to the speaker for such
25 disciplinary action by the speaker, or by the house, as may be
26 warranted under the circumstances.

27 Sec. 47. VOTING FOR ANOTHER MEMBER. Any member found

1 guilty by the house of knowingly voting for another member on the
2 voting machine without that other member's permission shall be
3 subject to discipline deemed appropriate by the house.

4 Sec. 48. INTERRUPTION OF A ROLL CALL. Once a roll call has
5 begun, it may not be interrupted for any reason. While a yea and nay
6 vote is being taken, or the vote is being counted, no member shall
7 visit the reading clerk's desk or the voting clerk's desk.

8 Sec. 49. EXPLANATION OF VOTE. (a) No member shall be
9 allowed to interrupt the vote or to make any explanation of a vote
10 that the member is about to give after the voting machine has been
11 opened, but may record in the journal the reasons for giving such a
12 vote.

13 (b) A "Reason for Vote" must be in writing and filed with the
14 journal clerk. If timely received, the "Reason for Vote" shall be
15 printed immediately following the results of the vote in the
16 journal. Otherwise, "Reasons for Vote" shall be printed in a
17 separate section at the end of the journal for the day on which the
18 reasons were recorded with the journal clerk. Such "Reason for
19 Vote" shall not deal in personalities or contain any personal
20 reflection on any member of the legislature, the speaker, the
21 lieutenant governor, or the governor, and shall not in any other
22 manner transgress the rules of the house relating to decorum and
23 debate.

24 (c) A member absent when a vote was taken may file with the
25 journal clerk while the house is in session a statement of how the
26 member would have voted if present. If timely received, the
27 statement shall be printed immediately following the results of the

1 vote in the journal. Otherwise, statements shall be printed in a
2 separate section at the end of the journal for the day on which the
3 statements were recorded with the journal clerk.

4 Sec. 50. PAIRS. (a) All pairs must be announced before the
5 vote is declared by the speaker, and a written statement sent to the
6 journal clerk. The statement must be signed by the absent member to
7 the pair, or the member's signature must have been authorized in
8 writing or by telephone, and satisfactory evidence presented to the
9 speaker if deemed necessary. If authorized in writing, the writing
10 shall be delivered to the chief clerk by personal delivery or by
11 commercially acceptable means of delivery, including electronic
12 transmission by PDF or similar secure format that is capable of
13 transmitting an accurate image of the member's signature. If
14 authorized by telephone, the call must be to and confirmed by the
15 chief clerk in advance of the vote to which it applies. Pairs shall
16 be entered in the journal, and the member present shall be counted
17 to make a quorum.

18 (b) The speaker may not refuse to recognize a pair that
19 complies with the requirements of Subsection (a), if both members
20 consent to the pair.

21 Sec. 51. ENTRY OF YEA AND NAY VOTE IN JOURNAL. (a) At the
22 desire of any three members [~~member~~] present, the yeas and nays of
23 the members of the house on any question shall be taken and entered
24 in the journal. No member or members shall be allowed to call for a
25 yea and nay vote after a vote has been declared by the speaker.

26 (b) A motion to expunge a yea and nay vote from the journal
27 shall not be in order.

1 (c) The yeas and nays of the members of the house on final
2 passage of any bill, any joint resolution proposing or ratifying a
3 constitutional amendment, and any other resolution, other than a
4 resolution of a purely ceremonial or honorary nature, shall be
5 taken and entered in the journal. For purposes of this subsection, a
6 vote on final passage includes a vote on:

7 (1) third reading;

8 (2) second reading if the house suspends or otherwise
9 dispenses with the requirement for three readings;

10 (3) whether to concur in the senate's amendments; or

11 (4) whether to adopt a conference committee report.

12 Sec. 51A. REAL-TIME ACCESS BY PUBLIC TO YEAS AND NAYS. The
13 Committee on House Administration shall ensure that:

14 (1) the recorded yeas and nays are available to the
15 public on the Internet and on any televised broadcast of the house
16 proceedings produced by or under the direction of the house; and

17 (2) members of the public may view the yeas and nays in
18 real time to the extent possible on the Internet and on any
19 televised broadcast of the house proceedings produced by or under
20 the direction of the house.

21 Sec. 52. JOURNAL RECORDING OF VOTES ON ANY QUESTION. On
22 any question where a record of the yeas and nays has not been
23 ordered, members may have their votes recorded in the journal as
24 "yea" or "nay" by filing such information with the journal clerk
25 before adjournment or recess to another calendar day.

26 Sec. 53. CHANGING A VOTE. Before the result of a vote has
27 been finally and conclusively pronounced by the chair, but not

1 thereafter, a member may change his or her vote; however, if a
2 member's vote is erroneous, the member shall be allowed to change
3 that vote at a later time provided:

4 (1) the result of the record vote is not changed
5 thereby;

6 (2) the request is made known to the house by the chair
7 and permission for the change is granted by unanimous consent; and

8 (3) a notation is made in the journal that the member's
9 vote was changed.

10 Sec. 54. TIE VOTE. All matters on which a vote may be taken
11 by the house shall require for adoption a favorable affirmative
12 vote as required by these rules, and in the case of a tie vote, the
13 matter shall be considered lost.

14 Sec. 55. VERIFICATION OF A YEA AND NAY VOTE. When the
15 result of a yea and nay vote is close, the speaker may on the request
16 of any member order a verification vote, or the speaker may order a
17 verification on his or her own initiative. During verification, no
18 member shall change a vote unless it was erroneously recorded, nor
19 may any member not having voted cast a vote; however, when the clerk
20 errs in reporting the yeas and nays, and correction thereof leaves
21 decisive effect to the speaker's vote, the speaker may exercise the
22 right to vote, even though the result has been announced. A
23 verification shall be called for immediately after the vote is
24 announced. The speaker shall not entertain a request for
25 verification after the house has proceeded to the next question, or
26 after a recess or an adjournment. A vote to recess or adjourn, like
27 any other proposition, may be verified. Only one vote verification

1 can be pending at a time. A verification may be dispensed with by a
2 two-thirds vote.

3 Sec. 56. VERIFICATION OF A REGISTRATION. The speaker may
4 allow the verification of a registration (as differentiated from a
5 record vote) if in the speaker's opinion there is serious doubt as
6 to the presence of a quorum.

7 Sec. 57. MOTION FOR A CALL OF THE HOUSE PENDING
8 VERIFICATION. A motion for a call of the house, and all incidental
9 motions relating to it, shall be in order pending the verification
10 of a vote. These motions must be made before the roll call on
11 verification begins, and it shall not be in order to break into the
12 roll call to make them.

13 Sec. 58. ERRONEOUS ANNOUNCEMENT OF THE RESULT OF A
14 VOTE. If, by an error of the voting clerk or reading clerk in
15 reporting the yeas and nays from a registration or verification,
16 the speaker announces a result different from that shown by the
17 registration or verification, the status of the question shall be
18 determined by the vote as actually recorded. If the vote is
19 erroneously announced in such a way as to change the true result,
20 all subsequent proceedings in connection therewith shall fail, and
21 the journal shall be amended accordingly.

1 RULE 6. ORDER OF BUSINESS AND CALENDARS

2 Sec. 1. DAILY ORDER OF BUSINESS. (a) When the house
3 convenes on a new legislative day, the daily order of business shall
4 be as follows:

5 (1) Call to order by speaker.

6 (2) Registration of members.

7 (3) Prayer by chaplain, unless the invocation has been
8 given previously on the particular calendar day.

9 (4) Pledge of allegiance to the United States flag.

10 (5) Pledge of allegiance to the Texas flag.

11 (6) Excuses for absence of members and officers.

12 (7) First reading and reference to committee of bills
13 filed with the chief clerk; and motions to introduce bills, when
14 such motions are required.

15 (8) Requests to print bills and other papers; requests
16 of committees for further time to consider papers referred to them;
17 and all other routine motions and business not otherwise provided
18 for, all of which shall be undebatable except that the mover and one
19 opponent of the motion shall be allowed three minutes each.

20 The mover of a routine motion shall be allowed his or her
21 choice of making the opening or the closing speech under this rule.
22 If the house, under a suspension of the rules, extends the time of a
23 member under this rule, such extensions shall be for three minutes.
24 Subsidiary motions that are applicable to routine motions shall be
25 in order, but the makers of such subsidiary motions shall not be
26 entitled to speak thereon in the routine motion period, nor shall
27 the authors of the original routine motions be allowed any

1 additional time because of subsidiary motions.

2 (9) Unfinished business.

3 (10) Third reading calendars of the house in their
4 order of priority in accordance with Section 7 of this rule, unless
5 a different order is determined under other provisions of these
6 rules.

7 (11) Postponed matters to be laid before the house in
8 accordance with Rule 7, Section 15.

9 (12) Second reading calendars of the house in their
10 order of priority in accordance with Section 7 of this rule, unless
11 a different order is determined under other provisions of these
12 rules.

13 (b) When the house reconvenes for the first time on a new
14 calendar day following a recess, the daily order of business shall
15 be:

16 (1) Call to order by the speaker.

17 (2) Registration of members.

18 (3) Prayer by the chaplain.

19 (4) Pledge of allegiance to the United States flag.

20 (5) Pledge of allegiance to the Texas flag.

21 (6) Excuses for absence of members and officers.

22 (7) Pending business.

23 (8) Calendars of the house in their order of priority
24 in accordance with Section 7 of this rule, unless a different order
25 is determined under other provisions of these rules.

26 Sec. 2. SPECIAL ORDERS. (a) Any bill, resolution, or
27 other measure may on any day be made a special order for the same day

1 or for a future day of the session by an affirmative vote of
2 two-thirds of the members present. A motion to set a special order
3 shall be subject to the three-minute pro and con debate rule. When
4 once established as a special order, a bill, resolution, or other
5 measure shall be considered from day to day until disposed of; and
6 until it has been disposed of, no further special orders shall be
7 made.

8 A three-fourths vote of the members present shall be required
9 to suspend the portion of this rule which specifies that only one
10 special order may be made and pending at a time.

11 (b) After the first eight items under the daily order of
12 business for a legislative day have been passed, a special order
13 shall have precedence when the hour for its consideration has
14 arrived, except as provided in Section 9 of this rule.

15 (c) After the 115th day of a regular session, if a joint
16 resolution has appeared on a daily house calendar and is adopted,
17 and a bill that is enabling legislation for the joint resolution is
18 either on or eligible to be placed on a calendar, the author or
19 sponsor of the bill or another member may immediately be recognized
20 for a motion to set the bill that is the enabling legislation as a
21 special order pursuant to this section. For purposes of this
22 subsection, the bill must have been designated as the enabling
23 legislation for the joint resolution in writing filed with the
24 chief clerk not later than the date the committee report for the
25 enabling legislation is printed and distributed.

26 Sec. 3. POSTPONEMENT OF A SPECIAL ORDER. A special order
27 may be postponed to a day certain by a two-thirds vote of those

1 present, and when so postponed, shall be considered as disposed of
2 so far as its place as a special order is concerned.

3 Sec. 4. TABLED MEASURES AS SPECIAL ORDERS. A bill or
4 resolution laid on the table subject to call may be made a special
5 order.

6 Sec. 5. SUBSTITUTION IN MOTION FOR A SPECIAL ORDER. When a
7 motion is pending to set a particular bill or resolution as a
8 special order, it shall not be in order to move as a substitute to
9 set another bill or resolution as a special order. It shall be in
10 order, however, to substitute, by majority vote, a different time
11 for the special order consideration than that given in the original
12 motion.

13 Sec. 6. MEMBER'S SUSPENSION AND SPECIAL ORDER PRIVILEGES.
14 If a member moves to set a bill or joint resolution as a special
15 order, or moves to suspend the rules to take up a bill or joint
16 resolution out of its regular order, and the motion prevails, the
17 member shall not have the right to make either of these motions
18 again until every other member has had an opportunity, via either of
19 these motions, to have some bill or joint resolution considered out
20 of its regular order during that session of the legislature. A
21 member shall not lose the suspension privilege if the motion to
22 suspend or set for special order does not prevail.

23 Sec. 7. SYSTEM OF CALENDARS. (a) Legislative business of
24 the house shall be controlled by a system of calendars, consisting
25 of the following:

26 (1) EMERGENCY CALENDAR, on which shall appear bills
27 considered to be of such pressing and imperative import as to demand

1 immediate action, bills to raise revenue and levy taxes, and the
2 general appropriations bill. A bill submitted as an emergency
3 matter by the governor may also be placed on this calendar.

4 (2) MAJOR STATE CALENDAR, on which shall appear bills
5 of statewide effect, not emergency in nature, which establish or
6 change state policy in a major field of governmental activity and
7 which will have a major impact in application throughout the state
8 without regard to class, area, or other limiting factors.

9 (3) CONSTITUTIONAL AMENDMENTS CALENDAR, on which
10 shall appear joint resolutions proposing amendments to the Texas
11 Constitution, joint resolutions proposing the ratification of
12 amendments to the Constitution of the United States, and joint
13 resolutions applying to Congress for a convention to amend the
14 Constitution of the United States.

15 (4) GENERAL STATE CALENDAR, on which shall appear
16 bills of statewide effect, not emergency in nature, which establish
17 or change state law and which have application to all areas but are
18 limited in legal effect by classification or other factors which
19 minimize the impact to something less than major state policy, and
20 bills, not emergency in nature, which are not on the local, consent,
21 and resolutions calendar.

22 (5) LOCAL, CONSENT, AND RESOLUTIONS CALENDAR, on which
23 shall appear bills, house resolutions, and concurrent resolutions,
24 not emergency in nature, regardless of extent and scope, on which
25 there is such general agreement as to render improbable any
26 opposition to the consideration and passage thereof, and which have
27 been recommended by the appropriate standing committee for

1 placement on the local, consent, and resolutions calendar by the
2 Committee on Local and Consent Calendars.

3 (6) RESOLUTIONS CALENDAR, on which shall appear house
4 resolutions and concurrent resolutions, not emergency in nature and
5 not privileged.

6 (7) CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR,
7 on which shall appear congratulatory and memorial resolutions whose
8 sole intent is to congratulate, memorialize, or otherwise express
9 concern or commendation. The Committee on Resolutions Calendars
10 may provide separate categories for congratulatory and memorial
11 resolutions.

12 (b) A calendars committee shall strictly construe and the
13 speaker shall strictly enforce this system of calendars.

14 Sec. 8. SENATE BILL CALENDARS. (a) Senate bills and
15 resolutions pending in the house shall follow the same procedure
16 with regard to calendars as house bills and resolutions, but
17 separate calendars shall be maintained for senate bills and
18 resolutions, and consideration of them on senate bill days shall
19 have priority in the manner and order specified in this rule.

20 (b) No other business shall be considered on days devoted to
21 the consideration of senate bills when there remain any bills on any
22 of the senate calendars, except with the consent of the senate. When
23 all senate calendars are clear, the house may proceed to
24 consideration of house calendars on senate bill days.

25 Sec. 9. SENATE BILL DAYS. (a) On calendar Wednesday and
26 on calendar Thursday of each week, only senate bills and senate
27 resolutions shall be taken up and considered, until disposed of.

1 Senate bills and senate resolutions shall be considered in the
2 order prescribed in Section 7 of this rule on separate senate
3 calendars prepared by the Committee on Calendars. In case a senate
4 bill or senate resolution is pending at adjournment on calendar
5 Thursday, it shall go over to the succeeding calendar Wednesday as
6 unfinished business.

7 (b) Precedence given in Rule 8 to certain classes of bills
8 during the first 60 calendar days of a regular session shall also
9 apply to senate bills on senate bill days.

10 Sec. 10. CONSIDERATION OF SENATE BILL ON SAME
11 SUBJECT. When any house bill is reached on the calendar or is
12 before the house for consideration, it shall be the duty of the
13 speaker to give the place on the calendar of the house bill to any
14 senate bill containing the same subject that has been referred to
15 and reported from a committee of the house and to lay the senate
16 bill before the house, to be considered in lieu of the house bill.

17 Sec. 11. PERIODS FOR CONSIDERATION OF CONGRATULATORY AND
18 MEMORIAL CALENDARS. As the volume of legislation shall warrant,
19 the chair of the Committee on Resolutions Calendars shall move to
20 designate periods for the consideration of congratulatory and
21 memorial calendars. Each such motion shall require a two-thirds
22 vote for its adoption. In each instance, the Committee on
23 Resolutions Calendars shall prepare and post on the electronic
24 legislative information system a calendar at least 24 hours in
25 advance of the hour set for consideration. No memorial or
26 congratulatory resolution will be heard by the full house without
27 having first been approved, at least 24 hours in advance, by a

1 majority of the membership of the Committee on Resolutions
2 Calendars, in accordance with Rule 4, Section 16. It shall not be
3 necessary for the Committee on Resolutions Calendars to report a
4 memorial or congratulatory resolution from committee in order to
5 place the resolution on a congratulatory and memorial calendar. If
6 the Committee on Resolutions Calendars determines that a resolution
7 is not eligible for placement on the congratulatory and memorial
8 calendar the measure shall be sent to the Committee on Calendars for
9 further action. A congratulatory and memorial calendar will
10 contain the resolution number, the author's name, and a brief
11 description of the intent of the resolution. On the congratulatory
12 and memorial calendar, congratulatory resolutions may be listed
13 separately from memorial resolutions. Once a calendar is posted,
14 no additional resolutions will be added to it, and the requirements
15 of this section shall not be subject to suspension.

16 Sec. 12. PROCEDURE FOR CONSIDERATION OF CONGRATULATORY AND
17 MEMORIAL CALENDARS. During the consideration of a congratulatory
18 and memorial calendar, resolutions shall not be read in full unless
19 they pertain to members or former members of the legislature, or
20 unless the intended recipient of the resolution is present on the
21 house floor or in the gallery. All other such resolutions shall be
22 read only by number, type of resolution, and name of the person or
23 persons designated in the resolutions. Members shall notify the
24 chair, in advance of consideration of the calendar, of any
25 resolutions that will be required to be read in full. In addition,
26 the following procedures shall be observed:

27 (1) The chair shall recognize the reading clerk to

1 read the resolutions within each category on the calendar only by
2 number, type of resolution, author or sponsor, and name of the
3 person or persons designated in the resolutions, except for those
4 resolutions that have been withdrawn or that are required to be read
5 in full. The resolutions read by the clerk shall then be adopted in
6 one motion for each category.

7 (2) Subsequent to the adoption of the resolutions read
8 by the clerk, the chair shall proceed to lay before the house the
9 resolutions on the calendar that are required to be read in full.
10 Each such resolution shall be read and adopted individually.

11 (3) If it develops that any resolution on the
12 congratulatory and memorial calendar does not belong on that
13 calendar, the chair shall withdraw the resolution from further
14 consideration, remove it from the calendar, and refer it to the
15 appropriate calendars committee for placement on the proper
16 calendar.

17 Sec. 13. PERIODS FOR CONSIDERATION OF LOCAL, CONSENT, AND
18 RESOLUTIONS CALENDARS. (a) As the volume of legislation shall
19 warrant, the chair of the Committee on Local and Consent Calendars
20 shall move to designate periods for the consideration of local,
21 consent, and resolutions calendars. Each such motion shall require
22 a two-thirds vote for its adoption. In each instance, the Committee
23 on Local and Consent Calendars shall prepare and post on the
24 electronic legislative information system a calendar at least 48
25 hours in advance of the hour set for consideration. Once a calendar
26 is posted, no additional bills or resolutions will be added to it.
27 This requirement can be suspended only by unanimous consent. No

1 local, consent, and resolutions calendar may be considered by the
2 house if it is determined that the rules of the house were not
3 complied with by the Committee on Local and Consent Calendars in
4 preparing that calendar.

5 (b) The period designated for the consideration of a local,
6 consent, and resolutions calendar under this section or under a
7 special order under Section 2 of this rule may not exceed one
8 calendar day.

9 Sec. 14. PROCEDURE FOR CONSIDERATION OF LOCAL, CONSENT, AND
10 RESOLUTIONS CALENDARS. During the consideration of a local,
11 consent, and resolutions calendar set by the Committee on Local and
12 Consent Calendars the following procedures shall be observed:

13 (1) The chair shall allow the sponsor of each bill or
14 resolution three minutes to explain the measure, and the time shall
15 not be extended except by unanimous consent of the house. This rule
16 shall have precedence over all other rules limiting time for
17 debate.

18 (2) If it develops that any bill or resolution on a
19 local, consent, and resolutions calendar is to be contested on the
20 floor of the house under Subdivision (3) or (4) of this section, the
21 chair shall withdraw the bill or resolution from further
22 consideration and remove it from the calendar.

23 (3) Any bill or resolution on a local, consent, and
24 resolutions calendar shall be considered contested if notice is
25 given by five or more members present in the house under Rule 5,
26 Section 45, that they intend to oppose the bill or resolution,
27 either by a raising of hands or the delivery of written notice to

1 the chair.

2 (4) Any bill or resolution on a local, consent, and
3 resolutions calendar shall be considered contested if debate
4 exceeds 10 minutes, after the chair lays out the bill or resolution
5 following the sponsor's explanation under Subdivision (1) of this
6 section. The chair shall strictly enforce this time limit and
7 automatically withdraw the bill from further consideration if the
8 time limit herein imposed is exceeded.

9 (5) Any bill or resolution on a local, consent, and
10 resolutions calendar that is not reached for floor consideration
11 because of the expiration of the calendar day period for
12 consideration established by Section 13 of this rule shall carry
13 over onto the next local, consent, and resolutions calendar. Bills
14 or resolutions that carry over must appear in the same relative
15 order as on the calendar on which the bills or resolutions initially
16 appeared, and bills or resolutions originally from older calendars
17 must appear before those originally from more recent calendars.

18 (6) A motion to postpone a bill or resolution on a
19 local, consent, and resolutions calendar to a subsequent
20 legislative or calendar day requires an affirmative vote of
21 two-thirds of the members present.

22 Sec. 15. ORDER OF CONSIDERATION OF CALENDARS. Except for
23 local, consent, and resolutions calendars and congratulatory and
24 memorial calendars, consideration of calendars shall be in the
25 order named in Section 7 of this rule, subject to any exceptions
26 ordered by the Committee on Calendars. Bills and resolutions on
27 third reading shall have precedence over bills and resolutions on

1 second reading.

2 Sec. 16. DAILY CALENDARS, SUPPLEMENTAL CALENDARS, AND LISTS
3 OF ITEMS ELIGIBLE FOR CONSIDERATION. (a) Calendars shall be
4 prepared daily when the house is in session. A calendar must be
5 posted on the electronic legislative information system at least 36
6 hours if convened in regular session and 24 hours if convened in
7 special session before the calendar may be considered by the house,
8 except as otherwise provided by these rules for the calendar on
9 which the general appropriations bill is first eligible for
10 consideration on second reading when convened in regular session.
11 A calendar that contains a bill extending an agency, commission, or
12 advisory committee under the Texas Sunset Act must be posted at
13 least 48 hours if convened in regular or special session before the
14 calendar may be considered by the house. Deviations from the
15 calendars as posted shall not be permitted except that the
16 Committee on Calendars shall be authorized to prepare and post, not
17 later than two hours before the house convenes, a supplemental
18 daily house calendar, on which shall appear:

19 (1) bills or resolutions which were passed to third
20 reading on the previous legislative day, except as provided by
21 Section 24(b) of this rule;

22 (2) bills or resolutions which appeared on the Daily
23 House Calendar for a previous calendar day which were not reached
24 for floor consideration;

25 (3) postponed business from a previous calendar day;
26 and

27 (4) notice to take from the table a bill or resolution

1 which was laid on the table subject to call on a previous
2 legislative day.

3 In addition to the items listed above, the bills and
4 resolutions from a daily house calendar that will be eligible for
5 consideration may be incorporated, in their proper order as
6 determined by these rules, into the supplemental daily house
7 calendar.

8 (a-1) If the house is convened in regular session, the
9 calendar on which the general appropriations bill is first eligible
10 for consideration on second reading must be posted on the
11 electronic legislative information system at least 144 hours before
12 the calendar may be considered by the house. The posted calendar
13 must indicate the date and time at which the calendar is scheduled
14 for consideration by the house, which date and time must be in
15 accordance with Rule 8, Section 14.

16 (b) In addition, when the volume of legislation shall
17 warrant, and upon request of the speaker, the chief clerk shall have
18 prepared a list of Items Eligible for Consideration, on which shall
19 appear only:

20 (1) house bills with senate amendments that are
21 eligible for consideration under Rule 13, Section 5, including the
22 number of senate amendments and the total number of pages of senate
23 amendments;

24 (2) senate bills for which the senate has requested
25 appointment of a conference committee; and

26 (3) conference committee reports that are eligible for
27 consideration under Rule 13, Section 10.

1 (c) The list of Items Eligible for Consideration must be
2 posted on the electronic legislative information system at least
3 six hours before the list may be considered by the house.

4 (d) The time at which a calendar or list is posted on the
5 electronic legislative information system shall be time-stamped on
6 the originals of the calendar or list.

7 (e) No house calendar shall be eligible for consideration if
8 it is determined that the rules of the house were not complied with
9 by the Committee on Calendars in preparing that calendar.

10 (f) If the Committee on Calendars has proposed a rule for
11 floor consideration of a bill or resolution that is eligible to be
12 placed on a calendar of the daily house calendar, the rule must be
13 printed and a copy distributed to each member. If the bill or
14 resolution to which the rule will apply has already been placed on a
15 calendar of the daily house calendar, a copy of the rule must also
16 be posted with the calendar on which the bill or resolution appears.
17 The speaker shall lay a proposed rule before the house prior to the
18 consideration of the bill or resolution to which the rule will
19 apply. The rule shall be laid before the house not earlier than six
20 hours after a copy of the rule has been distributed to each member
21 in accordance with this subsection. The rule shall not be subject
22 to amendment, but to be effective, the rule must be approved by the
23 house by an affirmative vote of two-thirds of those members present
24 and voting, except that the rule must be approved by an affirmative
25 vote of a majority of those members present and voting if the rule
26 applies to a tax bill, an appropriations bill, or a redistricting
27 bill. If approved by the house in accordance with this subsection,

1 the rule will be effective for the consideration of the bill or
2 resolution on both second and third readings.

3 Sec. 17. POSITION ON A CALENDAR. (a) Unless removed from
4 the calendar under Subsection (b) of this section, once a bill or
5 resolution is placed on its appropriate calendar under these rules,
6 and has appeared on a house calendar, as posted on the electronic
7 legislative information system, the bill shall retain its relative
8 position on the calendar until reached for floor consideration, and
9 the calendars committee with jurisdiction over the bill or
10 resolution shall have no authority to place other bills on the
11 calendar ahead of that bill, but all additions to the calendar shall
12 appear subsequent to the bill.

13 (b) If a bill or resolution that has been placed on a house
14 calendar, as posted on the electronic legislative information
15 system, is recommitted or withdrawn from further consideration, the
16 bill or resolution relinquishes its position on the calendar, and
17 the bill or resolution shall be removed from the calendar.

18 Sec. 18. REQUIREMENTS FOR PLACEMENT ON A CALENDAR. Except
19 as provided in Section 11 of this rule as it relates to
20 congratulatory and memorial resolutions, no bill or resolution
21 shall be placed on a calendar until:

22 (1) it has been referred to and reported from its
23 appropriate standing committee by favorable committee action; or

24 (2) it is ordered printed on minority report or after a
25 committee has reported its inability to recommend a course of
26 action.

27 Sec. 19. REFERRAL TO CALENDARS COMMITTEES. All bills and

1 resolutions, on being reported from committee, shall be referred
2 immediately to the committee coordinator for printing and then to
3 the appropriate calendars committee for placement on the
4 appropriate calendar.

5 Sec. 20. TIME LIMIT FOR VOTE TO PLACE ON A CALENDAR. Within
6 30 calendar days after a bill or resolution has been referred to the
7 appropriate calendars committee, the committee must vote on whether
8 to place the bill or resolution on one of the calendars of the daily
9 house calendar or the local, consent, and resolutions calendar, as
10 applicable. A vote against placement of the bill or resolution on a
11 calendar does not preclude a calendars committee from later voting
12 in favor of placement of the bill or resolution on a calendar.

13 Sec. 21. MOTION TO PLACE ON A CALENDAR. (a) When a bill or
14 resolution has been in the appropriate calendars committee for 30
15 calendar days, exclusive of the calendar day on which it was
16 referred, awaiting placement on one of the calendars of the daily
17 house calendar or on the local, consent, and resolutions calendar,
18 it shall be in order for a member to move that the bill or resolution
19 be placed on a specific calendar of the daily house calendar or on
20 the local, consent, and resolutions calendar without action by the
21 committee. This motion must be seconded by five members and shall
22 require a majority vote for adoption.

23 (b) A motion to place a bill or resolution on a specific
24 calendar of the daily house calendar or on the local, consent, and
25 resolutions calendar is not a privileged motion and must be made
26 during the routine motion period unless made under a suspension of
27 the rules.

1 Sec. 22. REQUEST FOR PLACEMENT ON LOCAL, CONSENT, AND
2 RESOLUTIONS CALENDAR. No bill or resolution shall be considered
3 for placement on the local, consent, and resolutions calendar by
4 the Committee on Local and Consent Calendars unless a request for
5 that placement has been made to the chair of the standing committee
6 from which the bill or resolution was reported and unless the
7 committee report of the standing committee recommends that the bill
8 or resolution be sent to the Committee on Local and Consent
9 Calendars for placement on the local, consent, and resolutions
10 calendar. The recommendation of the standing committee shall be
11 advisory only, and the Committee on Local and Consent Calendars
12 shall have final authority to determine whether or not a bill or
13 resolution shall be placed on the local, consent, and resolutions
14 calendar. If the Committee on Local and Consent Calendars
15 determines that the bill or resolution is not eligible for
16 placement on the local, consent, and resolutions calendar, the
17 measure shall be sent to the Committee on Calendars for further
18 action.

19 Sec. 23. QUALIFICATIONS FOR PLACEMENT ON THE LOCAL,
20 CONSENT, AND RESOLUTIONS CALENDAR. (a) No bill defined as a local
21 bill by Rule 8, Section 10(c), shall be placed on the local,
22 consent, and resolutions calendar unless:

23 (1) evidence of publication of notice in compliance
24 with the Texas Constitution and these rules is filed with the
25 Committee on Local and Consent Calendars; and

26 (2) it has been recommended unanimously by the present
27 and voting members of the committee from which it was reported that

1 the bill be sent to the Committee on Local and Consent Calendars for
2 placement on the local, consent, and resolutions calendar.

3 (b) No other bill or resolution shall be placed on the
4 local, consent, and resolutions calendar unless it has been
5 recommended unanimously by the present and voting members of the
6 committee from which it was reported that the bill be sent to the
7 Committee on Local and Consent Calendars for placement on the
8 local, consent, and resolutions calendar.

9 (c) No bill or resolution shall be placed on the local,
10 consent, and resolutions calendar that:

11 (1) directly or indirectly prevents from being
12 available for purposes of funding state government generally any
13 money that under existing law would otherwise be available for that
14 purpose, including a bill that transfers or diverts money in the
15 state treasury from the general revenue fund to another fund; or

16 (2) authorizes or requires the expenditure or
17 diversion of state funds for any purpose, as determined by a fiscal
18 note attached to the bill.

19 Sec. 24. REPLACEMENT OF CONTESTED BILLS AND
20 RESOLUTIONS. (a) A bill on second reading or a resolution once
21 removed from the local, consent, and resolutions calendar by being
22 contested on the floor of the house under Section 14(3) or (4) of
23 this rule shall be returned to the Committee on Local and Consent
24 Calendars for further action. The Committee on Local and Consent
25 Calendars, if it feels such action is warranted, may again place the
26 bill or resolution on the local, consent, and resolutions calendar,
27 provided, however, that if the bill or resolution is not placed on

1 the next local, consent, and resolutions calendar set by the
2 Committee on Local and Consent Calendars, the bill or resolution
3 shall immediately be referred to the Committee on Calendars for
4 further action. If a bill on second reading or a resolution is then
5 removed from the calendar a second time by being contested on the
6 floor of the house under Section 14(3) or (4) of this rule, the bill
7 or resolution shall not again be placed on the local, consent, and
8 resolutions calendar by the Committee on Local and Consent
9 Calendars during that session of the legislature but shall be
10 returned to the Committee on Calendars for further action.

11 (b) A bill on third reading removed from the local, consent,
12 and resolutions calendar under Section 14(3) or (4) of this rule
13 shall appear on the supplemental daily house calendar for the next
14 legislative day for which a supplemental daily house calendar has
15 not already been distributed, pursuant to Section 16(a)(1) of this
16 rule.

17 (c) This section does not apply to a bill or resolution on
18 the local, consent, and resolutions calendar that is withdrawn from
19 the calendar at the request of the author or sponsor without being
20 contested under Section 14(3) or (4) of this rule. A bill or
21 resolution withdrawn under this subsection shall be returned to the
22 Committee on Local and Consent Calendars for further action. The
23 Committee on Local and Consent Calendars, if it feels such action is
24 warranted, may again place the bill or resolution on the local,
25 consent, and resolutions calendar or refer the bill or resolution
26 to the Committee on Calendars for further action.

27 Sec. 25. DISCRETION IN PLACEMENT ON CALENDARS. Subject to

H.R. No. 4

1 the limitations contained in this rule, the Committee on Calendars
2 shall have full authority to make placements on calendars in
3 whatever order is necessary and desirable under the circumstances
4 then existing, except that bills on third reading shall have
5 precedence over bills on second reading. It is the intent of the
6 calendar system to give the Committee on Calendars wide discretion
7 to insure adequate consideration by the house of important
8 legislation.

- 1 (1) to suspend the regular order of business and take
2 up some measure out of its regular order;
- 3 (2) to instruct a committee to report a certain bill or
4 resolution;
- 5 (3) to rerefer a bill or resolution from one committee
6 to another;
- 7 (4) to place a bill or resolution on a specific
8 calendar without action by the appropriate calendars committee;
- 9 (5) to take up a bill or resolution laid on the table
10 subject to call;
- 11 (6) to set a special order;
- 12 (7) to suspend the rules;
- 13 (8) to suspend the constitutional rule requiring bills
14 to be read on three several days;
- 15 (9) to pass a resolution suspending the joint rules;
- 16 (10) to order the previous question;
- 17 (11) to order the limiting of amendments to a bill or
18 resolution;
- 19 (12) to print documents, reports, or other material in
20 the journal;
- 21 (13) to take any other action required or permitted
22 during the routine motion period by Rule 6, Section 1;
- 23 (14) to divide the question.

24 Sec. 3. MOTIONS ALLOWED DURING DEBATE. When a question is
25 under debate, the following motions, and none other, shall be in
26 order, and such motions shall have precedence in the following
27 order:

- 1 (1) to adjourn;
- 2 (2) to take recess;
- 3 (3) to lay on the table;
- 4 (4) to lay on the table subject to call;
- 5 (5) for the previous question;
- 6 (6) to postpone to a day certain;
- 7 (7) to commit, recommit, refer, or rerefer;
- 8 (8) to amend by striking out the enacting or resolving
- 9 clause, which, if carried, shall have the effect of defeating the
- 10 bill or resolution;
- 11 (9) to amend;
- 12 (10) to postpone indefinitely.

13 Sec. 4. STATEMENT OR READING OF A MOTION. When a motion has
14 been made, the speaker shall state it, or if it is in writing, order
15 it read by the clerk; and it shall then be in possession of the
16 house.

17 Sec. 5. ENTRY OF MOTIONS IN JOURNAL. Every motion made to
18 the house and entertained by the speaker shall be reduced to writing
19 on the demand of any member, and shall be entered on the journal
20 with the name of the member making it.

21 Sec. 6. WITHDRAWAL OF A MOTION. A motion may be withdrawn
22 by the mover at any time before a decision on the motion, even
23 though an amendment may have been offered and is pending. It cannot
24 be withdrawn, however, if the motion has been amended. After the
25 previous question has been ordered, a motion can be withdrawn only
26 by unanimous consent.

27 Sec. 7. MOTIONS TO ADJOURN OR RECESS. A motion to adjourn

1 or recess shall always be in order, except:

2 (1) when the house is voting on another motion;

3 (2) when the previous question has been ordered and
4 before the final vote on the main question, unless a roll call shows
5 the absence of a quorum;

6 (3) when a member entitled to the floor has not yielded
7 for that purpose; or

8 (4) when no business has been transacted since a
9 motion to adjourn or recess has been defeated.

10 Sec. 8. CONSIDERATION OF SEVERAL MOTIONS TO ADJOURN OR
11 RECESS. When several motions to recess or adjourn are made at the
12 same period, the motion to adjourn carrying the shortest time shall
13 be put first, then the next shortest time, and in that order until a
14 motion to adjourn has been adopted or until all have been voted on
15 and lost; and then the same procedure shall be followed for motions
16 to recess.

17 Sec. 9. WITHDRAWAL OR ADDITION OF A MOTION TO ADJOURN OR
18 RECESS. A motion to adjourn or recess may not be withdrawn when it
19 is one of a series upon which voting has commenced, nor may an
20 additional motion to adjourn or recess be made when voting has
21 commenced on a series of such motions.

22 Sec. 10. RECONSIDERATION OF VOTE TO ADJOURN OR RECESS. The
23 vote by which a motion to adjourn or recess is carried or lost shall
24 not be subject to a motion to reconsider.

25 Sec. 11. ADJOURNING WITH LESS THAN A QUORUM. A smaller
26 number of members than a quorum may adjourn from day to day, and may
27 compel the attendance of absent members.

1 Sec. 12. MOTION TO TABLE. A motion to lay on the table, if
2 carried, shall have the effect of killing the bill, resolution,
3 amendment, or other immediate proposition to which it was applied.
4 Such a motion shall not be debatable, but the mover of the
5 proposition to be tabled, or the member reporting it from
6 committee, shall be allowed to close the debate after the motion to
7 table is made and before it is put to a vote. When a motion to table
8 is made to a debatable main motion, the main motion mover shall be
9 allowed 20 minutes to close the debate, whereas the movers of other
10 debatable motions sought to be tabled shall be allowed only 10
11 minutes to close. The vote by which a motion to table is carried or
12 lost cannot be reconsidered. After the previous question has been
13 ordered, a motion to table is not in order. The provisions of this
14 section do not apply to motions to "lay on the table subject to
15 call"; however, a motion to lay on the table subject to call cannot
16 be made after the previous question has been ordered.

17 Sec. 13. MATTERS TABLED SUBJECT TO CALL. When a bill,
18 resolution, or other matter is pending before the house, it may be
19 laid on the table subject to call, and one legislative day's notice,
20 as provided on the Supplemental House Calendar, must be given
21 before the proposition can be taken from the table, unless it is on
22 the same legislative day, in which case it can be taken from the
23 table at any time except when there is another matter pending before
24 the house. A bill, resolution, or other matter can be taken from
25 the table only by a majority vote of the house. When a special order
26 is pending, a motion to take a proposition from the table cannot be
27 made unless the proposition is a privileged matter.

1 Sec. 14. MOTION TO POSTPONE. (a) A motion to postpone to a
2 day certain may be amended and is debatable within narrow limits,
3 but the merits of the proposition sought to be postponed cannot be
4 debated. A motion to postpone indefinitely opens to debate the
5 entire proposition to which it applies.

6 (b) A motion to postpone a bill or resolution on a local,
7 consent, and resolutions calendar to a subsequent legislative or
8 calendar day requires an affirmative vote of two-thirds of the
9 members present.

10 Sec. 15. POSTPONED MATTERS. A bill or proposition
11 postponed to a day certain shall be laid before the house at the
12 time on the calendar day to which it was postponed, provided it is
13 otherwise eligible under the rules and no other business is then
14 pending. If business is pending, the postponed matter shall be
15 deferred until the pending business is disposed of without
16 prejudice otherwise to its right of priority. When a privileged
17 matter is postponed to a particular time, and that time arrives, the
18 matter, still retaining its privileged nature, shall be taken up
19 even though another matter is pending.

20 Sec. 16. ORDER OF CONSIDERATION OF POSTPONED MATTERS. If
21 two or more bills, resolutions, or other propositions are postponed
22 to the same time, and are otherwise eligible for consideration at
23 that time, they shall be considered in the chronological order of
24 their setting.

25 Sec. 17. MOTION TO REFER. When motions are made to refer a
26 subject to a select or standing committee, the question on the
27 subject's referral to a standing committee shall be put first.

1 Sec. 18. MOTION TO RECOMMIT. A motion to recommit a bill,
2 after being defeated at the routine motion period, may again be made
3 when the bill itself is under consideration; however, a motion to
4 recommit a bill shall not be in order at the routine motion period
5 if the bill is then before the house as either pending business or
6 unfinished business.

7 A motion to recommit a bill or resolution can be made and
8 voted on even though the author, sponsor, or principal proponent is
9 not present.

10 Sec. 19. TERMS OF DEBATE ON MOTIONS TO REFER, REREFER,
11 COMMIT, OR RECOMMIT. A motion to refer, rerefer, commit, or
12 recommit is debatable within narrow limits, but the merits of the
13 proposition may not be brought into the debate. A motion to refer,
14 rerefer, commit, or recommit with instructions is fully debatable.

15 Sec. 20. RECOMMITTING TO COMMITTEE FOR A SECOND TIME.
16 Except as provided in Rule 4, Section 30, when a bill has been
17 recommitted once at any reading and has been reported adversely by
18 the committee to which it was referred, it shall be in order to
19 again recommit the bill only if a minority report has been filed in
20 the time required by the rules of the house. A two-thirds vote of
21 those present shall be required to recommit a second time.

22 CHAPTER B. MOTION FOR THE PREVIOUS QUESTION

23 Sec. 21. MOTION FOR THE PREVIOUS QUESTION. There shall be a
24 motion for the previous question, which shall be admitted only when
25 seconded by 25 members. It shall be put by the chair in this manner:
26 "The motion has been seconded. Three minutes pro and con debate
27 will be allowed on the motion for ordering the previous question."

1 As soon as the debate has ended, the chair shall continue: "As many
2 as are in favor of ordering the previous question on (here state on
3 which question or questions) will say 'Aye,'" and then, "As many as
4 are opposed say 'Nay.'" As in all other propositions, a motion for
5 the previous question may be taken by a record vote if demanded by
6 any member. If ordered by a majority of the members voting, a
7 quorum being present, it shall have the effect of cutting off all
8 debate, except as provided in Section 23 of this rule, and bringing
9 the house to a direct vote on the immediate question or questions on
10 which it has been asked and ordered.

11 Sec. 22. DEBATE ON MOTION FOR PREVIOUS QUESTION. On the
12 motion for the previous question, there shall be no debate except as
13 provided in Sections 2 and 21 of this rule. All incidental
14 questions of order made pending decision on such motion shall be
15 decided, whether on appeal or otherwise, without debate.

16 Sec. 23. LIMITATION OF DEBATE AFTER PREVIOUS QUESTION
17 ORDERED. After the previous question has been ordered, there shall
18 be no debate upon the questions on which it has been ordered, or
19 upon the incidental questions, except that the mover of the
20 proposition or any of the pending amendments or any other motions,
21 or the member making the report from the committee, or, in the case
22 of the absence of either of them, any other member designated by
23 such absentee, shall have the right to close the debate on the
24 particular proposition or amendment. Then a vote shall be taken
25 immediately on the amendments or other motions, if any, and then on
26 the main question.

27 Sec. 24. SPEAKING AND VOTING AFTER THE PREVIOUS QUESTION

1 ORDERED. All members having the right to speak after the previous
2 question has been ordered shall speak before the question is put on
3 the first proposition covered by the previous question. All votes
4 shall then be taken in the correct order, and no vote or votes shall
5 be deferred to allow any member to close on any one of the
6 propositions separately after the voting has commenced.

7 Sec. 25. SPEAKING ON AN AMENDMENT AS SUBSTITUTED. When an
8 amendment has been substituted and the previous question is then
9 moved on the adoption of the amendment as substituted, the author of
10 the amendment as substituted shall have the right to close the
11 debate on that amendment in lieu of the author of the original
12 amendment.

13 Sec. 26. SPEAKING ON A MOTION TO POSTPONE OR AMEND. When
14 the previous question is ordered on a motion to postpone
15 indefinitely or to amend by striking out the enacting clause of a
16 bill, the member moving to postpone or amend shall have the right to
17 close the debate on that motion or amendment, after which the mover
18 of the proposition or bill proposed to be so postponed or amended,
19 or the member reporting it from the committee, or, in the absence of
20 either of them, any other member designated by the absentee, shall
21 be allowed to close the debate on the original proposition.

22 Sec. 27. APPLICATION OF THE PREVIOUS QUESTION. The
23 previous question may be asked and ordered on any debatable single
24 motion or series of motions, or any amendment or amendments
25 pending, or it may be made to embrace all authorized debatable
26 motions or amendments pending and include the bill, resolution, or
27 proposition that is on second or third reading. The previous

1 question cannot be ordered, however, on the main proposition
2 without including other pending motions of lower rank as given in
3 Section 3 of this rule.

4 Sec. 28. LIMIT OF APPLICATION. The previous question shall
5 not extend beyond the final vote on a motion or sequence of motions
6 to which the previous question has been ordered.

7 Sec. 29. AMENDMENTS NOT YET LAID BEFORE THE HOUSE.
8 Amendments on the speaker's desk for consideration which have not
9 actually been laid before the house and read cannot be included
10 under a motion for the previous question.

11 Sec. 30. MOVING THE PREVIOUS QUESTION AFTER A MOTION TO
12 TABLE. If a motion to table is made directly to a main motion, the
13 motion for the previous question is not in order. In a case where an
14 amendment to a main motion is pending, and a motion to table the
15 amendment is made, it is in order to move the previous question on
16 the main motion, the pending amendment, and the motion to table the
17 amendment.

18 Sec. 31. NO SUBSTITUTE FOR MOTION FOR THE PREVIOUS
19 QUESTION. There is no acceptable substitute for a motion for the
20 previous question, nor can other motions be applied to it.

21 Sec. 32. MOTION FOR THE PREVIOUS QUESTION NOT SUBJECT TO
22 TABLING. The motion for the previous question is not subject to a
23 motion to table.

24 Sec. 33. MOTION TO ADJOURN AFTER MOTION FOR PREVIOUS
25 QUESTION ACCEPTED. The motion to adjourn is not in order after a
26 motion for the previous question is accepted by the chair, or after
27 the seconding of such motion and before a vote is taken.

1 Sec. 34. MOTIONS IN ORDER AFTER PREVIOUS QUESTION ORDERED.
2 After the previous question has been ordered, no motion shall be in
3 order until the question or questions on which it was ordered have
4 been voted on, without debate, except:

5 (1) a motion for a call of the house, and motions
6 incidental thereto;

7 (2) a motion to extend the time of a member closing on
8 a proposition;

9 (3) a motion to permit a member who has the right to
10 speak to yield the time or a part thereof to another member;

11 (4) a request for and a verification of a vote;

12 (5) a motion to reconsider the vote by which the
13 previous question was ordered. A motion to reconsider may be made
14 only once and that must be before any vote under the previous
15 question has been taken;

16 (6) a motion to table a motion to reconsider the vote
17 by which the previous question has been ordered;

18 (7) a double motion to reconsider and table the vote by
19 which the previous question was ordered.

20 Sec. 35. MOTION TO ADJOURN OR RECESS AFTER PREVIOUS
21 QUESTION ORDERED. No motion for an adjournment or a recess shall be
22 in order after the previous question is ordered until the final vote
23 under the previous question has been taken, unless the roll call
24 shows the absence of a quorum.

25 Sec. 36. ADJOURNING WITHOUT A QUORUM. When the house
26 adjourns without a quorum under the previous question, the previous
27 question shall remain in force and effect when the bill,

1 resolution, or other proposition is again laid before the house.

2 CHAPTER C. RECONSIDERATION

3 Sec. 37. MOTION TO RECONSIDER A VOTE. (a) When a question
4 has been decided by the house and the yeas and nays have been called
5 for and recorded, any member voting with the prevailing side may, on
6 the same legislative day, or on the next legislative day, move a
7 reconsideration; however, if a reconsideration is moved on the next
8 legislative day, it must be done before the order of the day, as
9 designated in the 10th item of Rule 6, Section 1(a), is taken up.
10 If the house refuses to reconsider, or on reconsideration, affirms
11 its decision, no further action to reconsider shall be in order.

12 (b) Where the yeas and nays have not been called for and
13 recorded, any member, regardless of whether he or she voted on the
14 prevailing side or not, may make the motion to reconsider; however,
15 even when the yeas and nays have not been recorded, the following
16 shall not be eligible to make a motion to reconsider:

- 17 (1) a member who was absent;
- 18 (2) a member who was paired and, therefore, did not
19 vote; and
- 20 (3) a member who was recorded in the journal as having
21 voted on the losing side.

22 (c) Except as otherwise provided by this subsection, a
23 motion to reconsider the vote by which a bill, joint resolution, or
24 concurrent resolution was defeated is not in order unless a member
25 has previously provided at least one hour's notice of intent to make
26 the motion by addressing the house when the house is in session and
27 stating that a member intends to make a motion to reconsider the

1 vote by which the bill or resolution was defeated. It is not
2 necessary for the member providing the notice to be eligible to make
3 or to be the member who subsequently makes the motion to reconsider.
4 If notice of intent to make a motion to reconsider is given within
5 the period that the motion to reconsider may be made under
6 Subsection (a) of this section and that period expires during the
7 one-hour period required by this subsection, then the period within
8 which the motion may be made under Subsection (a) is extended by the
9 amount of time, not to exceed one hour during which the house is in
10 session, necessary to satisfy the one-hour notice required by this
11 subsection. This subsection does not apply to a motion to
12 reconsider and table or to a motion to reconsider and spread on the
13 journal, if no business has been transacted after the defeat of the
14 measure.

15 Sec. 38. DEBATE ON MOTION TO RECONSIDER. A motion to
16 reconsider shall be debatable only when the question to be
17 reconsidered is debatable. Even though the previous question was
18 in force before the vote on a debatable question was taken, debate
19 is permissible on the reconsideration of such debatable question.

20 Sec. 39. MAJORITY VOTE REQUIRED. Every motion to
21 reconsider shall be decided by a majority vote, even though the vote
22 on the original question requires a two-thirds vote for affirmative
23 action. If the motion to reconsider prevails, the question then
24 immediately recurs on the question reconsidered.

25 Sec. 40. WITHDRAWAL OF MOTION TO RECONSIDER. A motion to
26 reconsider cannot be withdrawn unless permission is given by a
27 majority vote of the house, and the motion may be called up by any

1 member.

2 Sec. 41. TABLING MOTION TO RECONSIDER. A motion to
3 reconsider shall be subject to a motion to table, which, if carried,
4 shall be a final disposition of the motion to reconsider.

5 Sec. 42. DOUBLE MOTION TO RECONSIDER AND TABLE. The double
6 motion to reconsider and table shall be in order. It shall be
7 undebatable. When carried, the motion to reconsider shall be
8 tabled. When it fails, the question shall then be on the motion to
9 reconsider, and the motion to reconsider shall, without further
10 action, be spread on the journal, but it may be called up by any
11 member, in accordance with the provisions of Section 43 of this
12 rule.

13 Sec. 43. DELAYED DISPOSITION OF MOTION TO RECONSIDER. (a)
14 If a motion to reconsider is not disposed of when made, it shall be
15 entered in the journal, and cannot, after that legislative day, be
16 called up and disposed of unless one legislative day's notice has
17 been given.

18 (b) Unless called up and disposed of prior to 72 hours
19 before final adjournment of the session, all motions to reconsider
20 shall be regarded as determined and lost.

21 (c) All motions to reconsider made during the last 72 hours
22 of the session shall be disposed of when made; otherwise, the motion
23 shall be considered as lost.

24 Sec. 44. MOTION TO RECONSIDER AND SPREAD ON JOURNAL. (a) A
25 member voting on the prevailing side may make a motion to reconsider
26 and spread on the journal, which does not require a vote, and on the
27 motion being made, it shall be entered on the journal. Any member,

1 regardless of whether he or she voted on the prevailing side or not,
2 who desires immediate action on a motion to reconsider which has
3 been spread on the journal, can call it up as soon as it is made, and
4 demand a vote on it, or can call it up and move to table it.

5 (b) If the motion to table the motion to reconsider is
6 defeated, the motion to reconsider remains spread on the journal
7 for future action; however, any member, regardless of whether he or
8 she voted on the prevailing side or not, can call the motion from
9 the journal for action by the house, and, once disposed of, no other
10 motion to reconsider can be made.

11 Sec. 45. MOTION TO REQUIRE COMMITTEE TO REPORT. (a) During
12 the first 76 calendar days of a regular session, when any bill,
13 resolution, or other paper has been in committee for 6 calendar
14 days, exclusive of the calendar day on which it was referred, it
15 shall be in order for a member to move that the committee be
16 required to report the same within 7 calendar days. This motion
17 shall require a two-thirds vote for passage.

18 (b) After the first 76 calendar days of a regular session,
19 when any bill, resolution, or other paper has been in committee for
20 6 calendar days, exclusive of the calendar day on which it was
21 referred, it shall be in order for a member to move that the
22 committee be required to report the same within 7 calendar days.
23 This motion shall require a majority vote for passage.

24 (c) A motion to instruct a committee to report is not a
25 privileged motion and must be made during the routine motion period
26 unless made under a suspension of the rules.

27 (d) The house shall have no authority to instruct a

1 subcommittee directly; however, instructions recognized under the
2 rules may be given to a committee and shall be binding on all
3 subcommittees.

4 Sec. 46. MOTION TO REREFER TO ANOTHER COMMITTEE. (a)
5 During the first 76 calendar days of a regular session, when any
6 bill, resolution, or other paper has been in committee for 7
7 calendar days after the committee was instructed by the house to
8 report that measure by a motion made under Section 45 of this rule,
9 it shall be in order for a member to move to rerefer the bill,
10 resolution, or other paper to a different committee. This motion
11 shall require a two-thirds vote for passage.

12 (b) After the first 76 calendar days of a regular session,
13 when any bill, resolution, or other paper has been in committee for
14 7 calendar days after the committee has been instructed to report
15 that measure by a motion made under Section 45 of this rule, it
16 shall be in order for a member to move to rerefer the bill,
17 resolution, or other paper to a different committee. This motion
18 shall require a majority vote for passage.

19 (c) A motion to rerefer a bill, resolution, or other paper
20 from one committee to another committee is not a privileged motion
21 and must be made during the routine motion period unless made under
22 a suspension of the rules.

RULE 8. BILLS

1
2 Sec. 1. CONTENTS OF BILLS. (a) Proposed laws or changes in
3 laws must be incorporated in bills, which shall consist of:

4 (1) a title or caption, beginning with the words "A
5 Bill to be Entitled An Act" and a brief statement that gives the
6 legislature and the public reasonable notice of the subject of the
7 proposed measure;

8 (2) an enacting clause, "Be It Enacted by the
9 Legislature of the State of Texas"; and

10 (3) the bill proper.

11 (b) A house bill that would impose, authorize, increase, or
12 change the rate or amount of a tax, assessment, surcharge, or fee
13 must include a short statement at the end of its title or caption
14 indicating the general effect of the bill on the tax, assessment,
15 surcharge, or fee, such as "imposing a tax (or assessment),"
16 "authorizing a surcharge (or fee)," or "increasing the rate (or
17 amount) of a tax."

18 (c) A house bill that would create a criminal offense,
19 increase the punishment for an existing criminal offense or
20 category of offenses, or change the eligibility of a person for
21 community supervision, parole, or mandatory supervision must
22 include a short statement at the end of its title or caption
23 indicating the general effect of the bill on the offense,
24 punishment, or eligibility, such as "creating a criminal offense,"
25 "increasing a criminal penalty," or "changing the eligibility for
26 community supervision (or parole or mandatory supervision)."

27 (d) A house bill that would create a requirement that an

1 individual or entity obtain a license, certificate, registration,
2 permit, or other authorization before engaging in a particular
3 occupation or profession or that would expand an existing
4 requirement to additional individuals or entities must include a
5 short statement at the end of its title or caption indicating the
6 general effect of the bill on the occupation or profession, such as
7 "requiring an occupational license" or "expanding the
8 applicability of an occupational license (or permit or
9 certificate)."

10 Sec. 2. PUBLISHING ACTS IN THEIR ENTIRETY. No law shall be
11 revived or amended by reference to its title. The act revived, or
12 the section or sections amended, shall be reenacted and published
13 at length. This rule does not apply to revisions adopted under
14 Article III, Section 43, of the Texas Constitution.

15 Sec. 3. LIMITING A BILL TO A SINGLE SUBJECT. Each bill
16 (except a general appropriations bill, which may embrace the
17 various subjects and accounts for which money is appropriated or a
18 revision adopted under Article III, Section 43, of the Texas
19 Constitution) shall contain only one subject.

20 Sec. 4. CHANGING GENERAL LAW THROUGH AN APPROPRIATIONS
21 BILL. A general law may not be changed by the provisions in an
22 appropriations bill.

23 Sec. 5. COAUTHORSHIP, JOINT AUTHORSHIP, SPONSORSHIP,
24 COSPONSORSHIP, AND JOINT SPONSORSHIP. (a) A house bill or
25 resolution may have only one primary author. The signature of the
26 primary author shall be the only signature that appears on the
27 measure filed with the chief clerk. The signatures of all coauthors

1 or joint authors shall appear on the appropriate forms in the chief
2 clerk's office.

3 (b) Any member may become the coauthor of a bill or
4 resolution by securing permission from the author. If permission
5 is secured from the author prior to the time the measure is filed
6 with the chief clerk, the primary author and the coauthor shall sign
7 the appropriate form, which shall be included with the measure when
8 it is filed with the chief clerk. If a member wishes to become the
9 coauthor of a measure after it has been filed, no action shall be
10 required by the house, but it shall be the duty of the member
11 seeking to be a coauthor to obtain written authorization on the
12 appropriate form from the author. This authorization shall be
13 filed with the chief clerk before the coauthor signs the form for
14 the bill or resolution. The chief clerk shall report daily to the
15 journal clerk the names of members filed as coauthors of bills or
16 resolutions. If a coauthor of a bill or resolution desires to
17 withdraw from such status, the member shall notify the chief clerk,
18 who in turn shall notify the journal clerk.

19 (c) The primary author of a measure may designate up to four
20 joint authors by providing written authorization on the appropriate
21 form to the chief clerk. If a member designated as a joint author
22 has not already signed on the measure as a coauthor, that member
23 must also sign the form before the records will reflect the joint
24 author status of that member. The names of all joint authors shall
25 be shown immediately following the primary author's name on all
26 official printings of the measure, on all house calendars, in the
27 house journal, and in the electronic legislative information

1 system.

2 (d) The determination of the house sponsor of a senate
3 measure is made at the time the measure is reported from committee.
4 In the case of multiple requests for house sponsorship, the house
5 sponsor of a senate measure shall be determined by the chair of the
6 committee, in consultation with the senate author of the measure.
7 The chair of the committee must designate a primary sponsor and may
8 designate up to four joint sponsors or an unlimited number of
9 cosponsors. The names of all joint sponsors shall be shown
10 immediately following the primary sponsor's name on all official
11 printings of the measure, on all house calendars, in the house
12 journal, and in the electronic legislative information system.

13 Sec. 6. FILING, FIRST READING, AND REFERRAL TO COMMITTEE.
14 Each bill shall be filed with the chief clerk when introduced and
15 shall be numbered in its regular order. Each bill shall be read
16 first time by caption and referred by the speaker to the appropriate
17 committee with jurisdiction.

18 Sec. 7. PREFILING. Beginning the first Monday after the
19 general election preceding the next regular legislative session, or
20 within 30 days prior to any special session, it shall be in order to
21 file with the chief clerk bills and resolutions for introduction in
22 that session. On receipt of the bills or resolutions, the chief
23 clerk shall number them and make them a matter of public record,
24 available for distribution. Once a bill or resolution has been so
25 filed, it may not be recalled. This shall apply only to
26 members-elect of the succeeding legislative session.

27 Sec. 8. DEADLINE FOR INTRODUCTION. (a) Bills and joint

1 resolutions introduced during the first 60 calendar days of the
2 regular session may be considered by the committees and in the house
3 and disposed of at any time during the session, in accordance with
4 the rules of the house. After the first 60 calendar days of a
5 regular session, any bill or joint resolution, except local bills,
6 emergency appropriations, and all emergency matters submitted by
7 the governor in special messages to the legislature, shall require
8 an affirmative vote of four-fifths of those members present and
9 voting to be introduced.

10 (b) In addition to a bill defined as a "local bill" under
11 Section 10(c) of this rule, a bill is considered local for purposes
12 of this section if it relates to a specified district created under
13 Article XVI, Section 59, of the Texas Constitution (water
14 districts, etc.), a specified hospital district, or another
15 specified special purpose district, even if neither these rules nor
16 the Texas Constitution require publication of notice for that bill.

17 Sec. 9. FILING. (a) A bill must be filed with the chief
18 clerk in the manner and in an electronic or other format specified
19 by the chief clerk at the time that the bill is introduced.

20 (b) A bill relating to conservation and reclamation
21 districts and governed by the provisions of Article XVI, Section
22 59, of the Texas Constitution must be filed with copies of the
23 notice to introduce the bill attached if the bill is intended to:

24 (1) create a particular conservation and reclamation
25 district; or

26 (2) amend the act of a particular conservation and
27 reclamation district to:

- 1 (A) add additional land to the district;
- 2 (B) alter the taxing authority of the district;
- 3 (C) alter the authority of the district with
- 4 respect to issuing bonds; or
- 5 (D) alter the qualifications or terms of office
- 6 of the members of the governing body of the district.

7 Sec. 10. LOCAL BILLS. (a) The house may not consider a
8 local bill unless notice of intention to apply for the passage of
9 the bill was published as provided by law and evidence of the
10 publication is attached to the bill. If not attached to the bill on
11 filing with the chief clerk or receipt of the bill from the senate,
12 copies of the evidence of timely publication shall be filed with the
13 chief clerk and must be distributed to the members of the committee
14 not later than the first time the bill is laid out in a committee
15 meeting. The evidence shall be attached to the bill on first
16 printing and shall remain with the measure throughout the entire
17 legislative process, including submission to the governor.

18 (b) Neither the house nor a committee of the house may
19 consider a bill whose application is limited to one or more
20 political subdivisions by means of population brackets or other
21 artificial devices in lieu of identifying the political subdivision
22 or subdivisions by name. However, this subsection does not prevent
23 consideration of a bill that classifies political subdivisions
24 according to a minimum or maximum population or other criterion
25 that bears a reasonable relation to the purpose of the proposed
26 legislation or a bill that updates laws based on population
27 classifications to conform to a federal decennial census.

1 (c) Except as provided by Subsection (d) of this section,
2 "local bill" for purposes of this section means:

3 (1) a bill for which publication of notice is required
4 under Article XVI, Section 59, of the Texas Constitution (water
5 districts, etc.);

6 (2) a bill for which publication of notice is required
7 under Article IX, Section 9, of the Texas Constitution (hospital
8 districts);

9 (3) a bill relating to hunting, fishing, or
10 conservation of wildlife resources of a specified locality;

11 (4) a bill creating or affecting a county court or
12 statutory court or courts of one or more specified counties or
13 municipalities;

14 (5) a bill creating or affecting the juvenile board or
15 boards of a specified county or counties; or

16 (6) a bill creating or affecting a road utility
17 district under the authority of Article III, Section 52, of the
18 Texas Constitution.

19 (d) A bill is not considered to be a local bill under
20 Subsection (c)(3), (4), or (5) if it affects a sufficient number of
21 localities, counties, or municipalities so as to be of general
22 application or of statewide importance.

23 Sec. 11. CONSIDERATION IN COMMITTEE. (a) No bill shall be
24 considered unless it first has been referred to a committee and
25 reported from it.

26 (b) After a bill has been recommitted, it shall be
27 considered by the committee as a new subject.

1 Sec. 12. ORDER OF CONSIDERATION. All bills and resolutions
2 before the house shall be taken up and acted on in the order in which
3 they appear on their respective calendars, and each calendar shall
4 have the priority accorded to it by the provisions of Rule 6,
5 Sections 7 and 8.

6 Sec. 13. DEADLINES FOR CONSIDERATION. (a) No house bill
7 that is local as defined by Section 10(c) of this rule and that
8 appears on a local, consent, and resolutions calendar shall be
9 considered for any purpose after the 130th day of a regular session,
10 except to:

- 11 (1) act on senate amendments;
- 12 (2) adopt a conference committee report;
- 13 (3) reconsider the bill to make corrections; or
- 14 (4) pass the bill notwithstanding the objections of
15 the governor.

16 (b) No other house bill or joint resolution shall be
17 considered on its second reading after the 122nd day of a regular
18 session if it appears on a daily or supplemental daily house
19 calendar, or for any purpose after the 123rd day of a regular
20 session, except to:

- 21 (1) act on senate amendments;
- 22 (2) adopt a conference committee report;
- 23 (3) reconsider the bill or resolution to make
24 corrections; or
- 25 (4) pass the bill notwithstanding the objections of
26 the governor.

27 (c) No senate bill or joint resolution shall be considered

1 on its second reading after the 134th day of a regular session if it
2 appears on a daily or supplemental daily house calendar, or for any
3 purpose after the 135th day of a regular session, except to:

4 (1) adopt a conference committee report;

5 (2) reconsider the bill or resolution to remove house
6 amendments;

7 (3) reconsider the bill or resolution to make
8 corrections; or

9 (4) pass the bill notwithstanding the objections of
10 the governor.

11 (d) The speaker shall not lay any bill or joint resolution
12 before the house or permit a vote to be taken on its passage on the
13 136th and 137th days of a regular session, except to:

14 (1) act on senate amendments;

15 (2) adopt a conference committee report;

16 (3) reconsider the bill or resolution to remove house
17 amendments;

18 (4) reconsider the bill or resolution to make
19 corrections; or

20 (5) pass the bill notwithstanding the objections of
21 the governor.

22 (e) The speaker shall not lay any bill or joint resolution
23 before the house or permit a vote to be taken on its passage on the
24 138th and 139th days of a regular session, except to:

25 (1) adopt a conference committee report;

26 (2) reconsider the bill or resolution to remove house
27 amendments;

1 (3) discharge house conferees and concur in senate
2 amendments;

3 (4) reconsider the bill or resolution to make
4 corrections; or

5 (5) pass the bill notwithstanding the objections of
6 the governor.

7 (f) No vote shall be taken upon the passage of any bill or
8 resolution within 24 hours of the final adjournment of a regular
9 session unless it be to reconsider the bill or resolution to make
10 corrections, or to adopt a corrective resolution.

11 (g) The clock of record for the house, as determined under
12 Rule 2, Section 2, shall be used to determine compliance with
13 deadlines and other time requirements of the Texas Constitution and
14 these rules. A motion to suspend this rule must be decided by a
15 record vote.

16 Sec. 14. DELIVERY PRIOR TO CONSIDERATION. (a) Each bill or
17 resolution, except the general appropriations bill, shall be
18 delivered to each member by making a copy of the bill or resolution
19 available in an electronic format for viewing by the member and,
20 when the electronic format copy of the appropriate printing becomes
21 available, by sending notice of that fact to a Capitol e-mail
22 address designated by the member, at least 36 hours if convened in
23 regular session and 24 hours if convened in special session before
24 the bill can be considered by the house on second reading. If a
25 member informs the chief clerk in writing that the member desires to
26 receive paper copies of bills and resolutions under this section in
27 addition to delivery in an electronic format, the chief clerk shall

1 place a paper copy of the bill or resolution in the newspaper box of
2 the member as soon as practicable after the electronic copies of the
3 bill or resolution are made available for viewing.

4 (a-1) A printed copy of the general appropriations bill
5 shall be placed in the newspaper mailbox of each member at least 168
6 hours during a regular session and at least 72 hours during a
7 special session before the bill can be considered by the house on
8 second reading.

9 (b) By majority vote, the house may order both the original
10 bill or resolution and the complete committee substitute to be
11 printed. It shall not be necessary for the house to order complete
12 committee substitutes printed in lieu of original bills.

13 (c) A two-thirds vote of the house is necessary to order
14 that bills, other than local bills, be not printed. It shall not be
15 necessary for the house to order that local bills be not printed.

16 Sec. 15. REQUIREMENT FOR THREE READINGS. A bill shall not
17 have the force of law until it has been read on three several
18 legislative days in each house and free discussion allowed, unless
19 this provision is suspended by a vote of four-fifths of the members
20 present and voting, a quorum being present. The yeas and nays shall
21 be taken on the question of suspension and entered in the journal.

22 Sec. 16. CONSIDERATION SECTION BY SECTION. (a) During the
23 consideration of any bill or resolution, the house may, by a
24 majority vote, order the bill or resolution to be considered
25 section by section, or department by department, until each section
26 or department has been given separate consideration. If such a
27 procedure is ordered, only amendments to the section or department

1 under consideration at that time shall be in order. However, after
2 each section or department has been considered separately, the
3 entire bill or resolution shall be open for amendment, subject to
4 the provisions of Rule 11, Section 8(b). Once the consideration of
5 a bill section by section or department by department has been
6 ordered, it shall not be in order to move the previous question on
7 the entire bill, to recommit it, to lay it on the table, or to
8 postpone it, until each section or department has been given
9 separate consideration or until the vote by which section by
10 section consideration was ordered is reconsidered.

11 (b) A motion to consider a bill section by section is
12 debatable within narrow limits; that is, the pros and cons of the
13 proposed consideration can be debated but not the merits of the
14 bill.

15 Sec. 17. PASSAGE TO ENGROSSMENT OR THIRD READING. After a
16 bill or complete committee substitute for a bill has been taken up
17 and read, amendments shall be in order. If no amendment is made, or
18 if those proposed are disposed of, then the final question on its
19 second reading shall be, in the case of a house bill, whether it
20 shall be passed to engrossment, or, in the case of a senate bill,
21 whether it shall pass to its third reading. All bills ordered
22 passed to engrossment or passed to a third reading shall remain on
23 the calendar on which placed, but with future priority over bills
24 that have not passed second reading.

25 Sec. 18. CERTIFICATION OF FINAL PASSAGE. The chief clerk
26 shall certify the final passage of each bill, noting on the bill the
27 date of its passage, and the vote by which it passed, if by a yea and

1 nay vote.

2 Sec. 19. EFFECTIVE DATE. Every law passed by the
3 legislature, except the General Appropriations Act, shall take
4 effect or go into force on the 91st day after the adjournment of the
5 session at which it was enacted, unless the legislature provides
6 for an earlier effective date by a vote of two-thirds of all the
7 members elected to each house. The vote shall be taken by yeas and
8 nays and entered in the journals.

9 Sec. 20. BILLS CONTAINING SAME SUBSTANCE AS DEFEATED BILL.
10 After a bill or resolution has been considered and defeated by
11 either house of the legislature, no bill or resolution containing
12 the same substance shall be passed into law during the same session.

13 Sec. 21. CONSIDERATION OF BILLS INVOLVING STATE FUNDS. (a)
14 In order to assure the continuation of financial support of
15 existing state services through the passage of the general
16 appropriations bill, it shall not be in order during the first 118
17 days of the regular session for the speaker to lay before the house,
18 prior to the consideration, passage, and certification by the
19 comptroller of the general appropriations bill, any bill that
20 directly or indirectly prevents from being available for purposes
21 of funding state government generally any money that under existing
22 law would otherwise be available for that purpose, including a bill
23 that transfers or diverts money in the state treasury from the
24 general revenue fund to another fund.

25 (b) In order to assure compliance with the limitation on
26 appropriations of state tax revenue not dedicated by the
27 constitution as provided by Article VIII, Section 22, of the Texas

1 Constitution, it is not in order for the speaker to lay before the
2 house, prior to the time that the general appropriations bill has
3 been finally passed and sent to the comptroller, any bill that
4 appropriates funds from the state treasury that are not dedicated
5 by the constitution.

6 (c) When bills subject to the provisions of Subsection (a)
7 of this section become eligible for consideration, they shall be
8 considered for passage under the rules of the house and the joint
9 rules as any other bill but shall not be signed by the speaker as
10 required by the Constitution of Texas and the rules of the house
11 until the general appropriations bill has been signed by the
12 presiding officers of both houses of the legislature and
13 transmitted to the comptroller of public accounts for certification
14 as required by Article III, Section 49a, of the Constitution of
15 Texas.

16 (d) All bills subject to the provisions of Subsection (a) of
17 this section that have finally passed both houses shall be enrolled
18 as required by the rules and transmitted to the speaker. The
19 speaker shall note on each bill the date and hour of final
20 legislative action and shall withhold his or her signature and any
21 further action on all such bills until the general appropriations
22 bill has been signed by the presiding officers of both houses and
23 transmitted to the comptroller of public accounts for
24 certification. Immediately thereafter, the speaker shall sign in
25 the presence of the house all bills on which further action was
26 being withheld because the bills were subject to the provisions of
27 this section. After being signed by the speaker, the bills shall

1 then be transmitted to the comptroller of public accounts for
2 certification or to the governor, as the case may be, in the order
3 in which final legislative action was taken. "Final legislative
4 action," as that term is used in this subsection, shall mean the
5 last act of either house meeting in general session necessary to
6 place the bill in its final form preparatory to enrollment.

7 (e) Subsections (a)-(d) of this section shall not apply to
8 any bills providing for:

9 (1) the payment of expenses of the legislature;

10 (2) the payment of judgments against the state;

11 (3) any emergency matter when requested by the
12 governor in a formal message to the legislature; or

13 (4) the reduction of taxes.

14 (e-1) Subsection (a) of this section does not apply to a
15 bill that prevents the deposit into the general revenue fund of
16 money received from the federal government or earnings on that
17 money if the bill does not prevent that money from being available
18 for the purpose of funding state government generally to the same
19 extent as under existing law.

20 (f) Unless within the authority of a resolution or
21 resolutions adopted pursuant to Article VIII, Section 22(b), of the
22 Texas Constitution, it is not in order for the house to consider for
23 final passage on third reading, on motion to concur in senate
24 amendments, or on motion to adopt a conference committee report, a
25 bill appropriating funds from the state treasury in an amount that,
26 when added to amounts previously appropriated by bills finally
27 passed and sent or due to be sent to the comptroller, would exceed

1 the limit on appropriations established under Chapter 316,
2 Government Code.

3 (g) The general appropriations bill shall be reported to the
4 house by the Committee on Appropriations not later than the 90th
5 calendar day of the regular session. Should the Committee on
6 Appropriations fail to report by the deadline, Subsections (a)-(d)
7 of this section shall be suspended for the balance of that regular
8 session.

RULE 9. JOINT RESOLUTIONS

1
2 Sec. 1. AMENDMENTS TO THE TEXAS CONSTITUTION. (a) A
3 proposed amendment to the Texas Constitution shall take the form of
4 a joint resolution, which shall be subject to the rules that govern
5 the proceedings on bills, except as provided by this section.

6 (b) A joint resolution is not subject to the provisions of
7 Rule 8, Section 3, or Rule 11, Section 3.

8 (c) A joint resolution shall be adopted on any reading after
9 the first if it receives a two-thirds vote of the elected membership
10 of the house. If such a joint resolution receives only a majority
11 vote on second reading, it shall be passed to engrossment, and
12 subsequent proceedings shall be the same as those governing the
13 final passage of bills which have been passed to engrossment. If
14 such a joint resolution does not receive a two-thirds vote of the
15 elected membership of the house on third reading and final passage,
16 it shall fail of adoption.

17 Sec. 2. RATIFYING OR PROPOSING AMENDMENTS TO THE
18 CONSTITUTION OF THE UNITED STATES. Ratification by Texas of a
19 proposed amendment to or application to Congress for a convention
20 to amend the Constitution of the United States shall take the form
21 of a joint resolution, which shall be subject to the rules that
22 govern the proceedings on bills, except that it shall be adopted on
23 second reading if it receives a majority vote of the members present
24 and voting, a quorum being present. If such a joint resolution
25 fails to receive a majority vote, it shall fail of adoption and
26 shall not be considered again unless revived by a motion to
27 reconsider as otherwise provided in the rules.

1 Sec. 3. PLACEMENT OF JOINT RESOLUTIONS ON A CALENDAR. Joint
2 resolutions on committee report shall be referred to the Committee
3 on Calendars for placement on an appropriate calendar. The
4 Committee on Calendars shall maintain a separate calendar for house
5 joint resolutions and a separate calendar for senate joint
6 resolutions. Senate joint resolutions shall be considered on
7 calendar Wednesdays and calendar Thursdays along with senate bills.

1 RULE 10. HOUSE RESOLUTIONS AND CONCURRENT RESOLUTIONS

2 Sec. 1. FILING. Resolutions shall be introduced by filing a
3 resolution with the chief clerk in the manner and in an electronic
4 or other format specified by the chief clerk, who shall number and
5 record house resolutions in one series and concurrent resolutions
6 in a separate series.

7 Sec. 2. REFERRAL TO COMMITTEE. (a) After numbering and
8 recording, all resolutions shall be sent to the speaker for
9 referral to the proper committee.

10 (b) Resolutions proposing the expenditure of money out of
11 the contingent expense fund of the legislature shall be referred to
12 the Committee on House Administration.

13 (c) All other resolutions shall be referred to the
14 appropriate committee with jurisdiction.

15 Sec. 3. REFERRAL TO CALENDARS COMMITTEES. All resolutions
16 on committee report, other than privileged resolutions, shall be
17 referred immediately to the appropriate calendars committee for
18 placement on the appropriate calendar.

19 Sec. 4. ORDER OF CONSIDERATION. Unless privileged,
20 resolutions shall be considered by the house only at the time
21 assigned for their consideration on the calendar, in accordance
22 with the provisions of Rule 6, Section 7.

23 Sec. 4A. RECORD VOTE REQUIRED BY TEXAS CONSTITUTION. A vote
24 on final passage of a resolution other than a resolution of a purely
25 ceremonial or honorary nature must be by record vote with the vote
26 of each member entered in the journal as required by Section 12(b),
27 Article III, Texas Constitution.

1 Sec. 5. SIGNING BY GOVERNOR. Concurrent resolutions shall
2 take the same course as house resolutions, except that they shall be
3 sent to the governor for signing when finally passed by both houses.

4 Sec. 6. MASCOT RESOLUTIONS. (a) All candidates for the
5 office of mascot shall be named in and elected by a single house
6 resolution.

7 (b) Only children of house members who are under the age of
8 12 years shall be eligible for election to the honorary office of
9 mascot. A child once named a mascot shall not be eligible for the
10 honor a second time.

11 (c) No separate classification or special title shall be
12 given to any mascot, but all shall receive the same title of
13 honorary mascot of the house of representatives.

14 (d) The speaker shall issue a certificate showing the
15 election of each mascot and deliver it to the parent member of the
16 child.

17 Pictures of mascots shall appear on the panel picture of the
18 house.

19 Sec. 7. CONSIDERATION OF RESOLUTIONS DURING CALLED
20 SESSIONS. The subject matter of house resolutions and concurrent
21 resolutions does not have to be submitted by the governor in a
22 called session before they can be considered.

23 Sec. 8. RESOLUTIONS AUTHORIZING TECHNICAL CORRECTIONS.
24 Resolutions authorizing the enrolling clerk of the house or senate
25 to make technical corrections to a measure that has been finally
26 acted upon by both houses of the legislature shall be privileged in
27 nature and need not be referred to committee. Such resolutions

1 shall be eligible for consideration by the house upon introduction
2 in the house or receipt from the senate.

3 Sec. 9. AUTHOR'S SIGNATURE ON CONGRATULATORY OR MEMORIAL
4 RESOLUTION. The enrolled printing of a house congratulatory or
5 memorial resolution shall include a place for the signature of the
6 primary author of the resolution. The chief clerk shall provide the
7 primary author with the opportunity to sign the resolution after
8 the resolution is enrolled. The absence of the primary author's
9 signature does not affect the validity of the resolution as adopted
10 by the house.

RULE 11. AMENDMENTS

1
2 Sec. 1. ACCEPTABLE MOTIONS TO AMEND. When a bill,
3 resolution, motion, or proposition is under consideration, a motion
4 to amend and a motion to amend that amendment shall be in order. It
5 shall also be in order to offer a further amendment by way of a
6 substitute. Such a substitute may not be amended. If the
7 substitute is adopted, the question shall then be on the amendment
8 as substituted, and under this condition an amendment is not in
9 order.

10 Sec. 2. MOTIONS ON A DIFFERENT SUBJECT OFFERED AS
11 AMENDMENTS. No motion or proposition on a subject different from
12 the subject under consideration shall be admitted as an amendment
13 or as a substitute for the motion or proposition under debate.
14 "Proposition" as used in this section shall include a bill,
15 resolution, joint resolution, or any other motion which is
16 amendable.

17 Amendments pertaining to the organization, powers,
18 regulation, and management of the agency, commission, or advisory
19 committee under consideration are germane to bills extending state
20 agencies, commissions, or advisory committees under the provisions
21 of the Texas Sunset Act (Chapter 325, Government Code).

22 An amendment to a committee substitute laid before the house
23 in lieu of an original bill is germane if each subject of the
24 amendment is a subject that is included in the committee substitute
25 or was included in the original bill.

26 Sec. 3. AMENDING A BILL TO CHANGE ITS ORIGINAL PURPOSE. No
27 bill shall be amended in its passage through either house so as to

1 change its original purpose.

2 Sec. 4. AMENDMENTS TO BILLS AND RESOLUTIONS ON LOCAL,
3 CONSENT, AND RESOLUTIONS CALENDARS. Amendments to a bill or
4 resolution shall not be in order during its consideration on a
5 local, consent, and resolutions calendar set by the Committee on
6 Local and Consent Calendars, unless the amendments have first been
7 submitted to and approved by the Committee on Local and Consent
8 Calendars, which shall be noted thereon by the chair of the
9 Committee on Local and Consent Calendars prior to the offering of
10 the amendments.

11 Sec. 5. AMENDMENTS ON THIRD READING. When a bill has been
12 taken up on its third reading, amendments shall be in order, but
13 shall require a two-thirds vote of the members present for their
14 adoption. A bill on third reading may be recommitted to a committee
15 and later reported to the house with amendments, in which case the
16 bill shall again take the course of a bill at its second reading.

17 Sec. 6. FILING [~~COPIES OF~~] AN AMENDMENT. (a) The chief
18 clerk shall ensure that for an amendment other than a committee
19 amendment, [Five] copies of each amendment are [shall be] filed
20 with the speaker as follows:

21 (1) six copies of each amendment; and
22 (2) four additional copies of each amendment that
23 exceeds one page in length.

24 (b) The chief clerk may require the member offering the
25 amendment to provide the number of copies required under Subsection
26 (a) of this section. The chief clerk shall ensure that, as soon as
27 practicable after being filed by the offering member, each

1 amendment is made available on the floor amendment system, or the
2 system's successor in function, through which members of the house
3 may view an electronic image of submitted amendments. When the
4 amendment is read, two copies shall go to the chief clerk, one copy
5 to the journal clerk, one copy to the reading clerk, and one copy to
6 the speaker. [~~No amendment offered from the floor shall be in order~~
7 ~~unless the sponsoring member has complied with the provisions of~~
8 ~~this section with respect to copies of the amendment.~~]

9 (c) The chief clerk shall retain one copy of each amendment
10 filed with the speaker under this section whether or not the
11 amendment was laid out by the speaker for consideration [~~offered by~~
12 ~~the filing member~~].

13 [~~(b) Prior to the time that an amendment is offered, if the~~
14 ~~amendment exceeds one page in length, the sponsoring member must~~
15 ~~provide to the chief clerk a minimum of five copies to be available~~
16 ~~for distribution to those members requesting copies of the~~
17 ~~amendment.~~

18 [~~(c) If the amendment is only one page in length or less, the~~
19 ~~sponsoring member must provide one additional copy of the amendment~~
20 ~~to the chief clerk, who shall immediately proceed to have~~
21 ~~additional copies made and available for those members requesting~~
22 ~~copies of the amendment.~~]

23 (d) If an amendment is required to be prefiled with the
24 chief clerk pursuant to a rule for floor consideration proposed by
25 the Committee on Calendars and adopted under Rule 6, Section 16(f),
26 the amendment must be provided to the chief clerk, in a manner
27 determined by the chief clerk under the direction of the Committee

1 on House Administration, and available in the chief clerk's office
2 in accordance with the Calendar Committee rule for floor
3 consideration [~~The provisions of this section with respect to~~
4 ~~extra copies shall not apply to committee amendments or to~~
5 ~~amendments which do nothing more than delete material from the bill~~
6 ~~or resolution~~].

7 (e) The speaker shall not recognize a member to offer an
8 original amendment that exceeds one page in length and that is in
9 the form of a complete substitute for the bill or resolution laid
10 before the house, or in the opinion of the speaker is a substantial
11 substitute, unless [~~10 copies of~~] the amendment has [~~have~~] been
12 provided to the chief clerk, in a manner determined by the chief
13 clerk under the direction of the Committee on House Administration,
14 and was [~~were~~] available in the chief clerk's office at least 12
15 hours prior to the time the calendar on which the bill or resolution
16 to be amended is eligible for consideration.

17 (f) An amendment may be typed, hand-printed, or
18 handwritten, but must be legible in order to be offered.

19 (g) The speaker shall not recognize a member to offer an
20 original amendment to a bill on second reading if the bill extends
21 an agency, commission, or advisory committee under the Texas Sunset
22 Act unless [~~10 copies of~~] the amendment has [~~have~~] been provided to
23 the chief clerk, in a manner determined by the chief clerk under the
24 direction of the Committee on House Administration, and was [~~were~~]
25 available in the chief clerk's office at least 24 hours prior to the
26 time the calendar on which the bill appears for second reading is
27 first eligible for consideration.

1 (h) If the house is convened in regular session, the speaker
2 shall not recognize a member to offer an original amendment to the
3 general appropriations bill on second reading unless ~~[10 copies of]~~
4 the amendment has ~~[have]~~ been provided to the chief clerk, in a
5 manner determined by the chief clerk under the direction of the
6 Committee on House Administration, and was ~~[were]~~ available in the
7 chief clerk's office at least 72 hours prior to the time the
8 calendar on which the general appropriations bill appears for
9 second reading is first eligible for consideration.

10 (i) The Committee on House Administration shall ensure
11 that:

12 (1) the floor amendment system through which members
13 of the house may view an electronic image of current or past
14 amendments, or the system's successor in function, is available to
15 the public on the Internet;

16 (2) members of the public using the system available
17 on the Internet may view the same information that members may view
18 at the same time that members may view the information; and

19 (3) members of the public using the system available
20 on the Internet may view any amendment required to be provided to
21 the chief clerk under Subsections (e), (g), and (h) of this section
22 at least 10 hours prior to the time the calendar on which the bill or
23 resolution to be amended is eligible for consideration.

24 (j) To the extent practicable, an amendment must include the
25 page and line numbers of the text of the bill, resolution, or
26 amendment being amended. Failure to comply with the requirements of
27 this subsection is not subject to a point of order.

1 Sec. 7. ORDER OF OFFERING MOTIONS TO AMEND. Classes of
2 motions to amend shall be offered in the following order:

3 (1) motions to amend by striking out the enacting
4 clause of a bill (or the resolving clause of a resolution), which
5 amendment cannot be amended or substituted;

6 (2) motions to amend an original bill, resolution,
7 motion, or proposition (other than substitute bills as provided for
8 in Subdivision (3) below), which shall have precedence as follows:

9 (A) original amendment;

10 (B) amendment to the amendment;

11 (C) substitute for the amendment to the
12 amendment.

13 Recognition for the offering of original amendments shall be
14 as follows: first, the main author; second, the member or members
15 offering the committee amendment; and third, members offering other
16 amendments from the floor;

17 (3) motions to amend an original bill by striking out
18 all after the enacting clause (substitute bills), which substitute
19 bills shall be subject to amendment as follows:

20 (A) amendment to the substitute bill;

21 (B) substitute for the amendment to the
22 substitute bill.

23 Recognition for offering such substitute bills shall be as
24 follows: first, the main author of the original bill, if the
25 member has not sought to perfect the bill by amendments as provided
26 for in Subdivision (2) above; second, the member or members
27 offering the committee amendment; and, third, members offering

1 amendments from the floor.

2 It shall be in order under the procedure described in this
3 subdivision to have as many as four complete measures pending
4 before the house at one time; that is, an original bill, an
5 amendment striking out all after the enacting clause of the bill and
6 inserting a new bill body, an amendment to the amendment striking
7 out all after the enacting clause of the bill and inserting a new
8 bill body, and a substitute for this amendment to the amendment to
9 the original bill which is also a new bill body. These "substitute
10 bills" shall be voted on in the reverse order of their offering;

11 (4) motions to amend the caption of a bill or joint
12 resolution, which may also be offered in accordance with Section
13 9(a) of this rule.

14 Sec. 8. STRIKE OUTS AND INSERTIONS. (a) A motion to strike
15 out and to insert new matter in lieu of that to be stricken out shall
16 be regarded as a substitute and shall be indivisible.

17 (b) Matter inserted or stricken out of an original bill by
18 way of amendment may not be taken out or reinserted at a later time
19 on the same reading except under the following conditions:

20 (1) reconsideration of the inserting or deleting
21 amendment;

22 (2) adoption of a "substitute bill" amendment;

23 (3) adoption of an amendment for a whole paragraph,
24 section or subdivision of a bill which so materially changes the
25 original text that the portion inserted or deleted is in fact of
26 minor importance.

27 Sec. 9. AMENDING CAPTIONS. (a) An amendment to the caption

1 of a bill or resolution shall not be in order until all other
2 proposed amendments have been acted on and the house is ready to
3 vote on the passage of the measure, and it shall then be decided
4 without debate.

5 (b) If the previous question has been ordered on a bill or
6 joint resolution at any reading, an amendment to the caption of that
7 bill or joint resolution may be offered and voted on immediately
8 preceding the final vote on the bill or joint resolution.

9 Sec. 10. MOTION TO LIMIT AMENDMENTS. (a) A motion to limit
10 amendments shall be admitted only when seconded by 25 members. The
11 motion may take either of two forms:

12 (1) to limit amendments to those pending before the
13 house; or

14 (2) to limit amendments to those pending on the
15 speaker's desk.

16 (b) The motion shall be put by the chair in this manner: "The
17 motion has been seconded. Three minutes pro and con debate will be
18 allowed on the motion to limit amendments." As soon as the debate
19 has ended, the chair shall continue: "As many as are in favor of
20 limiting amendments on (here state on which question or questions)
21 will say 'Aye,'" and then "As many as are opposed say 'Nay.'" As in
22 all other propositions, a motion to limit amendments shall be
23 decided by a record vote if demanded by any member. If ordered by a
24 majority of the members voting, a quorum being present, the motion
25 shall have the effect of confining further debate and consideration
26 to those amendments included within the motion, and thereafter the
27 chair will accept no more amendments to the proposition to which the

1 motion is applied.

2 (c) The motion to limit amendments, if adopted, shall not in
3 any way cut off or limit debate or other parliamentary maneuvers on
4 the pending proposition or propositions or amendment or amendments
5 included within the motion. The sole function of the motion is to
6 prevent the chair from accepting further amendments to the
7 proposition to which the motion is applied.

8 (d) Except as otherwise provided, the motion to limit
9 amendments shall have no effect on the parliamentary situation to
10 which the motion is applied, and the matter to which the motion is
11 applied shall continue to be considered by the house in all other
12 respects as though the motion had not been made.

13 (e) The amendments that are included within the motion to
14 limit amendments shall each be subject to amendment, if otherwise
15 permitted under the rules.

16 Sec. 11. MOTION TO TABLE A MOTION TO LIMIT AMENDMENTS. The
17 motion to limit amendments is not subject to a motion to table.

18 Sec. 12. ORDER OF VOTING ON AMENDMENTS. When an amendment
19 is offered, followed by an amendment to that amendment, and then a
20 substitute for the amendment to the amendment, these questions
21 shall be voted on in the reverse order of their offering.

22 Sec. 13. CERTIFICATION OF ADOPTION OF AMENDMENTS. When an
23 amendment is adopted, such action shall be certified by the chief
24 clerk on the amendment, and the official copy of the amendment shall
25 then be securely attached to the bill or resolution which it amends.

RULE 12. PRINTING

Sec. 1. PRINTINGS OF BILLS AND JOINT RESOLUTIONS. (a)

Except as otherwise provided in this rule, all bills and joint resolutions shall be printed and a copy provided to each member at each of the following stages in the parliamentary progress of the bill or joint resolution:

(1) at the time of the committee report on the bill or joint resolution, which shall be known as "First Printing" and which shall consist of:

(A) a complete text of the bill or joint resolution as reported from committee;

(B) a complete copy of the bill analysis, a complete copy of the summary of committee action, and a complete copy of the witness list;

(C) the text of the committee report;

(D) the record vote by which the measure was reported from committee, including the vote of individual members;

(E) a copy of the latest fiscal note; and

(F) a copy of each impact statement received by the committee;

(2) at the time the bill or joint resolution, if amended, finally passes the senate, senate amendments and house engrossment text will be printed, which shall be known as "Second Printing"; and

(3) at the time the conference committee, if any, makes its report on the bill or joint resolution, which shall be known as "Third Printing."

1 (b) In any section of the first printing of a bill or joint
2 resolution that proposes to amend an existing statute or
3 constitutional provision, language sought to be deleted must be
4 bracketed and stricken through, and language sought to be added
5 must be underlined. This requirement does not apply to:

- 6 (1) an appropriations bill;
- 7 (2) a local bill;
- 8 (3) a game bill;
- 9 (4) a recodification bill;
- 10 (5) a redistricting bill;
- 11 (6) a section of a bill or joint resolution not
12 purporting to amend an existing statute or constitutional
13 provision;
- 14 (7) a section of a bill or joint resolution that
15 revises the entire text of an existing statute or constitutional
16 provision, to the extent that it would confuse rather than clarify
17 to show deletions and additions; and
- 18 (8) a section of a bill or joint resolution providing
19 for severability, nonseverability, emergency, or repeal of an
20 existing statute or constitutional provision.

21 (c) The speaker may overrule a point of order raised as to a
22 violation of Subsection (b) of this section if the violation is
23 typographical or minor and does not tend to deceive or mislead.

24 (d) The requirement to provide a copy of a printing to each
25 member may be accomplished by making a copy of the printing
26 available in an electronic format for viewing by the member and,
27 when the electronic format copy of the appropriate printing becomes

1 available, sending notice of that fact to a Capitol e-mail address
2 designated by the member. If a member informs the chief clerk that
3 the member also desires to receive a paper copy of printings at
4 first, second, or third printing, the chief clerk shall place paper
5 copies of those printings designated by the member in the newspaper
6 box of the member as soon as practicable after the electronic copies
7 of the printings are made available for viewing.

8 (e) The provisions of Subsection (d) of this section
9 authorizing delivery of a printing by electronic means also apply
10 to any fiscal note, impact statement, analysis, or other item
11 required by these rules to be delivered or made available to each
12 member as an attachment to or in connection with the applicable
13 printing.

14 Sec. 2. LOCAL BILLS. Local bills shall not be reprinted
15 after the first printing except when ordered printed by a majority
16 vote of the house.

17 Sec. 3. CONCURRENT RESOLUTIONS. A concurrent resolution
18 shall be printed only if the resolution:

- 19 (1) grants permission to sue the state;
- 20 (2) memorializes Congress to take or to refrain from
21 taking certain action;
- 22 (3) sets legislative policy or declares legislative
23 intent;
- 24 (4) makes corrective changes in any bill, joint
25 resolution, or conference committee report;
- 26 (5) establishes or interprets policy for a state
27 agency, department, or political subdivision;

1 (6) establishes, modifies, or changes internal
2 procedures or administration of the legislature or any component
3 part thereof;

4 (7) proposes an amendment to the Joint Rules of the
5 Senate and the House of Representatives; or

6 (8) is ordered printed by a majority vote of the house.

7 Sec. 4. HOUSE RESOLUTIONS. A house resolution shall be
8 printed only if the resolution:

9 (1) proposes an amendment to the rules of the house;

10 (2) establishes, modifies, or changes the internal
11 procedures and administration of the house;

12 (3) establishes legislative policy or interprets
13 legislative intent; or

14 (4) is ordered printed by a majority of the house.

15 Sec. 5. ACCEPTABLE STANDARDS OF COMPLIANCE WITH PRINTING
16 REQUIREMENTS. Except for matter to be printed in the journal, all
17 requirements contained in the rules with respect to the printing of
18 bills, resolutions, reports, and other matters shall be considered
19 complied with if the material is adequately and properly reproduced
20 by any acceptable means of reproduction.

1 RULE 13. INTERACTIONS WITH THE GOVERNOR AND SENATE

2 CHAPTER A. MESSAGES

3 Sec. 1. MESSAGES FROM THE GOVERNOR. Messages and
4 communications from the governor shall be received when announced,
5 and shall be read on the calendar day received.

6 Sec. 2. MESSAGES FROM THE SENATE. (a) All messages from
7 the senate shall be received when announced. Senate bills
8 announced as passed shall be read for the first time and referred to
9 the appropriate committee as soon as practicable.

10 (b) Messages from the senate announcing amendments to house
11 bills and resolutions, nonconcurrence in house amendments to senate
12 bills and resolutions, requests for conference committees, reports
13 of conference committees, and all other matters of disagreement,
14 amendments, and requests between the two houses, shall go to the
15 speaker's desk in their regular order, but may be called up for
16 action by the house at any time as a privileged matter, yielding
17 only to a motion to adjourn.

18 CHAPTER B. SENATE AMENDMENTS

19 Sec. 3. HOUSE ACTION ON SENATE AMENDMENTS. When a bill,
20 resolution, or other matter is returned to the house with senate
21 amendments, the house may:

- 22 (1) agree to the amendments; or
23 (2) disagree to all of the amendments and ask for a
24 conference committee; or
25 (3) agree to one or more of the amendments and disagree
26 as to the remainder and request a conference committee to consider
27 those in disagreement; or

1 (4) agree to one or more and disagree as to the
2 remainder; or

3 (5) disagree to all amendments.

4 Sec. 4. ADOPTION OF SENATE AMENDMENTS FOR BILLS WITH
5 IMMEDIATE EFFECT. If a bill is to go into immediate effect, senate
6 amendments thereto must be adopted by a vote of two-thirds of the
7 elected membership of the house.

8 Sec. 5. PRINTING SENATE AMENDMENTS. (a) Senate amendments
9 to house bills and resolutions must be printed and copies provided
10 to the members at least 24 hours before any action can be taken
11 thereon by the house during a regular or special session.

12 (b) When a house bill or joint resolution, other than the
13 general appropriations bill, with senate amendments is returned to
14 the house, the chief clerk shall request the Legislative Budget
15 Board to prepare a fiscal note outlining the fiscal implications
16 and probable cost of the measure as impacted by the senate
17 amendments. A copy of the fiscal note shall be distributed with the
18 senate amendments on their printing before any action can be taken
19 on the senate amendments by the house.

20 (c) When a house bill or joint resolution, other than the
21 general appropriations bill, with senate amendments is returned to
22 the house, the chief clerk shall request the Texas Legislative
23 Council to prepare an analysis that describes the substantive
24 changes made to the house version of the bill by the senate
25 amendments. A copy of the council's analysis of senate amendments
26 shall be provided to the members electronically or as a printed copy
27 at least 12 hours before action is taken on the senate amendments by

1 the house. The Texas Legislative Council shall make all reasonable
2 efforts to timely provide the analysis in as accurate a form as time
3 allows. However, an unavoidable inability to provide the analysis
4 or an inadvertent error in the analysis is not subject to a point of
5 order.

6 (d) When a house bill or joint resolution for which a tax
7 equity note was required under Rule 4, Section 34(b)(5), is
8 returned to the house with senate amendments, the chief clerk shall
9 request the Legislative Budget Board to prepare a tax equity note
10 estimating the general effects of the senate amendments on the
11 distribution of tax and fee burdens among individuals and
12 businesses. A copy of the updated tax equity note shall be made
13 available to each member, in some format, before any vote on the
14 floor can be taken on the senate amendments by the house.

15 CHAPTER C. CONFERENCE COMMITTEES

16 Sec. 6. MEMBERSHIP AND OPERATION. (a) In all conferences
17 between the senate and the house by committee, the number of
18 committee members from each house shall be five. All votes on
19 matters of difference shall be taken by each committee separately.
20 A majority of each committee shall be required to determine the
21 matter in dispute. Reports by conference committees must be signed
22 by a majority of each committee of the conference.

23 (b) A copy of the report signed by a majority of each
24 committee of the conference must be furnished to each member of the
25 committee in person or if unable to deliver in person by placing a
26 copy in the member's newspaper mailbox at least one hour before the
27 report is furnished to each member of the house under Section 10(a)

1 of this rule. The paper copies of the report submitted to the chief
2 clerk under Section 10(b) of this rule must contain a certificate
3 that the requirement of this subsection has been satisfied, and
4 that certificate must be attached to the copy of the report
5 furnished to each member under Section 10(d) of this rule. Failure
6 to comply with this subsection is not subject to a point of order.

7 Sec. 7. MEETINGS. (a) House conferees when meeting with
8 senate conferees to adjust differences shall meet in public and
9 shall give a reasonable amount of notice of the meeting in the place
10 designated for giving notice of meetings of house standing
11 committees. Any such meeting shall be open to the news media. Any
12 conference committee report adopted in private shall not be
13 considered by the house.

14 (b) At a meeting of the conferees to adjust differences on
15 the general appropriations bill, the chair of the house conferees
16 may request the assistance of any house member who serves on the
17 appropriations committee.

18 Sec. 8. INSTRUCTIONS. Instructions to a conference
19 committee shall be made after the conference is ordered and before
20 the conferees are appointed by the speaker, and not thereafter.

21 Sec. 9. LIMITATIONS ON JURISDICTION. (a) Conference
22 committees shall limit their discussions and their actions solely
23 to the matters in disagreement between the two houses. A conference
24 committee shall have no authority with respect to any bill or
25 resolution:

26 (1) to change, alter, or amend text which is not in
27 disagreement;

1 (2) to omit text which is not in disagreement;

2 (3) to add text on any matter which is not in
3 disagreement;

4 (4) to add text on any matter which is not included in
5 either the house or senate version of the bill or resolution.

6 This rule shall be strictly construed by the presiding
7 officer in each house to achieve these purposes.

8 (b) Conference committees on appropriations bills, like
9 other conference committees, shall limit their discussions and
10 their actions solely to the matters in disagreement between the two
11 houses. In addition to the limitations contained elsewhere in the
12 rules, a conference committee on appropriations bills shall be
13 strictly limited in its authority as follows:

14 (1) If an item of appropriation appears in both house
15 and senate versions of the bill, the item must be included in the
16 conference committee report.

17 (2) If an item of appropriation appears in both house
18 and senate versions of the bill, and in identical amounts, no change
19 can be made in the item or the amount.

20 (3) If an item of appropriation appears in both house
21 and senate versions of the bill but in different amounts, no change
22 can be made in the item, but the amount shall be at the discretion of
23 the conference committee, provided that the amount shall not exceed
24 the larger version and shall not be less than the smaller version.

25 (4) If an item of appropriation appears in one version
26 of the bill and not in the other, the item can be included or omitted
27 at the discretion of the conference committee. If the item is

1 included, the amount shall not exceed the sum specified in the
2 version containing the item.

3 (5) If an item of appropriation appears in neither the
4 house nor the senate version of the bill, the item must not be
5 included in the conference committee report. However, the
6 conference committee report may include appropriations for
7 purposes or programs authorized by bills that have been passed and
8 sent to the governor and may include contingent appropriations for
9 purposes or programs authorized by bills that have been passed by at
10 least one house.

11 This rule shall be strictly construed by the presiding
12 officer in each house to achieve these purposes.

13 (c) Conference committees on tax bills, like other
14 conference committees, shall limit their discussions and their
15 actions solely to the matters in disagreement between the two
16 houses. In addition to the limitations contained elsewhere in the
17 rules, a conference committee on a tax bill shall be strictly
18 limited in its authority as follows:

19 (1) If a tax item appears in both house and senate
20 versions of the bill, the item must be included in the conference
21 committee report.

22 (2) If a tax item appears in both house and senate
23 versions of the bill, and in identical form and with identical
24 rates, no change can be made in the item or the rate provided.

25 (3) If a tax item appears in both house and senate
26 versions of the bill but at differing rates, no change can be made
27 in the item, but the rate shall be at the discretion of the

1 conference committee, provided that the rate shall not exceed the
2 higher version and shall not be less than the lower version.

3 (4) If a tax item appears in one version of the bill
4 and not in the other, the item can be included or omitted at the
5 discretion of the conference committee. If the item is included,
6 the rate shall not exceed the rate specified in the version
7 containing the item.

8 (5) If a tax item appears in neither the house nor the
9 senate version of the bill, the item must not be included in the
10 conference committee report.

11 This rule shall be strictly construed by the presiding
12 officer in each house to achieve these purposes.

13 (d) Conference committees on reapportionment bills, to the
14 extent possible, shall limit their discussions and their actions to
15 the matters in disagreement between the two houses. Since the
16 adjustment of one district in a reapportionment bill will
17 inevitably affect other districts, the strict rule of construction
18 imposed on other conference committees must be relaxed somewhat
19 when reapportionment bills are involved. Accordingly, the
20 following authority and limitations shall apply only to conference
21 committees on reapportionment bills:

22 (1) If the matters in disagreement affect only certain
23 districts, and other districts are identical in both house and
24 senate versions of the bill, the conference committee shall make
25 adjustments only in those districts whose rearrangement is
26 essential to the effective resolving of the matters in
27 disagreement. All other districts shall remain unchanged.

1 (2) If the matters in disagreement permeate the entire
2 bill and affect most, if not all, of the districts, the conference
3 committee shall have wide discretion in rearranging the districts
4 to the extent necessary to resolve all differences between the two
5 houses.

6 (3) Insofar as the actual structure of the districts
7 is concerned, and only to that extent, the provisions of Subsection
8 (a) of this section shall not apply to conference committees on
9 reapportionment bills.

10 (e) Conference committees on recodification bills, like
11 other conference committees, shall limit their discussions and
12 their actions solely to the matters in disagreement between the two
13 houses. The comprehensive and complicated nature of recodification
14 bills makes necessary the relaxing of the strict rule of
15 construction imposed on other conference committees only to the
16 following extent:

17 (1) If it develops in conference committee that
18 material has been inadvertently included in both house and senate
19 versions which properly has no place in the recodification, that
20 material may be omitted from the conference committee report, if by
21 that omission the existing statute is not repealed, altered, or
22 amended.

23 (2) If it develops in conference committee that
24 material has been inadvertently omitted from both the house and
25 senate versions which properly should be included if the
26 recodification is to achieve its purpose of being all-inclusive of
27 the statutes being recodified, that material may be added to the

1 conference committee report, if by the addition the existing
2 statute is merely restated without substantive change in existing
3 law.

4 (f) Limitations imposed on certain conference committees by
5 the provisions of this section may be suspended in part by
6 permission of the house to allow consideration of and action on a
7 specific matter or matters which otherwise would be prohibited.
8 Permission shall be granted only by resolution passed by majority
9 vote of the house. All such resolutions shall be privileged in
10 nature and need not be referred to a committee. The introduction of
11 such a resolution shall be announced from the house floor and the
12 resolution shall be eligible for consideration by the house:

13 (1) three hours after a copy of the resolution has been
14 distributed to each member; or

15 (2) for a resolution suspending limitations on a
16 conference committee considering the general appropriations bill,
17 48 hours in a regular session and 24 hours in a special session
18 after a copy of the resolution has been distributed to each member.

19 (g) The time at which the copies of such a resolution are
20 distributed to the members shall be time-stamped on the originals
21 of the resolution. The resolution shall specify in detail:

22 (1) the exact language of the matter or matters
23 proposed to be considered;

24 (2) the specific limitation or limitations to be
25 suspended;

26 (3) the specific action contemplated by the conference
27 committee;

1 (4) except for a resolution suspending the limitations
2 on the conferees for the general appropriations bill, the reasons
3 that suspension of the limitations is being requested; and

4 (5) a fiscal note distributed with the resolution
5 outlining the fiscal implications and probable cost of the items to
6 be included in the conference committee report that would otherwise
7 be prohibited but for the passage of the resolution.

8 (h) In the application of Subsection (g) of this section to
9 appropriations bills, the resolution:

10 (1) need not include changes in amounts resulting from
11 a proposed salary plan or changes in format that do not affect the
12 amount of an appropriation or the method of finance of an
13 appropriation, but shall include a general statement describing the
14 salary plan or format change;

15 (2) need not include differences in language which do
16 not affect the substance of the bill;

17 (3) if suspending a limitation imposed by Subsection
18 (b)(2), (3), (4), or (5) of this section, must specify the amount by
19 which the appropriation in the conference committee report is less
20 than or greater than the amount permitted for that item of
21 appropriation under Subsection (b) of this section; and

22 (4) shall be available in its entirety on the
23 electronic legislative information system that is accessible by the
24 general public.

25 (i) Permission granted by a resolution under Subsection (f)
26 of this section shall suspend the limitations only for the matter or
27 matters clearly specified in the resolution, and the action of the

1 conference committee shall be in conformity with the resolution.

2 Sec. 10. PRINTING AND DISTRIBUTION OF REPORTS. (a) A
3 conference committee report on the general appropriations bill must
4 be printed and a copy furnished to each member as provided by Rule
5 12, Section 1, at least 48 hours before action can be taken on the
6 report by the house during a regular session or at least 24 hours
7 before action can be taken by the house during a special session.

8 All other conference committee reports must be printed and a copy
9 furnished to each member as provided by Rule 12, Section 1, at least
10 24 hours before action can be taken on the report by the house
11 during a regular or special session.

12 (b) Three original copies of a conference committee report
13 shall be submitted to the chief clerk for printing. Each original
14 conference committee report shall contain the following:

15 (1) the signatures of the house conferees and senate
16 conferees who voted to adopt the conference committee report;

17 (2) the text of the bill or resolution as adopted by
18 the conference committee; and

19 (3) an analysis of the conference committee report as
20 required by Section 11 of this rule.

21 (c) Before action can be taken by the house on a conference
22 committee report on a bill or joint resolution, other than the
23 general appropriations bill, a fiscal note outlining the fiscal
24 implications and probable cost of the conference committee report
25 shall be submitted to the chief clerk, and a copy of the fiscal note
26 shall be distributed with the conference committee report on its
27 printing.

1 (d) Before a vote on the floor can be taken by the house on a
2 conference committee report on a bill or joint resolution for which
3 a tax equity note was required under Rule 4, Section 34(b)(5), a tax
4 equity note estimating the general effects of the conference
5 committee report on the distribution of tax and fee burdens among
6 individuals and businesses shall be submitted to the chief clerk,
7 and a copy of the tax equity note shall be made available to each
8 member.

9 Sec. 11. ANALYSIS OF REPORTS. (a) All reports of conference
10 committees shall include an analysis showing wherein the report
11 differs from the house and senate versions of the bill, resolution,
12 or other matter in disagreement. The analysis of appropriations
13 bills shall show in dollar amounts the differences between the
14 conference committee report and the house and senate versions. No
15 conference committee report shall be considered by the house unless
16 such an analysis has been prepared and distributed to each member.

17 (b) The analysis shall to the extent practical indicate any
18 instance wherein the conference committee in its report appears to
19 have exceeded the limitations imposed on its jurisdiction by
20 Section 9 of this rule. An analysis and the conference committee
21 report in which the analysis is included are not subject to a point
22 of order due to a failure to comply with this subsection or due to a
23 mistake made in complying with this subsection.

24 Sec. 12. CONSIDERATION OF REPORTS. A conference committee
25 report is not subject to amendment, but must be accepted or rejected
26 in its entirety. While a conference committee report is pending, a
27 motion to deal with individual amendments in disagreement is not in

1 order.

2 Sec. 13. WHEN REPORTS NOT ACCEPTABLE. When a conference
3 committee report is not acceptable to the house for any reason, it
4 may be recommitted to the same committee with the request for
5 further consideration, and the house may or may not give any
6 specific instructions on the report to the conference committee; or
7 the house may request the appointment by the senate of a new
8 conference committee and then proceed to empower the speaker to
9 name new conferees for the house.

RULE 14. GENERAL PROVISIONS

1
2 Sec. 1. WHEN RULES ARE SILENT. If the rules are silent or
3 inexplicit on any question of order or parliamentary practice, the
4 Rules of the House of Representatives of the United States
5 Congress, and its practice as reflected in published precedents,
6 and Mason's Manual of Legislative Procedure shall be considered as
7 authority.

8 Sec. 2. AMENDMENTS TO THE RULES. (a) Amendments to the
9 rules of the house shall be proposed by house resolutions which
10 shall be referred at once, without debate, to the Committee on House
11 Administration for study and recommendation.

12 (b) A resolution proposing an amendment to the rules shall
13 not be considered by the house until a printed copy of the
14 resolution has been provided to each member of the house at least 48
15 hours before consideration.

16 (c) Amendments to the rules shall require a majority vote of
17 the house for adoption.

18 Sec. 3. MOTION TO SUSPEND THE RULES. A motion to suspend
19 the rules shall be in order at any time, except when motions to
20 adjourn or recess are pending, even when the house is operating
21 under the previous question. A motion to "suspend all rules" shall
22 be sufficient to suspend every rule under which the house is
23 operating for a particular purpose except the provisions of the
24 constitution and the joint rules of the two houses. If the rules
25 have been suspended on a main motion for a given purpose, no other
26 motion to suspend the rules on a main motion shall be in order until
27 the original purpose has been accomplished.

1 Sec. 4. NOTICE OF PENDING MOTION TO SUSPEND THE RULES. It
2 shall not be in order to move to suspend the rules or the regular
3 order of business to take up a measure out of its regular order, and
4 the speaker shall not recognize anyone for either purpose, unless
5 the speaker has announced to the house in session that the speaker
6 would recognize a member for that purpose at least one hour before
7 the member is so recognized to make the motion. In making the
8 announcement to the house, the speaker shall advise the house of the
9 member's name and the bill number, and this information, together
10 with the time that the announcement was made, shall be entered in
11 the journal. This rule may be suspended only by unanimous consent.

12 Sec. 5. VOTE REQUIREMENTS FOR SUSPENSION. A standing rule
13 of the house may be suspended by an affirmative vote of two-thirds
14 of the members present. However, if a rule contains a specific
15 provision showing the vote by which that rule may be suspended, that
16 vote shall be required for the suspension of the rule. The specific
17 provision may not be suspended under the provisions of this
18 section.

19 Sec. 6. DISPOSAL OF MEASURES TAKEN UP UNDER SUSPENSION. Any
20 measure taken up under suspension and not disposed of on the same
21 day shall go over as pending or unfinished business to the next day
22 that the house is in session, and shall be considered thereafter
23 from day to day (except the days used for the consideration of
24 senate bills) until disposed of.

1 RULE 15. APPROPRIATE WORKPLACE CONDUCT

2 Sec. 1. STATEMENT OF POLICY. (a) The house finds that:

3 (1) a safe and professional environment in which each
4 individual is treated with respect is essential for conducting the
5 legislative business of Texas;

6 (2) harassment based on an individual's
7 characteristics and activity protected by law is inconsistent with
8 the necessary safe and professional environment; and

9 (3) there is a need for policies designed to prevent
10 harassment and to appropriately address it if it occurs.

11 (b) The house declares that all forms of harassment
12 prohibited by law (including harassment by the making of a
13 complaint of harassment or discrimination or by participating in
14 the investigation of a complaint) are against the policy of the
15 house.

16 (c) Members, officers, and employees of the house are
17 expected to promote public confidence in the integrity of the house
18 by:

19 (1) conducting themselves in a manner that is free of
20 harassment in each setting related to the service of the member,
21 officer, or employee; and

22 (2) reporting any harassment in the workplace of which
23 they have direct, personal knowledge.

24 (d) This rule is the policy on which the house relies for
25 guidance in promoting appropriate workplace conduct. This rule is
26 not intended to, and does not, create an independent cause of
27 action, substantive or procedural, enforceable at law or in equity,

1 by any party against:

2 (1) the house or its officers, employees, or agents;

3 (2) the State of Texas or its departments, agencies,
4 entities, officers, employees, or agents; or

5 (3) any other person.

1 RULE 16. SPECIAL RULE

2 CHAPTER A. GENERAL PROVISIONS

3 Sec. 1. PURPOSE; SCOPE; APPLICATION. (a) This rule is
4 adopted to ensure that the house is able to carry out its
5 legislative responsibilities under the Texas Constitution in the
6 event of disruptions caused by actual or imminent threat of an
7 emergency, including an epidemic or a pandemic.

8 (b) A section of this rule governs the procedure of the
9 house and its committees only when the section is activated as
10 provided by this rule.

11 (c) During the time a section of this rule is activated, the
12 provisions of that section prevail over a provision of Rules 1
13 through 15 to the extent of any conflict between the provisions.

14 (d) This chapter is not subject to deactivation under
15 Section 4 of this rule.

16 Sec. 2. INITIAL ACTIVATION. This rule is initially
17 activated in its entirety upon adoption of the permanent rules of
18 procedure of the House of Representatives for the 87th Legislature.

19 Sec. 3. REACTIVATION. (a) A section of this rule that has
20 been deactivated under this chapter may be reactivated only as
21 provided by this section.

22 (b) Reactivation of a section of this rule may occur only
23 if:

24 (1) a disaster has been declared and is currently in
25 effect in this state as the result of a declaration by:

26 (A) the president of the United States under the
27 Robert T. Stafford Disaster Relief and Emergency Assistance Act (42

1 U.S.C. Section 5121 et seq.), as amended, or other law;

2 (B) the governor under Chapter 418, Government
3 Code, or other law, including the Texas Constitution; or

4 (C) the governing body of a political subdivision
5 under Chapter 418, Government Code, or other law, including the
6 Texas Constitution; or

7 (2) a determination of a public health disaster has
8 been made and is currently in effect under Chapter 81, Health and
9 Safety Code, or other law by:

10 (A) the commissioner of state health services; or

11 (B) a local health authority.

12 (c) If the house is convened in regular or special session
13 and at least one condition listed in Subsection (b) of this section
14 has been met, the house may reactivate one or more sections of this
15 rule by resolution. A resolution proposed under this subsection is
16 subject to the provisions of Rule 14, Section 2, and must:

17 (1) identify the section or sections proposed to be
18 reactivated; and

19 (2) cite the authorities relied on to determine that
20 at least one condition listed in Subsection (b) of this section has
21 been met.

22 (d) If the house is not convened in a regular or special
23 session and at least one condition listed in Subsection (b) of this
24 section has been met, the Committee on House Administration may
25 reactivate one or more sections of this rule only by a vote of a
26 majority of the membership of the committee in a meeting of the
27 committee conducted in accordance with the rules. The notice of the

1 committee meeting must identify the section or sections of this
2 rule that are proposed to be reactivated and cite the authorities
3 relied on to determine that at least one condition listed in
4 Subsection (b) of this section has been met. The minutes of the
5 committee meeting must identify the section or sections of this
6 rule that were reactivated by the committee and cite the
7 authorities relied on to determine that at least one condition
8 listed in Subsection (b) of this section has been met.

9 Sec. 4. DEACTIVATION. (a) If the house is convened in a
10 regular or special session, a section of this rule may be
11 deactivated only by resolution. A resolution proposed under this
12 subsection is subject to the provisions of Rule 14, Section 2, and
13 must identify the section or sections of this rule to be
14 deactivated.

15 (b) If the house is not convened in a regular or special
16 session, the Committee on House Administration may deactivate one
17 or more sections of this rule. A section of this rule may be
18 deactivated only by a vote of a majority of the membership of the
19 committee in a meeting of the committee conducted in accordance
20 with the rules. The notice of the committee meeting must identify
21 the section or sections of this rule that are proposed to be
22 deactivated. The minutes of the committee meeting must identify
23 the section or sections of this rule that were deactivated by the
24 committee.

25 CHAPTER B. DUTIES AND RIGHTS OF THE SPEAKER

26 Sec. 5. A new Rule 1, Section 10A, relating to the
27 designation of a temporary chair, shall read as follows:

1 Rule 1, Sec. 10A. DESIGNATION OF ALTERNATE
2 TEMPORARY CHAIR. (a) If the speaker and permanent
3 speaker pro tempore are both unavailable for any
4 reason, the chair of the Committee on State Affairs is
5 authorized to convene the house and preside over its
6 deliberations.

7 (b) At any time, the speaker may provide a
8 written order to the chief clerk, with a copy to the
9 journal clerk, naming those members, in priority
10 order, authorized to call the house to order and
11 preside if the speaker, permanent speaker pro tempore,
12 and chair of the Committee on State Affairs are all
13 absent or unable to preside. If the speaker, permanent
14 speaker pro tempore, and chair of the Committee on
15 State Affairs are all unavailable for any reason, and
16 it becomes necessary for the house to convene pursuant
17 to an adjournment, recess, or other provision of the
18 constitution or other law, the chief clerk shall
19 contact the members, in the order listed on the
20 speaker's written order, until the chief clerk locates
21 a member who is available to convene and preside over
22 the deliberations of the house.

23 Sec. 6. Rule 1, Section 11, relating to emergency
24 adjournment, shall read as follows:

25 Rule 1, Sec. 11. EMERGENCY ADJOURNMENT. In the
26 event of an emergency of such compelling nature that
27 the speaker must adjourn the house without fixing a

1 date and hour of reconvening, the speaker shall have
 2 authority, subject to the provisions of Section 17,
 3 Article III, Texas Constitution, to determine the date
 4 and hour of reconvening and to notify the members of
 5 the house by any means the speaker considers adequate.
 6 Should the speaker be disabled or otherwise unable to
 7 exercise these emergency powers, the permanent speaker
 8 pro tempore, if one has been named, shall have
 9 authority to act. If there is no permanent speaker pro
 10 tempore, or if that officer is unable to act, authority
 11 shall be exercised by one of the following members, in
 12 the order listed below [~~the chair of the Committee on~~
 13 ~~State Affairs~~], who shall preside until the house can
 14 proceed to the selection of a temporary presiding
 15 officer to function until the speaker or the speaker
 16 pro tempore is again able to exercise the duties and
 17 responsibilities of the office:

18 (1) the chair of the Committee on State
 19 Affairs; or

20 (2) the first available member on the
 21 speaker's written order filed with the chief clerk
 22 under Section 10A of this rule.

23 Sec. 7. Rule 1, Section 12, relating to postponement of
 24 reconvening, shall read as follows:

25 Rule 1, Sec. 12. POSTPONEMENT OF RECONVENING.
 26 When the house is not in session, if the speaker
 27 determines that it would be a hazard to the safety of

1 the members, officers, employees, and others attending
2 the legislature to reconvene at the time determined by
3 the house at its last sitting, the speaker may clear
4 the area of the capitol under the control of the house
5 and, subject to the provisions of Section 17, Article
6 III, Texas Constitution, postpone the reconvening of
7 the house for a period of not more than three calendar
8 days, not including Sundays [~~12 hours~~]. On making that
9 determination, the speaker shall order the
10 sergeant-at-arms to post an assistant at each first
11 floor entrance to the capitol and other places and
12 advise all persons entering of the determination and
13 the time set for the house to reconvene. The speaker
14 shall also notify the journal clerk and the news media
15 of the action, and the action shall be entered in the
16 house journal. If the speaker is unavailable or unable
17 to act, the authority to postpone reconvening under
18 this section may be exercised by one of the following
19 members, in the order listed below:

20 (1) the permanent speaker pro tempore;

21 (2) the chair of the Committee on State
22 Affairs; or

23 (3) the first available member on the
24 speaker's written order filed with the chief clerk
25 under Section 10A of this rule.

26 CHAPTER C. OFFICERS AND EMPLOYEES

27 [RESERVED FOR EXPANSION]

1 CHAPTER D. ORGANIZATION, POWERS, AND DUTIES OF COMMITTEES

2 Sec. 8. A new Rule 4, Section 8A, relating to required face
3 masks during committee meetings, shall read as follows:

4 Rule 4, Sec. 8A. FACE MASKS REQUIRED FOR
5 COMMITTEE MEETINGS. Each person admitted to a meeting
6 room for the purpose of participating in or attending a
7 committee or subcommittee meeting is required to wear
8 at all times a face mask that complies with the
9 recommendations of the Centers for Disease Control and
10 Prevention. A member of the house or a witness may
11 temporarily remove the person's face mask only while
12 speaking from a microphone on the dais or the witness
13 podium. An officer or employee of the house may
14 temporarily remove the person's face mask only while
15 speaking from a microphone or as directed by the chair.
16 If the Committee on House Administration has installed
17 clear barriers that comply with epidemiological best
18 practices on the dais in a meeting room, a member,
19 officer, or employee may remove the person's face mask
20 when the person is protected by the barriers if other
21 persons who are not protected by the barriers are at
22 least six feet away from the member, officer, or
23 employee.

24 Sec. 9. Rule 4, Section 11, and new Rule 4, Section 11A,
25 relating to posting notice of committee meetings, shall read as
26 follows:

27 Rule 4, Sec. 11. POSTING NOTICE. (a) No

1 committee or subcommittee, including a calendars
2 committee, shall assemble for the purpose of a public
3 hearing during a regular session unless notice of the
4 hearing has been posted in accordance with the rules at
5 least five calendar days in advance of the hearing. No
6 committee or subcommittee, including a calendars
7 committee, shall assemble for the purpose of a public
8 hearing during a special session unless notice of the
9 hearing has been posted in accordance with the rules at
10 least 24 hours in advance of the hearing. The committee
11 minutes shall reflect the date of each posting of
12 notice. Notice shall not be required for a public
13 hearing or a formal meeting on a senate bill which is
14 substantially the same as a house bill that has
15 previously been the subject of a duly posted public
16 hearing by the committee.

17 (b) No committee or subcommittee, including a
18 calendars committee, shall assemble for the purpose of
19 a formal meeting or work session during a regular or
20 special session unless written notice has been posted
21 and transmitted to each member of the committee two
22 hours in advance of the meeting or an announcement has
23 been filed with the journal clerk and read by the
24 reading clerk while the house is in session at least 30
25 minutes in advance of the meeting.

26 (c) All committees meeting during the interim
27 for the purpose of a formal meeting, work session, or

1 public hearing shall post notice in accordance with
2 the rules and notify members of the committee at least
3 five calendar days in advance of the meeting.

4 Rule 4, Sec. 11A. CONTENTS OF NOTICE. In
5 addition to other information required by the rules,
6 the notice of a committee meeting must include:

7 (1) instructions, or a link to
8 instructions on the house's Internet website, related
9 to public access to the meeting location and health and
10 safety protocols for attending the meeting;

11 (2) for a meeting that will be video
12 broadcast under Section 12A of this rule, the link to
13 that broadcast on the house's Internet website; and

14 (3) for a public hearing, instructions, or
15 a link to instructions on the house's Internet website,
16 for individuals who wish to:

17 (A) testify in person at the hearing;

18 or

19 (B) electronically submit public
20 comments without testifying.

21 Sec. 10. A new Rule 4, Section 12A, relating to public
22 access to committee meetings, shall read as follows:

23 Rule 4, Sec. 12A. PUBLIC ACCESS TO COMMITTEE
24 MEETINGS. The requirement for all meetings of a
25 committee or subcommittee to be open to other members,
26 the press, and the public may be satisfied by video
27 broadcasting the meeting in real time through the

1 Internet. The video broadcast must be accessible from
2 a link on the house's Internet website.

3 Sec. 11. A new Rule 4, Section 16A, relating to quorum
4 requirements for taking testimony, shall read as follows:

5 Rule 4, Sec. 16A. QUORUM REQUIREMENTS FOR
6 TAKING TESTIMONY. Two members of a committee shall
7 constitute a quorum for the sole purpose of taking
8 testimony during a public hearing. Any other
9 committee member may participate in the public hearing
10 through an Internet or other videoconferencing system
11 if two-way communication has been enabled to allow all
12 committee members to be clearly visible and audible to
13 each other and to the testifying witness.

14 Sec. 12. A new Rule 4, Section 18B, relating to the content
15 of committee minutes, shall read as follows:

16 Rule 4, Sec. 18B. MODIFIED CONTENT OF COMMITTEE
17 MINUTES. The attachment to the minutes required under
18 Section 18(b) of this rule is not required to include
19 the names of persons who submitted a sworn statement
20 and were not recognized by the chair to address the
21 committee.

22 Sec. 13. A new Rule 4, Section 20A, relating to invited
23 testimony, and a new Rule 4, Section 20B, relating to public
24 comments, shall read as follows:

25 Rule 4, Sec. 20A. INVITED TESTIMONY. (a) When
26 inviting witnesses to testify at a public hearing in
27 the manner described by Section 20(g) of this rule, the

1 chair of a committee shall:

2 (1) make a reasonable effort to invite
3 witnesses representing different viewpoints on the
4 measures and other matters scheduled for a public
5 hearing; and

6 (2) comply with a request to extend a
7 witness invitation if the request meets the
8 requirements of Subsections (b) and (c) of this
9 section.

10 (b) Members of a committee may submit a request
11 to the chair to extend an invitation to not more than
12 two witnesses to testify on a particular measure or
13 matter at a public hearing in the manner described by
14 Section 20(g) of this rule. A member of a committee
15 may not sign a request for more than two witnesses for
16 a particular measure or matter scheduled for a public
17 hearing.

18 (c) A request made under Subsection (b) of this
19 section must be:

20 (1) submitted to the chair at least 24
21 hours before the scheduled time of the public hearing;
22 and

23 (2) signed by the requisite number of
24 committee members:

25 (A) two members of a committee
26 consisting of fewer than nine members;

27 (B) three members of a committee

1 consisting of nine members;

2 (C) four members of a committee
3 consisting of more than nine but fewer than 15
4 members; and

5 (D) five members of a committee
6 consisting of 15 or more members.

7 (d) The provisions of this section apply to the
8 operations of subcommittees.

9 Rule 4, Sec. 20B. PUBLIC COMMENTS. For each
10 public hearing scheduled, the chair of the committee
11 must allow persons domiciled in this state to
12 electronically submit comments to the committee that
13 relate to the measures or matters included on the
14 notice for the public hearing. The Committee on House
15 Administration shall establish a standard process for
16 the electronic submission and posting of public
17 comments submitted to house committees.

18 Sec. 14. A new Rule 4, Section 32A, relating to the form of
19 committee reports, shall read as follows:

20 Rule 4, Sec. 32A. MODIFIED CONTENT OF COMMITTEE
21 REPORT. The list required to be included in the
22 committee report under Section 32(b)(10) of this rule
23 is not required to include the names of persons who
24 submitted a sworn statement and were not recognized by
25 the chair to address the committee.

26 CHAPTER E. FLOOR PROCEDURE

27 Sec. 15. Rule 5, Sections 11 and 12, and new Rule 5, Section

1 20A, relating to admission privileges of accredited media, shall
2 read as follows:

3 Rule 5, Sec. 11. PRIVILEGES OF THE HOUSE FLOOR.

4 Only the following persons shall be entitled to the
5 privileges of the floor of the house when the house is
6 in session: members of the house; employees of the
7 house when performing their official duties as
8 determined by the Committee on House Administration;
9 members of the senate; employees of the senate when
10 performing their official duties; the Governor of
11 Texas and the governor's chief of staff and director of
12 legislative affairs; the lieutenant governor; the
13 secretary of state; duly accredited media
14 representatives only as permitted by Section 20(f) of
15 this rule; contestants in election cases pending
16 before the house; and immediate families of the
17 members of the legislature on such special occasions
18 as may be determined by the Committee on House
19 Administration.

20 Rule 5, Sec. 12. ADMITTANCE WITHIN THE RAILING.

21 Only the following persons shall be admitted to the
22 area on the floor of the house enclosed by the railing
23 when the house is in session: members of the house;
24 members of the senate; the governor; the lieutenant
25 governor; officers and employees of the senate and
26 house when those officers and employees are actually
27 engaged in performing their official duties as

1 determined by the Committee on House Administration;
2 and spouses of members of the house on such occasions
3 as may be determined by the Committee on House
4 Administration [~~; and, within the area specifically~~
5 ~~designated for media representatives, duly accredited~~
6 ~~media representatives as permitted by Section 20 of~~
7 ~~this rule]~~.

8 Rule 5, Sec. 20A. MEDIA ACCESS TO HOUSE CHAMBER
9 UNDER RULE 16. (a) When the house is in session, an
10 accredited media representative:

11 (1) is entitled to admission to that
12 portion of the gallery specifically designated for
13 media representatives, subject to available seating;
14 and

15 (2) is not entitled to admission to the
16 floor of the house or allowed its privileges, except as
17 permitted by Section 20(f) of this rule.

18 (b) A pass card issued under Section 20 of this
19 rule must be presented to the sergeant-at-arms each
20 time the media representative seeks admission to that
21 portion of the gallery specifically designated for
22 media representatives. Media representatives
23 admitted to that portion of the gallery specifically
24 designated for media representatives pursuant to the
25 provisions of this section shall work in seats
26 designated by the Committee on House Administration
27 for use by accredited media representatives.

1 Sec. 16. A new Rule 5, Section 19A, relating to face masks
2 during floor sessions, shall read as follows:

3 Rule 5, Sec. 19A. FACE MASKS REQUIRED DURING
4 FLOOR SESSIONS. Each person admitted to the house
5 floor or gallery for the purpose of participating in,
6 attending, providing support for, or observing house
7 proceedings is required to wear at all times a face
8 mask that complies with the recommendations of the
9 Centers for Disease Control and Prevention. A member
10 of the house may temporarily remove the member's face
11 mask only while speaking from the front or back
12 microphone. An officer or employee of the house or
13 senate may temporarily remove the person's face mask
14 only while speaking from the front or back microphone
15 or as directed by the presiding officer. The speaker,
16 or a member presiding under Rule 1, may temporarily
17 remove the person's face mask only while speaking from
18 the microphone at the speaker's desk.

19 Sec. 17. Rule 5, Section 40, relating to recording votes on
20 the voting machine, shall read as follows:

21 Rule 5, Sec. 40. RECORDING ALL VOTES ON VOTING
22 MACHINE. On all votes, except viva voce votes,
23 members shall record their votes on the voting machine
24 and shall not be recognized by the chair to cast their
25 votes from the floor or gallery. If a member attempts
26 to vote from the floor or gallery, the speaker shall
27 sustain a point of order directed against the member's

1 so doing. This rule shall not be applicable to the
2 mover or the principal opponent of the proposition
3 being voted on nor to a member whose voting machine is
4 out of order. If a member demands strict enforcement of
5 this section, Section 47 of this rule shall not apply
6 to the taking of a vote, and the house may discipline a
7 member in violation of this rule pursuant to its
8 inherent authority. As used in these rules, the term
9 "voting machine" includes a device issued to a member
10 by the Texas Legislative Council and configured to
11 provide access to a secure website through which the
12 member, when present in the house under Section 45 of
13 this rule, may:

14 (1) register presence during a
15 registration; or

16 (2) cast a vote during a division or record
17 vote.

18 Sec. 18. Rule 5, Section 45, relating to areas from which
19 voting is allowed, shall read as follows:

20 Rule 5, Sec. 45. PRESENCE IN HOUSE REQUIRED IN
21 ORDER TO VOTE. A member must be on the floor of the
22 house, in the house gallery, or in an adjacent room or
23 hallway on the same level as the house floor or
24 gallery, in order to vote.

25 CHAPTER F. ORDER OF BUSINESS AND CALENDARS

26 Sec. 19. Rule 6, Section 1, relating to the daily order of
27 business, shall read as follows:

1 Rule 6, Sec. 1. DAILY ORDER OF BUSINESS. (a)

2 When the house convenes on a new legislative day, the
3 daily order of business shall be as follows:

4 (1) Call to order by speaker.

5 (2) Registration of members.

6 (3) Prayer [~~by chaplain~~], unless the
7 invocation has been given previously on the particular
8 calendar day.

9 (4) Pledge of allegiance to the United
10 States flag.

11 (5) Pledge of allegiance to the Texas
12 flag.

13 (6) Excuses for absence of members and
14 officers.

15 (7) First reading and reference to
16 committee of bills filed with the chief clerk; and
17 motions to introduce bills, when such motions are
18 required.

19 (8) Requests to print bills and other
20 papers; requests of committees for further time to
21 consider papers referred to them; and all other
22 routine motions and business not otherwise provided
23 for, all of which shall be undebatable except that the
24 mover and one opponent of the motion shall be allowed
25 three minutes each.

26 The mover of a routine motion shall be allowed his
27 or her choice of making the opening or the closing

1 speech under this rule. If the house, under a
2 suspension of the rules, extends the time of a member
3 under this rule, such extensions shall be for three
4 minutes. Subsidiary motions that are applicable to
5 routine motions shall be in order, but the makers of
6 such subsidiary motions shall not be entitled to speak
7 thereon in the routine motion period, nor shall the
8 authors of the original routine motions be allowed any
9 additional time because of subsidiary motions.

10 (9) Unfinished business.

11 (10) Third reading calendars of the house
12 in their order of priority in accordance with Section 7
13 of this rule, unless a different order is determined
14 under other provisions of these rules.

15 (11) Postponed matters to be laid before
16 the house in accordance with Rule 7, Section 15.

17 (12) Second reading calendars of the
18 house in their order of priority in accordance with
19 Section 7 of this rule, unless a different order is
20 determined under other provisions of these rules.

21 (13) First reading and reference to
22 committee of bills filed with the chief clerk; and
23 motions to introduce bills, when such motions are
24 required.

25 (b) When the house reconvenes for the first time
26 on a new calendar day following a recess, the daily
27 order of business shall be:

- 1 (1) Call to order by the speaker.
- 2 (2) [~~Registration of members.~~
- 3 [~~(3)~~] Prayer [~~by the chaplain~~].
- 4 (3) [~~(4)~~] Pledge of allegiance to the
- 5 United States flag.
- 6 (4) [~~(5)~~] Pledge of allegiance to the
- 7 Texas flag.
- 8 (5) [~~(6)~~] Excuses for absence of members
- 9 and officers.
- 10 (6) Requests to print bills and other
- 11 papers; requests of committees for further time to
- 12 consider papers referred to them; and all other
- 13 routine motions and business not otherwise provided
- 14 for, all of which shall be undebatable except that the
- 15 mover and one opponent of the motion shall be allowed
- 16 three minutes each.

17 The mover of a routine motion shall be allowed his
18 or her choice of making the opening or the closing
19 speech under this rule. If the house, under a
20 suspension of the rules, extends the time of a member
21 under this rule, such extensions shall be for three
22 minutes. Subsidiary motions that are applicable to
23 routine motions shall be in order, but the makers of
24 such subsidiary motions shall not be entitled to speak
25 thereon in the routine motion period, nor shall the
26 authors of the original routine motions be allowed any
27 additional time because of subsidiary motions.

1 (7) Pending business.

2 (8) Calendars of the house in their order
3 of priority in accordance with Section 7 of this rule,
4 unless a different order is determined under other
5 provisions of these rules.

6 (9) First reading and reference to
7 committee of bills filed with the chief clerk; and
8 motions to introduce bills, when such motions are
9 required.

10 Sec. 20. Rule 6, Section 7, relating to the system of
11 calendars, and a new Rule 6, Section 7A, relating to consideration
12 of the consensus calendar, shall read as follows:

13 Rule 6, Sec. 7. SYSTEM OF CALENDARS. (a)
14 Legislative business of the house shall be controlled
15 by a system of calendars, consisting of the following:

16 (1) EMERGENCY CALENDAR, on which shall
17 appear bills considered to be of such pressing and
18 imperative import as to demand immediate action, bills
19 to raise revenue and levy taxes, and the general
20 appropriations bill. A bill submitted as an emergency
21 matter by the governor may also be placed on this
22 calendar.

23 (1-a) CONSENSUS CALENDAR, on which shall
24 appear bills, not emergency in nature, that were not
25 recommended by the appropriate standing committee for
26 placement on the local, consent, and resolutions
27 calendar and that, in the opinion of the Committee on

1 Calendars, can be considered expeditiously with
2 limited debate.

3 (2) MAJOR STATE CALENDAR, on which shall
4 appear bills of statewide effect, not emergency in
5 nature, which establish or change state policy in a
6 major field of governmental activity and which will
7 have a major impact in application throughout the
8 state without regard to class, area, or other limiting
9 factors.

10 (3) CONSTITUTIONAL AMENDMENTS CALENDAR,
11 on which shall appear joint resolutions proposing
12 amendments to the Texas Constitution, joint
13 resolutions proposing the ratification of amendments
14 to the Constitution of the United States, and joint
15 resolutions applying to Congress for a convention to
16 amend the Constitution of the United States.

17 (4) GENERAL STATE CALENDAR, on which shall
18 appear bills of statewide effect, not emergency in
19 nature, which establish or change state law and which
20 have application to all areas but are limited in legal
21 effect by classification or other factors which
22 minimize the impact to something less than major state
23 policy, and bills, not emergency in nature, which are
24 not on the local, consent, and resolutions calendar.

25 (5) LOCAL, CONSENT, AND RESOLUTIONS
26 CALENDAR, on which shall appear bills, house
27 resolutions, and concurrent resolutions, not

1 emergency in nature, regardless of extent and scope,
2 on which there is such general agreement as to render
3 improbable any opposition to the consideration and
4 passage thereof, and which have been recommended by
5 the appropriate standing committee for placement on
6 the local, consent, and resolutions calendar by the
7 Committee on Local and Consent Calendars.

8 (6) RESOLUTIONS CALENDAR, on which shall
9 appear house resolutions and concurrent resolutions,
10 not emergency in nature and not privileged.

11 (7) CONGRATULATORY AND MEMORIAL
12 RESOLUTIONS CALENDAR, on which shall appear
13 congratulatory and memorial resolutions whose sole
14 intent is to congratulate, memorialize, or otherwise
15 express concern or commendation. The Committee on
16 Resolutions Calendars may provide separate categories
17 for congratulatory and memorial resolutions.

18 (b) A calendars committee shall strictly
19 construe and the speaker shall strictly enforce this
20 system of calendars.

21 Rule 6, Sec. 7A. PROCEDURE FOR CONSIDERATION OF
22 BILLS PLACED ON A CONSENSUS CALENDAR. During the
23 consideration of a bill placed on the consensus
24 calendar, the following procedures shall be observed:

25 (1) All speeches shall be limited to three
26 minutes in duration and shall not be extended. The
27 speaker shall call the members to order at the

1 expiration of their time. The time limits established
2 by this subdivision shall include time consumed in
3 yielding to questions from the floor.

4 (2) An amendment to a bill placed on the
5 consensus calendar shall not be in order during second
6 reading consideration of the bill unless the amendment
7 has first been submitted to and approved by the
8 Committee on Calendars, which shall be noted thereon
9 by the chair of the Committee on Calendars prior to the
10 offering of the amendment.

11 CHAPTER G. MOTIONS

12 [RESERVED FOR EXPANSION]

13 CHAPTER H. BILLS

14 Sec. 21. Rule 8, Section 14, relating to distribution of
15 committee reports, shall read as follows:

16 Rule 8, Sec. 14. DELIVERY PRIOR TO
17 CONSIDERATION. (a) Each bill or resolution, except
18 the general appropriations bill, shall be delivered to
19 each member by making a copy of the bill or resolution
20 available in an electronic format for viewing by the
21 member and, when the electronic format copy of the
22 appropriate printing becomes available, by sending
23 notice of that fact to a Capitol e-mail address
24 designated by the member, at least 36 hours if convened
25 in regular session and 24 hours if convened in special
26 session before the bill can be considered by the house
27 on second reading. If a member informs the chief clerk

1 in writing that the member desires to receive paper
2 copies of bills and resolutions under this section in
3 addition to delivery in an electronic format, the
4 chief clerk shall place a paper copy of the bill or
5 resolution in the newspaper box of the member as soon
6 as practicable after the electronic copies of the bill
7 or resolution are made available for viewing.

8 (a-1) ~~At [A printed copy of the general~~
9 ~~appropriations bill shall be placed in the newspaper~~
10 ~~mailbox of each member at]~~ least 168 hours during a
11 regular session and at least 72 hours during a special
12 session before the general appropriations bill can be
13 considered by the house on second reading:

14 (1) a copy of the bill must be made
15 available to each member in an electronic format; and

16 (2) notice of availability of the
17 electronic format of the bill must be sent to the
18 Capitol e-mail address designated by each member under
19 Subsection (a) of this section.

20 (a-2) A printed copy of the general
21 appropriations bill shall be placed in the newspaper
22 mailbox of each member as soon as practicable after the
23 requirements of Subsection (a-1) of this section have
24 been met.

25 (b) By majority vote, the house may order both
26 the original bill or resolution and the complete
27 committee substitute to be printed. It shall not be

1 necessary for the house to order complete committee
2 substitutes printed in lieu of original bills.

3 (c) A two-thirds vote of the house is necessary
4 to order that bills, other than local bills, be not
5 printed. It shall not be necessary for the house to
6 order that local bills be not printed.

7 CHAPTER I. JOINT RESOLUTIONS

8 [RESERVED FOR EXPANSION]

9 CHAPTER J. HOUSE RESOLUTIONS AND CONCURRENT RESOLUTIONS

10 [RESERVED FOR EXPANSION]

11 CHAPTER K. AMENDMENTS

12 Sec. 22. A new Rule 11, Section 6A, relating to the required
13 prefiling of certain amendments, shall read as follows:

14 Rule 11, Sec. 6A. FILING OF AMENDMENTS TO BILLS
15 ON THE EMERGENCY OR MAJOR STATE CALENDAR. The speaker
16 shall not recognize a member to offer an original
17 amendment to a bill on second reading that appears on
18 the emergency calendar or major state calendar unless
19 the amendment has been provided to the chief clerk, in
20 a manner determined by the chief clerk under the
21 direction of the Committee on House Administration,
22 and was available in the chief clerk's office at least
23 12 hours prior to the time the calendar on which the
24 bill to be amended is eligible for consideration. This
25 section does not apply to an amendment that is subject
26 to Section 6(g) or (h) of this rule.

1
2
3
4
5
6

CHAPTER L. PRINTING

[RESERVED FOR EXPANSION]

CHAPTER M. INTERACTIONS WITH THE GOVERNOR AND SENATE

[RESERVED FOR EXPANSION]

CHAPTER N. GENERAL PROVISIONS

[RESERVED FOR EXPANSION]

Re: Legislative Agenda as Approved by Boerne City Council

1 message

Kyle Biedermann <kyle@kylefortexas.com>
To: Tim Handren <thandren@boerne-tx.gov>

Wed, Jan 20, 2021 at 5:53 PM

Great. 4 pm at Cibolo Creek.

Kyle Biedermann
State Representative
District 73
830 998-7111 cell

On Jan 20, 2021, at 4:42 PM, Tim Handren <thandren@boerne-tx.gov> wrote:

How about we chat over a beer at Cibolo Creek Brewery on Main St. ?

Tim Handren

Mayor - Boerne, TX

From: Kyle Biedermann <kyle@kylefortexas.com>
Sent: Wednesday, January 20, 2021 1:01 PM
To: Tim Handren <thandren@boerne-tx.gov>
Subject: Re: Legislative Agenda as Approved by Boerne City Council

You pick. Look forward to finally getting together again.

Kyle Biedermann
State Representative
District 73
830 998-7111 cell

On Jan 20, 2021, at 12:45 PM, Tim Handren <thandren@boerne-tx.gov> wrote:

Perfect. You and I can get together at 4:00 if that works for you. I'm assuming you're meeting with Kendall County Republicans? Where would you like to meet?

Tim Handren

Mayor – Boerne, TX

From: Kyle Biedermann <kyle@kylefortexas.com>
Sent: Tuesday, January 19, 2021 7:07 PM
To: Tim Handren <thandren@boerne-tx.gov>
Subject: Re: Legislative Agenda as Approved by Boerne City Council

The meeting starts at 6pm.

Kyle Biedermann

State Representative

District 73

830 998-7111 cell

On Jan 19, 2021, at 6:30 PM, Tim Handren <thandren@boerne-tx.gov> wrote:

Kyle, is your meeting in Boerne? What time works for you. I'm open after 4:00 for sure.

Tim Handren

Mayor - Boerne, TX

From: Kyle Biedermann <kyle@kylefortexas.com>
Sent: Tuesday, January 19, 2021 6:10 PM
To: Tim Handren <thandren@boerne-tx.gov>
Cc: kyle.biedermann@house.texas.gov; Ben Thatcher <bthatcher@boerne-tx.gov>; Nina Woolard <NWoolard@ci.boerne.tx.us>; Elijah.O'Neal@house.texas.gov
Subject: Re: Legislative Agenda as Approved by Boerne City Council

Tim,

I just remembered there is a Republican Party meeting Thursday evening so if you can meet late afternoon on Thursday that may work for me also.

Kyle

Kyle Biedermann
State Representative
District 73
830 998-7111 cell

On Jan 19, 2021, at 6:06 PM, Kyle Biedermann
<kyle@kylefortexas.com> wrote:

Hi Tim,

I am available to meet on Friday morning for breakfast in Comfort.
Anytime any place. Let me know. Look forward to seeing you.

Kyle
Kyle Biedermann
State Representative
District 73
830 998-7111 cell

On Jan 14, 2021, at 5:24 AM, Tim Handren
<thandren@boerne-tx.gov> wrote:

I'm open any time on Friday 1/22. I can meet you in
Comfort for breakfast or lunch if that's more
convenient for you.

Look forward to it!

Tim Handren
Mayor - Boerne, TX

From: Kyle Biedermann <kyle@kylefortexas.com>
Sent: Wednesday, January 13, 2021 9:45 PM
To: Tim Handren <thandren@boerne-tx.gov>
Cc: kyle.biedermann@house.texas.gov; Ben
Thatcher <bthatcher@boerne-tx.gov>; Nina

Woolard <NWoolard@ci.boerne.tx.us>;
Elijah.O'Neal@house.texas.gov
Subject: Re: Legislative Agenda as Approved by
Boerne City Council

Hi Tim,

I appreciate you reaching out to me and I desire to meet with you as soon as possible. After our House Rules votes tomorrow, we will gavel out till Jan 26. Let's get together next week if possible. Let me know your availability.

Kyle

Kyle Biedermann
State Representative
District 73
830 998-7111 cell

On Jan 11, 2021, at 7:27 AM, Tim Handren <thandren@boerne-tx.gov> wrote:

To the Honorable Representative Biedermann,

With the 87th session of the Texas Legislature officially commencing tomorrow, 01/12/2021, I am sharing with you the Legislative Agenda that was unanimously passed by the Boerne City Council in December. The Council had several discussions about the agenda as presented and felt strongly about the specific items listed. I'm sure this year's Session will be different than years past, with all the new COVID protocols in place. I hope that you and I can work together as much as possible during this Session to support the wonderful community of Boerne, that so strongly supported you in the last election.

Over the past 2 years, the level of communication between the City of Boerne and our community has substantially increased, as this was my number one priority as the new Mayor. With the past year of all things COVID-19, the “Mayor’s Minute” that the city produces has become a very strong method of reaching our community, sometime reaching 20,000 viewers with each message. In a county of 50,000 (est.) and a city of 20,000 (est.), we feel great about the level of engagement within our community.

As the Legislature engages and we begin to learn about the details of various bills, we intend to communicate regularly with our community about Bills that are advancing to the floor and who is for or against. I invite you to keep us apprised of those that you find meaningful and I also will invite you to speak with me in our recorded messaging, if you so desire. Regardless, we will be communicating in accordance with the agenda I’ve attached.

Strong partnering at the State and local levels is important for many reasons. Among those is the simple fact that we represent the same voters, especially in our rural area of Kendall County. I’m particularly appreciative of your office’s involvement with our water committee that I established last year. Finally, as you and I have come to know each other, I have no hesitation reaching out to you and hope you feel the same.

I wish you all the best in this upcoming Legislative Session. Thank you for your service to the community!

Sincerely,

Tim Handren

Mayor - Boerne, TX

<City of Boerne 2021 Legislative
Agenda Final 12.08.20.pdf>



City of Boerne

2021 Legislative Agenda

87th Texas Legislative Session

As approved by the
Boerne City Council on December 8, 2020

BOERNE CITY COUNCIL



MAYOR TIM HANDREN



TY WOLOSIN



NINA WOOLARD



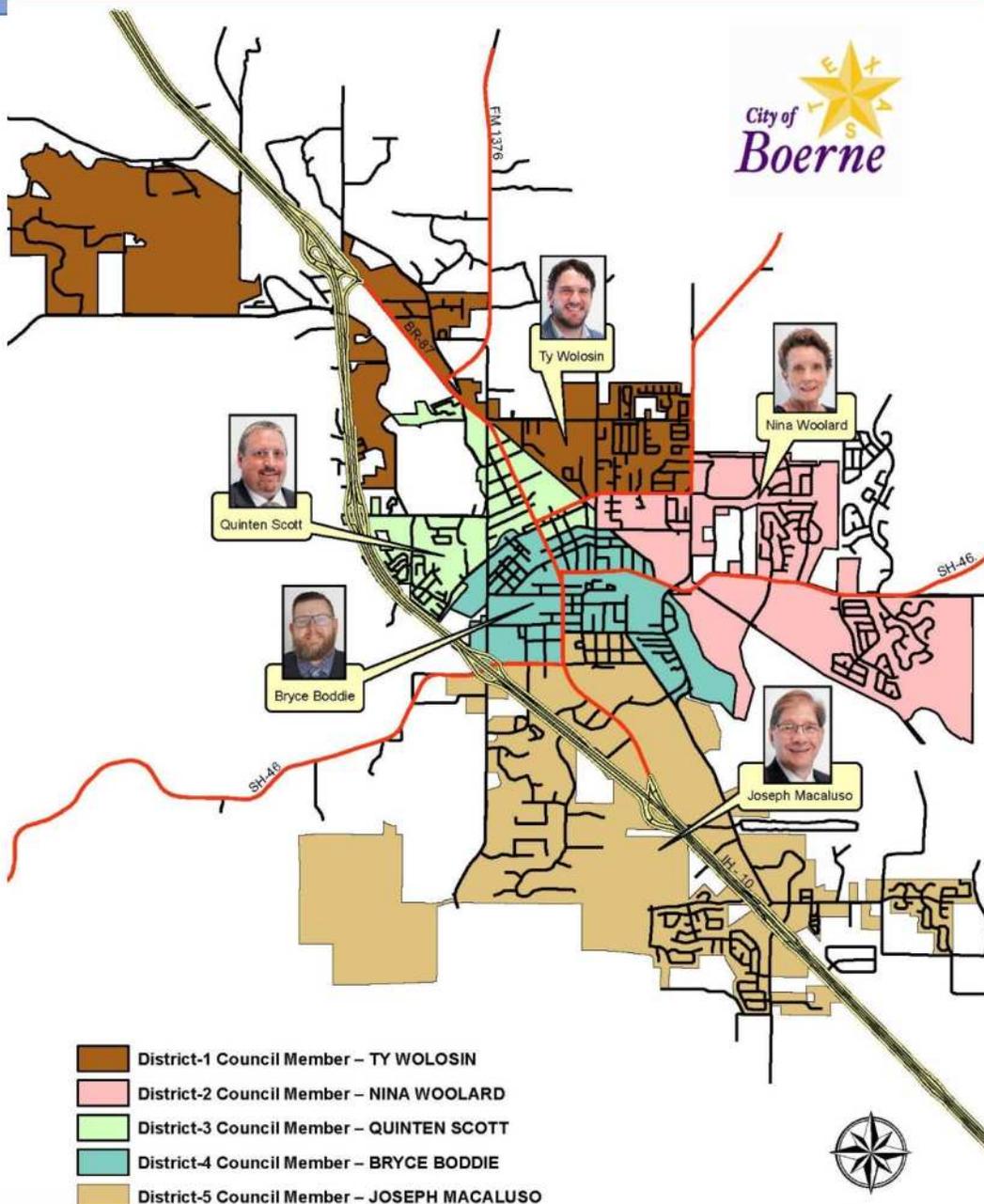
QUINTEN SCOTT



BRYCE BODDIE



JOE MACALUSO





CITY OF BOERNE, TEXAS

List of Officials

<u>Title</u>	<u>Name</u>
Mayor	Tim Handren
Mayor Pro Tem – District 2	Nina Woolard
City Council Members	
District 1	Ty Wolosin
District 3	Quinten Scott
District 4	Bryce Boddie
District 5	Joseph Macaluso
City Manager	Ben Thatcher
Deputy City Manager/General Manager of Utilities	Jeff Thompson
Assistant to the City Manager/Econ. Development	Nick Montagno
City Attorney	Barbara Quirk
City Secretary	Lori Carroll
Communications/Media Director	Pam Bransford
Community Services Director	Danny Zincke
Convention and Visitors Bureau Director	Larry Woods
Finance Director	Sandy Mattick, CPA CGFO
Fire Chief	Ray Hacker
Fire Marshal	Robert Lee
Information Technology Director	Mike Raute
Chief of Police	James Kohler
Planning and Code Compliance Director	Laura Talley
Development Services Director	Jeff Carroll
Utilities Director	Mike Mann
Library Director	Kelly Skovbjerg
Human Resource Director	Lisa Robles

GENERAL LEGISLATIVE POLICY

STATEMENT OF PRESERVATION

As a general policy, the City of Boerne seeks to work productively with the Texas Legislature to serve local residents and business constituents. The elected officials of the City of Boerne have the authority and effectiveness to govern at the local level under the concept of home rule authority and the City's voter-approved City Charter. For this reason we take the position that the role of the State Legislature is to focus on key policy issues with statewide implications that cannot be effectively addressed at the local level.

Preserve Home Rule Authority/Local Control

In 1912, Texas voters approved the concept of autonomous home rule governance. Article XI, Section 5 of the Texas Constitution affords municipalities the right and opportunity to adopt any regulation not "inconsistent with the Constitution of the State, or of the general laws enacted by the Legislature of this State." The concept of home rule was developed to address the difficulty faced by the Legislature in resolving complex local issues – such as an increasing demand for public services – arising out of non-rural, more dense and geographically remote areas of the state. Local autonomy allows for truly local representation and accountability; and the concept creates a favorable climate for direct governance of cities by their citizens.



The City of Boerne was first incorporated in 1909 and adopted its home rule Charter in September of 1995. The desire of state and local voters in approving the constitutional notion of home rule governance through a municipal charter is testament to the fact that the public favors strong local control. Legislative preemption of local control is antithetical to the will of the people, ignores a century of precedent favoring local self-governance, and constitutes a legislative referendum on measures approved by public vote. The elimination of local control would have the effect of preventing the City from addressing the needs of their citizenry, including the immediate and ongoing need to establish and maintain the public health, safety, morals, and general welfare.



Cities represent the level of government closest to the people. They bear primary responsibility for provision of capital infrastructure and for ensuring our citizens' health and safety. Thus, cities must be assured of a predictable and sufficient level of revenue.

For the reasons described, the City Council of the City of Boerne hereby strongly opposes any curtailment of local control by the legislature and advocates for the self-evident merits of continued robust local governance and accountability. It is the position of the City that members of the Legislature should carefully study any initiative that could have a negative impact on municipal operations and seek the opinions of local elected officials regarding such measures.

POSITIONS OF SUPPORT

The City of Boerne provides services that directly impact the quality of life for its residents, businesses, and visitors.

These services are customized to the unique desires of the people who invest in the community and include basic services such as police protection, fire suppression, garbage collection, provision of high-quality drinking water, and disposal of sewage.

The City also provides customized services as desired by the community, including parks and recreation facilities and programs, land use management, and others.

Through local elected officials, members of the community are able to directly impact the character of their city and plan for its future. In Boerne, a robust planning process is used to identify and memorialize a vision for the City's future, a vision achieved through careful management of resources and strong, inclusive decision-making.

The City supports any legislation viewed as advancing the City's strategic goals; or that improves the health, safety, and welfare of its citizens; or that responsibly increases revenues; or that advances the City's authority to conduct the public's business. In summary, the City welcomes the Legislature's support in helping local elected officials meet the needs of the residents and businesses that call Boerne home.

Boerne elected officials respectfully request the members of the Texas Legislature recognize the value of local governance and decision-making. City leaders support State legislative actions that would:

1. Improve the health, safety, and welfare of Boerne citizens;



2. Support or advance the principles of local control, or the ability of local elected officials to govern communities to meet unique needs, limiting preemption on key policy issues;
3. Protect a local municipality's ability to manage municipal revenues (such as property taxes, sales taxes, right-of-way revenues and court fines) as a means of conducting the public's business;
4. Simplify and accurately notify taxpayers of the levy and impacts of adopted property tax rates, including property taxes meant to support State of Texas objectives;
5. Improve the City's ability to attract economic development, or improve the City's ability to recruit and retain a quality workforce;
6. Provide funding for water projects;
7. Protect the City's previous and future investments in the Texas Municipal Retirement System or creates non-retroactive and flexible cost-of-living (COLA) adjustments;
8. Appropriate funds for or directly benefits public parks, recreation, open space, and trails;
9. Appropriate funds for or directly benefits tourism;
10. Clarify and improve the disclosure and filing requirements regarding the City's and the State's process of contracting with business entities;
11. Improve the City's ability to provide public services or reduces the costs of providing services by optimizing the use of technology;
12. Make beneficial amendments to the equity appraisal statute;
13. Convert the sales tax reallocation process from a ministerial process into a more formalized administrative process;



14. Make beneficial amendments to H.B. 3167, the subdivision platting shot clock bill;
15. Allow for greater flexibility by cities to fund local transportation projects; amend or otherwise modify state law to help cities fund transportation projects; or provide cities with additional funding options and resources to address transportation needs that the state and federal governments are unable or unwilling to address;
16. Provide additional funding to the Texas Department of Transportation for projects that would benefit cities and provide local, state, and federal transportation for rail as one component of transportation infrastructure support regionally;
17. Allow a city to have more control over speed limits on City streets;
18. Require city consent before TCEQ is authorized to issue a standard permit for a rock crushing operation, cement crushing operation, or any similar activity that may be authorized under a standard air permit from TCEQ within the corporate limits or ETJ of a city. (Alternatively, or in addition, such legislation may: (a) authorize a city to restrict, prevent, or regulate the locating of such activities in the city's corporate limits or ETJ in other manners, such as imposing minimum distance from such operations and schools, hospitals, churches, and residences; (b) require TCEQ to provide notice of applications for standard permits to cities for activities proposed in the city's corporate limits or ETJ and require TCEQ to address any and all comments received from the City as required by Sec. 382.112 of the Texas Health & Safety Code; or (c) prohibit TCEQ from issuing a standard permit for activities proposed in the city's corporate limits or ETJ unless the city verifies that the proposed activity is authorized under the city's zoning ordinance or comprehensive plan to locate at the proposed location;
19. Promote pay-as-you-go financing for capital projects by authorizing a dedicated tax rate that is classified similarly to the debt service tax rate in property calculation;
20. Allow cities the option of using either an official newspaper or a website for the publication of legal notices;
21. Authorize a city to annex across a road to bring a voluntarily-requested area into the city limits;

22. Allow a city official to submit a request for an attorney general letter ruling under the Public Information Act by email at no charge;
23. Make beneficial amendments to H.B. 2439, the building materials bill; and
24. Make confidential and not subject to disclosure under the Public Information Act certain information related to a city's cybersecurity technology.

POSITIONS OF OPPOSITION

The City will oppose any initiatives that seek to erode municipal authority or that otherwise have a negative impact on municipal operations, including but not limited to legislation that would:

1. Erode the authority of the City to govern municipal affairs or diminishes the authority of the City to provide municipal operations;
2. Undermine the principles of home rule and local control or seeks to unnecessarily preempt or prohibit the City from regulating an activity or business entity that directly affects the public's health, safety, and well-being;
3. Applies a one size fits all solution to complex local policy issues;
4. Detrimentially affects the health, safety, and welfare of our citizens;
5. Nullifies or undermines the City's existing charter, ordinances, resolutions, or master plans;
6. Damages the City's financial position by reducing revenues or negatively impacts potential revenue growth including legislation that:
 - a. Creates property or sales tax exemptions or "freezes" that unfairly shift the tax burden to other taxpayers;
 - b. Limits the use of hotel occupancy taxes or requires additional reporting;
 - c. Erodes the overall tax base or ability to fairly generate revenue;
 - d. Restricts the ability of the City to issue debt through either General Obligation or Certificates of Obligation bonds or cause unnecessary complex public notification requirements;



- e. Imposes a mandate without a commensurate level of compensation; or
 - f. Requires the City to generate revenues for the State including additional state fees on municipal court convictions.
7. Impairs economic development tools including but not limited to:
- a. Economic Development Corporations (EDCs),
 - b. Property tax abatements,
 - c. Tax Increment Reinvestment Zones (TIFs or TIRZ),
 - d. Public Improvement Districts (PIDs),
 - e. Chapter 380 agreements,
 - f. Texas Enterprise Fund,
 - g. Skills Development Fund,
 - h. Texas Enterprise Zones,
 - i. Event Trust Fund; and,
 - j. Texas Moving Image Industry Incentive Program.
8. Diminishes the City's authority to regulate development through:
- a. land use and zoning regulations (including billboard regulations, tree and landscape regulations, and short-term rentals),
 - b. building codes,
 - c. planning requirements,
 - d. impact, building permit, or other fees,
 - e. annexation, or
 - f. eminent domain.
9. Establishes a requirement for compensation resulting from regulatory actions or expands vested permits;
10. Exempts any entity from paying municipal drainage fees;
11. Allows special districts to form inside the City or ETJ without the City's permission;
12. Erodes the City's authority to manage and control public rights-of-way and publicly owned land or limits the City's ability to receive fair market compensation for use of public rights-of-way or erodes municipal authority to require companies to pay for the costs of relocating their facilities;



13. Erodes the City's previous and future investments in the Texas Municipal Retirement System;
14. Imposes expanded collective bargaining rights or expands the current meet and confer laws or expands the scope of the current disease presumption law or detrimentally amends civil service laws;
15. Expands the open meetings and public information laws;
16. Requires the reporting of lobbying activities beyond the current requirements or limits or prohibits the City to use funds to communicate or advocate with legislators or limits or prohibits the authority of cities to partner with other cities or groups to communicate or advocate mutual interests with legislators;
17. Erodes municipal governmental immunity;
18. Erodes the City's ability to enter into franchise agreements;
19. Impose new property tax or sales tax exemptions that substantially erode the tax base;
20. Further erode local control as it pertains to retirement issues;
21. Require candidates for city office to declare party affiliation in order to run for office;
22. Eliminate any of the current uniform election dates;
23. Impose additional state fees or costs on municipal court convictions or require municipal courts to collect fine revenue for the state;
24. Require preclearance of city ballot propositions by a state agency;
25. Erode the authority of the City to govern its own local affairs;
26. Diminish City revenue;
27. Impose state mandates that do not provide commensurate levels of compensation;
28. Take away the authority of local governments to declare local disasters or public health emergencies, to respond to or issue orders related to disasters and public

health emergencies, or to implement recovery measures following such situations;
or

29. Otherwise be detrimental to cities, especially legislation that would:

- provide for state preemption of municipal authority in general.
- impose further revenue and/or tax caps of any type.
- erode the ability of a city to issue debt.
- erode municipal authority related to development matters, including with respect to the following issues: (1) annexation, (2) eminent domain, (3) zoning, (4) regulatory takings, (5) building codes, (6) tree preservation, and (7) short-term rentals.
- erode the authority of a city to be adequately compensated for the use of its rights-of-way and/or erode municipal authority over the management and control of rights-of-way, including by state or federal rules or federal legislation.
- limit or prohibit the authority of city officials to use municipal funds to communicate with legislators; or limit or prohibit the authority of the Texas Municipal League to use any revenue, however derived, to communicate with legislators.

PARTNERSHIPS

The City may form strategic partnerships with cities, political subdivisions, and private sector entities that share common goals with the City.

Additionally, the City will work in coordination with organizations such as the Texas Municipal League when their adopted positions are in line with the legislative objectives and goals of the City, and other agents who are formally authorized to represent the City's legislative interests, as defined by this legislative agenda. The City's staff and its governmental relations team are authorized to act accordingly and work within the Texas legislative process to actively advocate for the passage or defeat of legislation according to these positions adopted by the City Council.

The formation of strategic partnerships and coordinated efforts is intended to provide the City with a stronger presence in the legislative process.



GOALS OF CITY LEGISLATIVE ACTIVITIES

The City of Boerne has formally adopted strategic priorities and objectives as outlined in the Master Plan adopted in August of 2018 which will soon be implemented by the City's newly created Unified Development Code (UDC). The UDC will guide the City Council in the ongoing process of evaluating legislative positions on the key issues of the 87th Session of the Texas Legislature. If a legislative issue arises that is not specifically addressed in this agenda, the City will rely on adopted strategic priorities to guide the formation of an opinion.

The fundamental goal of all City of Boerne legislative activities is to produce positive outcomes for the citizens of the City and to preserve the legislative authority of the governing body of the municipality. Numerous proposals in the Texas Legislature have the potential to seriously impact the ability of the City to carry out its overall mission. By taking a proactive role in monitoring and commenting on proposals in the Texas Legislature, we are working to ensure that the citizens of the City can continue to enjoy the quality of life they have come to expect and deserve.



LEGISLATIVE ISSUES

Local Budgeting, Authority, Revenue Sources and City Debt

As it relates to this position, the City will:

Support legislation that:

- Simplifies tax rate calculations and notice requirements;
- Provides additional tools to local authorities for providing tax relief to the community, as appropriate for local conditions; or
- Improves the approach for state funding of education.
- The City supports open and transparent governance, but not legislation which implements measures at tax-payer expense which disadvantage the position of the City in negotiations. The City will support legislation which allows city councils, boards and commissions to go into executive session to receive information on contract negotiations where the city would otherwise be disadvantaged in negotiations by holding these briefings in public. The City will support legislation allowing city councils, boards and commissions to go into executive session to receive information which is confidential by law.

Oppose legislation that:

- Establishes a State-mandated municipal revenue cap;
- Further restricts or caps annual appraisal increases;
- Imposes a State-mandated tax freeze or tax cap;
- Imposes any unfunded mandates;
- Restricts a municipality's ability to impose and collect municipal impact fees from new developments;
- Imposes any requirement to raise current state fees on local fines;
- Imposes new fees that result in the City collecting funds on behalf of the State;

- Establishes new exemptions from or diminishes the City's ability to collect sales or property taxes, or municipal fees;
- Results in a significant reduction to the City's tax base; or,
- Restricts the City's ability to issue debt as a means of funding its capital improvement program or imposes unnecessary and costly burdens on the taxpayers to issue debt.

As a municipal government which provides important and essential services to its citizens, the City will monitor any legislation that would unduly restrict the ability of the City Council to set its own budget or raise the necessary revenue to provide services to City residents and businesses.

Additionally, the City will closely monitor State taxation (e.g., the use of local property tax dollars for school finance) since local taxpayers are impacted by the use of this revenue source as well.

Local Control of Land Use Planning, Zoning, Annexation, and Development Regulation

As it relates to this position, the City will:

Support legislation that:

- Preserves local land use, zoning, annexation, and development regulatory authority;
- Reverses legislation which has eroded municipal power in recent years, such as limits on annexation authority and the thirty-day shot clock on plans and permits;
- Provides greater ability to cities and counties to control development density outside of the corporate limits of cities.

Oppose legislation that:

- Erodes local land use authority by restricting the ability of cities to zone or rezone properties;
- Restricts a city's ability to adopt or amend zoning regulations, or otherwise create a property right in a zoning classification;

- Preempts a city from adopting development regulations it deems necessary for the preservation of the community's quality of life (e.g., tree preservation); and/or,
- Increases vested rights of developers in previous versions of regulations, restricting the City's ability to apply current regulations.
- Further reduces a city's ability to annex.

The ability of most cities to manage growth and development is based on the Texas Constitution's home rule provisions. Cities are allowed to amend charters and pass ordinances as long as they do not conflict with the Constitution or general laws enacted by the State Legislature. The bottom line means that each home rule city can make its own decisions about what planning tools and techniques are most appropriate to its situation unless those tools have been proscribed by the Texas Legislature.

In Boerne, growth, development, and all of the related issues are a top priority to residents who interact with Council frequently on these matters. This, and transportation related issues, are the subjects of the most active citizen engagement in our community.

Transportation Infrastructure and Systems

The City of Boerne believes that the ability of the Hill Country and San Antonio region to work cooperatively is essential to the viability of this community and that of the entire region. A primary element of regional cooperation is a transportation system that seamlessly allows movement of people and goods throughout the area.

The City's partnership with the Texas Department of Transportation is also a vital aspect of addressing the ongoing need for additional roadway capacity and intersection improvements.

Working with various transportation partners, the City has been able to methodically provide congestion relief to local residents and commuters whose trips originate in Boerne or who are simply passing through the community during peak travel periods.

Projections provided by the Alamo Area Council of Governments present a sobering picture of the region's congestion for the future.

Traffic management is a high priority for the City of Boerne, including capacity enhancements, traffic control, public information, and implementation of alternative modes of transportation. This is particularly true as the growth of the region has impacted traffic counts on all of the City's primary roadways.



The City of Boerne is committed to finding transportation solutions to facilitate movement to, from, and through Boerne and the surrounding area. As it relates to this position, the City will:

Support legislation that:

- Allows for greater flexibility by cities to fund local transportation projects; amend or otherwise modify state law to help cities fund transportation projects; or provide municipalities with additional options and resources to address transportation needs that the State and/or Federal government are not addressing.
- Provides additional funding to the Texas Department of Transportation for transportation projects that would benefit cities, so long as existing funding formulas are followed.

A primary element of regional cooperation is a transportation system that seamlessly allows movement of people and goods throughout the area.

The City's partnership with the Texas Department of Transportation is a vital aspect of addressing the ongoing need for additional roadway capacity and intersection improvements.

Working with various transportation partners, the City has been able to methodically provide congestion relief to local residents and commuters whose trips originate in Boerne or who are simply passing through the community during peak travel periods.

Traffic management is a high priority, and the City is committed to this and to finding transportation solutions.

Protection of Local Economic Development Authority

Over the years, the City of Boerne has utilized many different economic development tools and efforts to bring new investment to Boerne. During each legislative session these varying tools are the subject of much consideration and debate. It is in the City's interest to closely monitor these discussions and legislative activities as it potentially impacts our ability to use resources in building effective economic development programs and offer incentives to attract community investment. As it relates to this position, the City will:

Support legislation that provides local governments the ability to expand local economic development efforts.



Oppose legislation that would eliminate or limit current authority to participate in local economic development projects, including but not limited to, the ability to provide tax abatements and Chapter 380 economic development agreements.

During each legislative session economic development tools are the subject of much consideration and debate. It is in the City's interest to closely monitor these discussions and legislative activities as it potentially impacts our ability to use resources in building effective economic development programs and offer incentives to attract community investment.

Texas Municipal Retirement System

The City of Boerne desires that an appropriate retirement system be provided to its current and former employees through the Texas Municipal Retirement System, one in which the needs of retired employees are balanced with the needs of taxpayers. To achieve this end, the City supports legislative changes which will provide cities participating in the Texas Municipal Retirement System with the flexibility needed to adequately balance these needs.

Water and Other Utilities

Access to long-term, adequate water supply is essential to the health and vitality of the community. Recent challenges related to drought conditions underscored the need for long-term planning related to supply and distribution, not only for Boerne, but for the region and the State. Ensuring that we have an adequate supply of clean, affordable water protects public health and the economy.

Support legislation that advances the implementation of the State Water Plan and any of the following goals:

- Maintaining local control of municipally owned utilities (MOU's) and maintaining or increasing the ability of MOUs to issue debt, set rates and policies for payment, disconnection and other matters.
- Cyber security for protection of electric substations, water plants.
- More local control or input on creation of WCIDs and MUDs.



Oppose legislation that:

- Limits or increases regulation of rates set by MOU's.
- Forces MOUs to opt into competitive sales markets.

Public Safety

The City of Boerne has a few major traffic corridors within its boundaries such as State Highway 46, Farm to Market Road 474, and Farm to Market Road 1376. The City also seeks to have a safe and secure roadway system and as such the City would support legislation that enhances this goal. Fine revenue has been used to enhance traffic safety, such as making improvements in school zones and with crosswalks.

As it relates to this position, the City will:

Support legislation that:

- Authorizes local decision-making for law enforcement; and
- Improves school safety.

Public Safety funding is essential to the Boerne community.

As it relates to the advancement of such funding, the City will support legislation that appropriates funds for, or directly benefits public safety.

The City will Oppose Legislation that:

- Limits the defense of qualified immunity of police, fire, and other emergency responders in lawsuits.
- Reduces or restructures police budgets.

Parks and Recreation

Open space and recreational opportunities are a key quality of life component. As it relates to the advancement of parks, recreation, and open space development, the City will support legislation that appropriates funds for, or directly benefits public parks, recreation, open space, and trails.



Broadband Services for Cities

Broadband services have become a necessary part of daily life but are still not available to many. The City recognizes this need and will support legislation that provides for broadband services to all citizens.

Cyber Security

The City supports any legislation which provides the City with additional funding and ability to protect cyber security.



CONCLUSION

City of Boerne elected officials and professional staff work to meet the needs of the local population by enacting and implementing local policies to meet quality of life goals for the community. Using data obtained through formal surveys, public hearings, and other citizen interactions, the City offers a high value service palette, designed specifically for the Boerne community. This legislative agenda has been prepared to focus attention on successful governance and the need to preserve local options.

