

By: Martinez

H.J.R. No. 23

A JOINT RESOLUTION

1 proposing a constitutional amendment prohibiting the governor from
2 vetoing an item of appropriation made to the legislative or
3 judicial branch of state government, including to an agency the
4 primary purpose of which is to assist those branches of government.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 14, Article IV, Texas Constitution, is
7 amended to read as follows:

8 Sec. 14. (a) Every bill which shall have passed both houses
9 of the Legislature shall be presented to the Governor for ~~[his]~~
10 approval. If the Governor approves of the bill, the Governor ~~[he~~
11 ~~approve he]~~ shall sign it. If the Governor disapproves of the bill,
12 the Governor ~~[, but if he disapprove it, he]~~ shall return it, with
13 ~~[his]~~ objections, to the House in which it originated. The House to
14 which the bill is returned ~~[, which House]~~ shall enter the
15 objections at large upon its journal, and proceed to reconsider the
16 bill ~~[it]~~. If after ~~[such]~~ reconsideration ~~[,]~~ two-thirds of the
17 members present agree to pass the bill, it shall be sent, with the
18 objections, to the other House, by which likewise it shall be
19 reconsidered. If ~~[, and, if]~~ approved by two-thirds of the members
20 of that House, the bill ~~[it]~~ shall become a law. In ~~[, but in]~~ such
21 cases the votes of both Houses shall be determined by yeas and nays,
22 and the names of the members voting for and against the bill shall
23 be entered on the journal of each House respectively. If any bill
24 shall not be returned by the Governor with ~~[his]~~ objections within

1 ten days (Sundays excepted) after it shall have been presented to
2 the Governor [~~him~~], the same shall be a law, in like manner as if [~~he~~
3 ~~had~~] signed by the Governor [~~it~~], unless the Legislature, by its
4 adjournment, prevent its return, in which case it shall be a law,
5 unless the Governor [~~he~~] shall file the bill [~~same~~], with [~~his~~]
6 objections, in the office of the Secretary of State and give notice
7 thereof by public proclamation within twenty days after such
8 adjournment.

9 (b) If any bill presented to the Governor contains several
10 items of appropriation, the Governor [~~he~~] may object to one or more
11 of such items, and approve the other portion of the bill. In such
12 case the Governor [~~he~~] shall append to the bill, at the time of
13 signing it, a statement of the items to which the Governor [~~he~~]
14 objects, and no item so objected to shall take effect. If the
15 Legislature be in session, the Governor [~~he~~] shall transmit to the
16 House in which the bill originated a copy of such statement and the
17 items objected to shall be separately considered. If, on
18 reconsideration, one or more of such items be approved by
19 two-thirds of the members present of each House, the same shall be
20 part of the law, notwithstanding the objections of the Governor. If
21 any such bill, containing several items of appropriation, not
22 having been presented to the Governor ten days (Sundays excepted)
23 prior to adjournment, be in the hands of the Governor at the time of
24 adjournment, the Governor [~~he~~] shall have twenty days from such
25 adjournment within which to file objections to any items thereof
26 and make proclamation of the same, and such item or items shall not
27 take effect.

1 (c) Notwithstanding Subsection (b) of this section, in
2 order to give effect to the division of the powers of the government
3 of this state into three distinct departments as provided in
4 Section 1, Article II, of this constitution, the Governor may not
5 object in any bill presented to the Governor that contains several
6 items of appropriation to an item of appropriation made to the
7 Legislative or Judicial department of government, including an item
8 of appropriation made to an agency the primary purpose of which is
9 to assist the Legislative or Judicial department of government in
10 the exercise of the powers properly attached to either department.

11 SECTION 2. This proposed constitutional amendment shall be
12 submitted to the voters at an election to be held November 8, 2022.
13 The ballot shall be printed to permit voting for or against the
14 proposition: "The constitutional amendment prohibiting the
15 governor from vetoing an item of appropriation made to the
16 legislative or judicial branch of state government, including to an
17 agency the primary purpose of which is to assist the legislative or
18 judicial branch in the exercise of its powers."