

By: Birdwell

S.J.R. No. 61

A JOINT RESOLUTION

1 proposing a constitutional amendment to allow the legislature to
2 override a veto of the governor following a regular session of the
3 legislature.

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

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

7 Sec. 14. (a) Every bill which shall have passed both houses
8 of the Legislature shall be presented to the Governor for ~~[his]~~
9 approval. If the Governor approves of the bill, the Governor ~~[he~~
10 ~~approve he]~~ shall sign it. If the Governor disapproves of the bill,
11 the Governor ~~[, but if he disapprove it, he]~~ shall return it, with
12 ~~[his]~~ objections, to the House in which it originated. The House to
13 which the bill is returned ~~[, which House]~~ shall enter the
14 objections at large upon its journal, and proceed to reconsider the
15 bill ~~[it]~~. If after ~~[such]~~ reconsideration ~~[,]~~ two-thirds of the
16 members present agree to pass the bill, it shall be sent, with the
17 objections, to the other House, by which likewise it shall be
18 reconsidered. If ~~[, and, if]~~ approved by two-thirds of the members
19 of that House, the bill ~~[it]~~ shall become a law. In ~~[, but in]~~ such
20 cases the votes of both Houses shall be determined by yeas and nays,
21 and the names of the members voting for and against the bill shall
22 be entered on the journal of each House respectively.

23 (b) If any bill shall not be returned by the Governor with
24 ~~[his]~~ objections within ten days (Sundays excepted) after it shall

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

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

27 (d) Subsection (e) of this section applies only to a bill or

1 item of appropriation that was:

2 (1) passed by the Legislature during a regular session
3 and received at least two-thirds vote of the members present in at
4 least one House or, for an item of appropriation, was contained in a
5 bill that passed as described by this subdivision;

6 (2) disapproved or objected to by the Governor on or
7 after the 10th day before the date the Legislature adjourned the
8 regular session; and

9 (3) not reconsidered under this section by both Houses
10 during that session.

11 (e) The Legislature shall meet at 10 a.m. on the 30th day
12 following the date the Legislature adjourns each regular session to
13 reconsider any bill or item of appropriation to which this
14 subsection applies, but only if there are such bills or items of
15 appropriation to reconsider. The period for reconsideration may not
16 exceed five consecutive days, Sundays excepted. During this
17 period, unless the Legislature has been called into special session
18 by the Governor, the Legislature may not consider any subject other
19 than the reconsideration of bills or items of appropriation to
20 which this subsection applies. Reconsideration of a bill or item of
21 appropriation during this period is conducted in the manner
22 provided by Subsection (a) or (c) of this section, as applicable,
23 except that a bill or item of appropriation disapproved or objected
24 to by the Governor after the Legislature adjourns that was passed by
25 at least two-thirds of the members present in only one House must
26 first be reconsidered by that House, regardless of whether the bill
27 or item of appropriation originated in that House.

1 SECTION 2. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held November 7, 2023.
3 The ballot shall be printed to provide for voting for or against the
4 proposition: "The constitutional amendment to allow the
5 legislature to override a veto of the governor following a regular
6 session of the legislature."