

BILL ANALYSIS

H.J.R. 3
By: Branch
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Constitution establishes specific quorum requirements. Article III, Section 10 states that “two-thirds of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each House may provide.” Amending the two-thirds rule to exclude members known to be outside the state could prevent future legislative paralysis resulting from legislators’ intentionally leaving the state. As proposed, House Joint Resolution 3 excludes from quorum requirements any member who is determined by the presiding officer of each legislative body to be outside Texas’ borders.

RULEMAKING AUTHORITY

It is the committee’s opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Joint Resolution 3 amends Article III, Section 10 of the Texas Constitution to provide that two-thirds of each House of the Legislature, excluding members who the presiding officer determines are absent from the state, shall constitute a quorum to do business.

FOR ELECTION

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 2004.