

## **BILL ANALYSIS**

Senate Research Center  
78S30223 DRH-D

S.B. 1  
By: Staples  
Jurisprudence  
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As Filed

### **DIGEST AND PURPOSE**

The 77th Legislature adjourned without enacting new congressional districts after the 2000 federal census. Ultimately, the U.S. District Court for the Eastern District of Texas issued an order adopting congressional districts (PLAN 01151C) for the 2002 elections. The members of the United States House of Representatives from the State of Texas for the 108th Congress were elected under this plan.

The 78th Legislature adjourned its regular, first, and second called sessions without enacting new congressional districts. Governor Rick Perry called a third special session of the 78th Legislature to consider legislation relating to congressional redistricting. As proposed, S.B. 1 sets forth the composition of districts for the election of members of the United States House of Representatives from the State of Texas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

#### ARTICLE I

SECTION 1. (a) Provides that the districts from which members of the United States House of Representatives representing the State of Texas are elected are composed respectively of the counties or parts of counties as described by Article II of this Act.

(b) Specifies that one member is elected from each district established by this Act.

#### ARTICLE II

SECTION 1. Sets forth the composition of District 1.

SECTION 2. Sets forth the composition of District 2.

SECTION 3. Sets forth the composition of District 3.

SECTION 4. Sets forth the composition of District 4.

SECTION 5. Sets forth the composition of District 5.

SECTION 6. Sets forth the composition of District 6.

SECTION 7. Sets forth the composition of District 7.

SECTION 8. Sets forth the composition of District 8.

SECTION 9. Sets forth the composition of District 9.

SECTION 10. Sets forth the composition of District 10.

SECTION 11. Sets forth the composition of District 11.

SECTION 12. Sets forth the composition of District 12.

SECTION 13. Sets forth the composition of District 13.

SECTION 14. Sets forth the composition of District 14.

SECTION 15. Sets forth the composition of District 15.

SECTION 16. Sets forth the composition of District 16.

SECTION 17. Sets forth the composition of District 17.

SECTION 18. Sets forth the composition of District 18.

SECTION 19. Sets forth the composition of District 19.

SECTION 20. Sets forth the composition of District 20.

SECTION 21. Sets forth the composition of District 21.

SECTION 22. Sets forth the composition of District 22.

SECTION 23. Sets forth the composition of District 23.

SECTION 24. Sets forth the composition of District 24.

SECTION 25. Sets forth the composition of District 25.

SECTION 26. Sets forth the composition of District 26.

SECTION 27. Sets forth the composition of District 27.

SECTION 28. Sets forth the composition of District 28.

SECTION 29. Sets forth the composition of District 29.

SECTION 30. Sets forth the composition of District 30.

SECTION 31. Sets forth the composition of District 31.

SECTION 32. Sets forth the composition of District 32.

### ARTICLE III

SECTION 1. Defines “tract” and “block.”

SECTION 2. Provides that it is the intention of the Texas Legislature that, if any county, tract, block, or other geographic area has erroneously been left out of this Act, a court reviewing this Act should include that area in the appropriate district in accordance with the intent of the legislature, using any

available evidence of that intent, including evidence such as that used by the Supreme Court of Texas in Smith v. Patterson, 111 Tex. 535, 242 S.W. 749 (1922).

SECTION 3. Repealer: Chapter 7, Acts of the 72nd Legislature, 2nd Called Session, 1991 (Article 197h, V.T.C.S.).

SECTION 4. Establishes that the districts set out in Article II of this Act apply to the election of the members of the United States House of Representatives from the State of Texas beginning with the primary and general elections in 2004 for members of the 109th Congress. Establishes that this Act does not affect the membership or districts of the United States House of Representatives of the 108th Congress.

SECTION 5. Effective date: upon passage or the 91st day after the end of the legislative session.