

## **BILL ANALYSIS**

Senate Research Center  
79R3536 MXM-D

S.B. 390  
By: Wentworth  
State Affairs  
3/2/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Current law provides that the order of succession to the office of governor, should the governor, lieutenant governor, and president pro tempore of the senate be unavailable, is as follows: the speaker of the house of representatives, the attorney general, and the chief justices of the courts of appeals, in the numerical order of the supreme judicial districts the courts serve.

As proposed, S.B. 390 amends the order of succession to include, following the attorney general, the comptroller, the commissioner of the General Land Office, the commissioner of agriculture, the presiding officer of the Railroad Commission of Texas, and the railroad commissioners, in order of seniority on the Railroad Commission of Texas. These are followed by the chief justices of the courts of appeals, in the numerical order of the supreme judicial districts the courts serve.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 401.023(a), Government Code, to add the following officers in succeeding order to the list of those authorized to exercise the powers and discharge the duties of the office of governor, if the governor, lieutenant governor, and president pro tempore of the senate are unavailable: the comptroller, the commissioner of the General Land Office, the commissioner of agriculture, the presiding officer of the Railroad Commission of Texas, and the railroad commissioner, in order of seniority on the Railroad Commission of Texas, as ranks 3 through 7, respectively. Redesignates Subdivision (3) to Subdivision (8), making the chief justices of the courts of appeals eighth and last on the list. Makes nonsubstantive changes.

SECTION 2. Effective date: upon passage or September 1, 2005.