

BILL ANALYSIS

C.S.H.B. 83
By: Branch
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas has made significant strides towards open and transparent state government. C.S.H.B. 83 attempts to go further. The substitute will make sure that every member is held to account for his or her vote on a final passage of legislation with statewide impact.

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 83 amends the Government Code to provide that a house of the legislature must take a record vote if the vote is on final passage of a bill, joint resolution proposing or ratifying a constitutional amendment, or any other resolution that is not purely ceremonial or honorary in nature. The bill provides that a vote on final passage includes a vote on third reading, on second reading if a house suspends or dispenses with the requirement for three readings, on whether to concur in the amendments of the other house, or on whether to adopt a conference committee report. The bill requires that how each member voted on a measure be recorded in the journal of the appropriate house.

C.S.H.B. 83 also requires each record vote including the vote of each member of the applicable house to be published by the secretary of the senate or chief clerk of the house of representatives on the public Internet site maintained by or for that house. The bill requires the information on the Internet site to be maintained for at least one year after the date the vote is taken.

The bill provides an exemption to record votes on a bill that applies only to or in one identifiable district or political subdivision of this state.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 83 modifies the original by expanding the record vote requirement to include votes on bills, joint resolutions, and any other resolution that is not purely ceremonial or honorary in nature. The substitute removes the provision in the original which provided an exemption to the record vote requirement on bills enacting a fence or stock law or enacting a law for the preservation of game or fish affecting a defined geographic area in the state.