

By: Paxton

H.J.R. No. 46

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the governor to
2 reduce the amount of an item of appropriation in an appropriations
3 bill.

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 he approve he shall sign it; but if he disapprove it,
10 he shall return it, with his objections, to the House in which it
11 originated, which House shall enter the objections at large upon
12 its journal, and proceed to reconsider it. If after such
13 reconsideration, two-thirds of the members present agree to pass
14 the bill, it shall be sent, with the objections, to the other House,
15 by which likewise it shall be reconsidered; and, if approved by
16 two-thirds of the members of that House, it shall become a law; but
17 in such cases the votes of both Houses shall be determined by yeas
18 and nays, and the names of the members voting for and against the
19 bill shall be entered on the journal of each House respectively. If
20 any bill shall not be returned by the Governor with his objections
21 within ten days (Sundays excepted) after it shall have been
22 presented to him, the same shall be a law, in like manner as if he
23 had signed it, unless the Legislature, by its adjournment, prevent
24 its return, in which case it shall be a law, unless he shall file the

1 same, with his objections, in the office of the Secretary of State
2 and give notice thereof by public proclamation within twenty days
3 after such adjournment.

4 (b) If any bill presented to the Governor contains several
5 items of appropriation, the Governor ~~[he]~~ may object to one or more
6 of those ~~[such]~~ items, or reduce the amount of one or more of those
7 items, and approve the other portion of the bill. In such case the
8 Governor ~~[he]~~ shall append to the bill, at the time of signing it, a
9 statement of the items to which the Governor ~~[he]~~ objects, and a
10 statement of the items of appropriation that the Governor has
11 reduced that specifies the amount of each reduction. No ~~[and no]~~
12 item so objected to shall take effect, and the amount of an item of
13 appropriation reduced by the Governor shall be in accordance with
14 the Governor's reduction. If the Legislature be in session, the
15 Governor ~~[he]~~ shall transmit to the House in which the bill
16 originated a copy of such statement, and the items objected to or
17 reduced shall be separately considered. If, on reconsideration,
18 one or more of such items objected to be approved by two-thirds of
19 the members present of each House, the same shall be part of the
20 law, notwithstanding the objections of the Governor. If, on
21 reconsideration, the amount of an item of appropriation reduced by
22 the Governor is increased by two-thirds of the members present of
23 each House to a specific amount that does not exceed the amount of
24 the original appropriation, the amount of the item of appropriation
25 as increased by the Legislature on reconsideration shall be part of
26 the law, notwithstanding the reduction made by the Governor.

27 (c) If any such bill, containing several items of

1 appropriation, not having been presented to the Governor ten days
2 (Sundays excepted) prior to adjournment, be in the hands of the
3 Governor at the time of adjournment, the Governor ~~[he]~~ shall have
4 twenty days from such adjournment within which to file objections
5 to or reduce any items thereof and make proclamation of the same.
6 Such~~[, and such]~~ item or items to which the Governor objects shall
7 not take effect, and the amount of an item of appropriation reduced
8 by the Governor shall be in accordance with the Governor's
9 reduction.

10 SECTION 2. This proposed constitutional amendment shall be
11 submitted to the voters at an election to be held November 6, 2007.
12 The ballot shall be printed to permit voting for or against the
13 proposition: "The constitutional amendment granting the governor,
14 in addition to the existing power to veto an appropriation by
15 line-item veto, the power to reduce the amount of an appropriation
16 made by the legislature."