

By: Geren, Eiland

H.R. No. 32

RESOLUTION

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, That, in accordance with Sections 9(b) and 11, Article III,
3 Texas Constitution, the House of Representatives of the 80th
4 Legislature shall elect a speaker of the house from its own
5 membership as follows:

6 SECTION 1. NOMINATIONS. (a) The secretary of state shall
7 call for nominations from the floor for the election of speaker of
8 the house of representatives and shall recognize every member who
9 desires to make a nomination. The order in which members desiring to
10 make a nomination shall proceed shall be determined by lot.

11 (b) Each member recognized for this purpose shall
12 immediately advance to the front microphone and make the nomination
13 in a nominating speech not to exceed five minutes in length.

14 (c) After all nominations have been made, the secretary of
15 state shall declare nominations to be closed.

16 SECTION 2. SECONDS. (a) A person is not considered a
17 nominee unless the nomination is seconded by at least one member.

18 (b) One seconding speech shall be allowed for each
19 nomination in the order in which nominations were made, then other
20 seconding speeches shall be allowed in rotation in the same order.

21 (c) No more than five seconding speeches shall be allowed
22 for each nominee.

23 (d) A seconding speech may not exceed three minutes in
24 length.

1 SECTION 3. VOTING. (a) The secretary of state shall direct
2 the chief clerk to distribute to each member, at the member's desk,
3 a ballot to be used in the election of the speaker. The ballot shall
4 be a blank sheet of paper sized 8 1/2 inches by 11 inches.

5 (b) Each member shall complete the member's ballot by:

6 (1) writing the name of the nominee for whom the member
7 votes;

8 (2) printing only the member's district number on the
9 ballot; and

10 (3) folding the ballot.

11 (c) The chief clerk shall designate a voting area near
12 the reading clerk's desk and shall provide a voting box for the
13 marked ballots. Upon completing the member's ballot, the member
14 shall proceed to the voting area and deposit the member's folded
15 ballot in the voting box. As each member deposits the member's
16 ballot in the voting box, the chief clerk shall record, on a roster
17 of the members elected to the 80th Legislature, that the member has
18 deposited the member's ballot in the voting box. When it appears
19 that all ballots have been deposited in the box, the secretary of
20 state shall ask if all ballots have been cast and provide those
21 members who have not cast their ballots a final opportunity to
22 deposit their ballots in the voting box.

23 (d) After all ballots have been cast and placed in the
24 voting box, the chief clerk shall sign the roster indicating which
25 members cast ballots and deliver the roster to the
26 sergeant-at-arms. The ballots shall then be counted by the
27 sergeant-at-arms and the secretary of state on the house floor. The

1 sergeant-at-arms and secretary of state shall prepare and sign a
2 tally sheet indicating the total votes received by each nominee.
3 The secretary of state shall announce only the total votes cast for
4 each nominee, as reflected on the tally sheet. Immediately after
5 the results are announced, the sergeant-at-arms and secretary of
6 state shall securely seal the ballots and the chief clerk's roster
7 in an envelope, sign the outside of the envelope, and deliver the
8 envelope to the chief clerk. The envelope containing the ballots
9 shall be kept sealed and secure by the chief clerk until the 140th
10 day of the Regular Session of the 80th Legislature, at which time
11 the envelope shall be presented to the journal clerk, who shall
12 record each member's vote for speaker in the journal.

13 SECTION 4. RESULTS; RUNOFF. (a) The secretary of state
14 shall announce the results of the election. If a nominee receives a
15 majority of the votes cast, the secretary of state shall declare
16 that nominee to be elected to the office of speaker of the house of
17 representatives. For purposes of determining a majority of the
18 votes cast for speaker under this resolution, only a ballot
19 indicating the name of a single nominee is considered a vote cast.

20 (b) If no nominee has received a majority of the votes cast,
21 the two nominees receiving the largest number of votes in the first
22 ballot shall be in a runoff election conducted in accordance with
23 the voting procedures for the first ballot. The secretary of state
24 shall announce the results of the runoff election and declare the
25 nominee receiving a majority of the votes cast to be elected.

26 SECTION 5. TIE VOTES. (a) If in the first ballot no nominee
27 receives a majority of the votes cast and it is not possible to

1 determine the two nominees receiving the largest number of votes
2 cast because of a tie vote, additional rounds of balloting shall
3 occur in the same manner as the first ballot among the same
4 nominees, other than a nominee who withdraws, until a nominee
5 receives a majority of the votes cast, or if no nominee receives a
6 majority of the votes cast, until it is possible to determine the
7 two nominees who receive the largest number of votes cast.

8 (b) If in a runoff between two nominees no nominee receives
9 a majority of the votes cast because of a tie vote, additional
10 rounds of runoff balloting shall occur in the same manner as the
11 first runoff between the same two nominees until one of the nominees
12 in the runoff receives a majority of the votes cast.

13 SECTION 6. OATH. After the election, the secretary of state
14 shall direct the administration of the oath of office to the
15 speaker-elect. The speaker shall take the chair immediately after
16 taking the oath of office.