

R E S O L U T I O N

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. VOTING PROCEDURES. (a) The chief clerk shall
7 prepare paper ballots containing a space for a member to write in
8 the member's choice for speaker. One ballot shall be prepared for
9 each member and must contain the member's name and district number
10 and a space for the member's signature. The house sergeant shall
11 distribute each ballot to the appropriate member at the member's
12 desk.

13 (b) The chief clerk shall designate a voting area and shall
14 provide a voting box for the marked ballots. A member may mark and
15 sign the member's ballot either at the member's desk or at the
16 voting area.

17 (c) Each member shall be called individually by the reading
18 clerk in order of the member's district number and the member shall
19 proceed to the voting area when called. After arriving at the
20 voting area, the member shall fold the marked and signed ballot and
21 deposit it in the voting box.

22 (d) After all members have voted, the chief clerk shall
23 count the ballots on the house floor. The secretary of state and
24 the state auditor shall observe the count. A ballot may not be

1 counted unless it bears the signature of the member for whom it was
2 prepared. The chief clerk shall prepare a tally sheet indicating
3 how each member voted, the total votes received by each nominee, and
4 the total number of members who are present, not voting.

5 (e) All votes taken shall be record votes with the vote of
6 each member entered in the House Journal.

7 SECTION 2. RUNOFF. (a) The secretary of state shall
8 announce the results of the election. The chief clerk shall release
9 a copy of the tally indicating how each member voted as soon as
10 possible after the secretary of state announces the results.

11 (b) If a nominee receives a majority of the votes cast, the
12 secretary of state shall declare that nominee to be elected to the
13 office of speaker of the house of representatives. For purposes of
14 determining a majority of the votes cast for speaker under this
15 resolution, only a ballot indicating the name of a single nominee is
16 considered a vote cast.

17 (c) If no nominee receives a majority of the votes cast, the
18 two nominees receiving the largest number of votes in the initial
19 vote shall be in a runoff conducted in accordance with the voting
20 procedures for the initial vote. The secretary of state shall
21 announce the results of the runoff and declare the nominee
22 receiving a majority of the votes cast to be elected.

23 SECTION 3. TIE VOTES. (a) If in the initial vote no nominee
24 receives a majority of the votes cast and it is not possible to
25 determine the two nominees receiving the largest number of votes
26 cast because of a tie vote, additional rounds of voting shall occur
27 in the same manner as the initial vote among the same nominees,

1 other than a nominee who withdraws, until a nominee receives a
2 majority of the votes cast or, if no nominee receives a majority of
3 the votes cast, until it is possible to determine the two nominees
4 who receive the largest number of votes cast.

5 (b) If in a runoff between two nominees no nominee receives
6 a majority of the votes cast because of a tie vote, additional
7 rounds of runoff voting shall occur in the same manner as the
8 initial runoff between the same two nominees until one of the
9 nominees in the runoff receives a majority of the votes cast.

10 SECTION 4. OATH. After the election, the secretary of state
11 shall direct the administration of the oath of office to the
12 speaker-elect. The speaker shall take the chair immediately after
13 taking the oath of office.

14 SECTION 5. BALLOT RETENTION. The chief clerk shall retain
15 the paper ballots used in electing the speaker in a secure location.

Hartnett
Eiland

H.R. No. 35

Speaker of the House

I certify that H.R. No. 35 was adopted by the House on January 9, 2007, by the following vote: Yeas 132, Nays 16, 0 present, not voting.

Chief Clerk of the House