

By: Smith of Tarrant

H.R. No. 2671

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 Section 11, Article III, Texas
3 Constitution, the House of Representatives of the 80th Legislature
4 shall elect a speaker of the house from its own membership as
5 follows:

6 SECTION 1. NOMINATIONS. (a) The presiding officer 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.

10 (b) Each member recognized for this purpose shall
11 immediately advance to the front microphone and make the nomination
12 in a nominating speech not to exceed 10 minutes in length.

13 (c) After all nominations have been made, the presiding
14 officer shall declare nominations to be closed.

15 SECTION 2. VOTING PROCEDURES. (a) If there is only one
16 nominee for speaker, the members shall record their votes from
17 their desks on the voting machine.

18 (b) If there is more than one nominee for speaker, the chief
19 clerk shall prepare paper ballots containing the name of each
20 nominee and a space for indicating that the member is present, not
21 voting. The ballot shall be prepared to allow a member to mark the
22 ballot in a manner that does not disclose the member's identity.

23 (c) The chief clerk shall designate a voting area for the
24 members to mark their ballots and shall provide a voting box for the

1 marked ballots. Each member shall be called individually by the
2 reading clerk and shall proceed to the voting area when called. As
3 a member arrives at the voting area, the chief clerk shall hand the
4 member the member's ballot and allow the member to privately mark
5 the ballot. After marking the ballot, the member shall fold the
6 ballot and return it to the chief clerk. The chief clerk shall
7 initial each marked ballot and deposit it in the voting box.

8 (d) After all members have voted, the chief clerk, journal
9 clerk, and voting clerk shall publicly count the ballots on the
10 house floor. A ballot may not be counted unless it bears the chief
11 clerk's initials. The chief clerk shall prepare a tally sheet
12 indicating the total votes received by each nominee and the total
13 number of ballots counted as present, not voting.

14 (e) All votes taken shall be by secret ballot and only the
15 results of the election, including the total number of votes cast
16 for each nominee and the number of members present, not voting,
17 shall be entered in the House Journal.

18 SECTION 3. RESULTS; ADDITIONAL VOTING ROUNDS. (a) The
19 presiding officer shall announce the results of the election. If a
20 nominee receives a majority of the votes cast, the presiding
21 officer shall declare that nominee to be elected to the office of
22 speaker of the house of representatives. For purposes of
23 determining a majority of the votes cast for speaker under this
24 resolution, only a ballot marked for a single nominee is considered
25 a vote cast.

26 (b) If no nominee receives a majority of the votes cast, an
27 additional round of voting shall be conducted in accordance with

1 the procedures for the initial vote except that the ballots shall be
2 prepared to contain:

3 (1) the name of each nominee who received votes in the
4 preceding round of voting, other than the nominee who received the
5 fewest number of votes and each nominee who has withdrawn; and

6 (2) a space for indicating that the member is present,
7 not voting.

8 (c) Following an additional round of voting under
9 Subsection (b) of this section, the presiding officer shall
10 announce the results and:

11 (1) if a nominee receives a majority of the votes cast,
12 the presiding officer shall declare that nominee to be elected to
13 the office of speaker of the house of representatives; or

14 (2) if no nominee receives a majority of the votes
15 cast, additional rounds of voting shall occur in the manner
16 provided by Subsection (b) of this section until a nominee receives
17 a majority of the votes cast.

18 SECTION 4. TIE VOTES. If in a round of voting under this
19 resolution no nominee receives a majority of the votes cast and it
20 is not possible to determine which nominee received the fewest
21 number of votes because of a tie vote, all nominees who received
22 votes in that round of voting, other than a nominee who withdraws,
23 shall be listed on the ballot in the subsequent round of voting.

24 SECTION 5. OATH. After the election, the presiding officer
25 shall direct the administration of the oath of office to the
26 speaker-elect. The speaker shall take the chair immediately after
27 taking the oath of office.