

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 4767
By: Homer, Phillips (Ellis)
Government Organization
5/22/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, resolutions that recognize and honor a culturally or historically significant day, week, or month for a given year do not need to pass through the formal legislative process. However, those resolutions that are annual do need to pass through the legislative process. Therefore, this bill incorporates resolutions that annually recognize and honor a culturally or historically significant day, week, or month to the chapter dealing with resolutions of state symbols and place designations.

C.S.H.B. 4767 amends current law relating to the designation of days, weeks, and months for recognition by concurrent resolution of the legislature.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Chapter 391, Government Code, to read as follows:

CHAPTER 391. RESOLUTIONS FOR STATE SYMBOLS, PLACE DESIGNATIONS, AND RECOGNITION DAYS, WEEKS, AND MONTHS

SECTION 2. Amends Section 391.001, Government Code, as follows:

Sec. 391.001. EFFECT OF CHAPTER. (a) Provides that this chapter governs the designation of state symbols, place designations, and days, weeks, and months for recognition made by the legislature by resolution approved by each house of the legislature. Makes a nonsubstantive change.

(b) Provides that this chapter does not affect the designation of a state symbol or a place designation made by resolution before September 1, 2001; or statute, or a day, week, or month for recognition made by resolution before September 1, 2009, or statute. Makes nonsubstantive changes.

SECTION 3. Amends Chapter 391, Government Code, by adding Section 391.004, as follows:

Sec. 391.004. DESIGNATING DAYS, WEEKS, OR MONTHS FOR RECOGNITION.

(a) Defines "date designation."

(b) Authorizes the legislature to assign more than one designation to a day, week, or month.

(c) Requires the legislature, before the legislature may designate a day, week, or month for recognition, to be presented with information related to the historical or cultural significance of the day, week, or month to be recognized by persons supporting the designation.

(d) Provides that a designation of a day, week, or month for recognition expires on the 10th anniversary of the date the legislature finally passes the resolution

making the designation. Provides that this subsection does not prevent the legislature from redesignating a day, week, or month for recognition during or after the 10-year period.

SECTION 4. Repealers: Sections 391.002(c) (relating to requiring a resolution proposing designation of an object as a state symbol to be referred to and reported by the appropriate committee in each house) and 391.003(f) (relating to requiring a resolution proposing a place designation to be referred to and reported by the appropriate committee in each house), Government Code.

SECTION 5. Effective date: upon passage or September 1, 2009.