

1-1 By: Homer, Phillips (Senate Sponsor - Ellis) H.B. No. 4767
1-2 (In the Senate - Received from the House May 1, 2009;
1-3 May 6, 2009, read first time and referred to Committee on
1-4 Government Organization; May 23, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 23, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 4767 By: Hegar

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the designation of days, weeks, and months for
1-11 recognition by concurrent resolution of the legislature.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. The heading to Chapter 391, Government Code, is
1-14 amended to read as follows:

1-15 CHAPTER 391. RESOLUTIONS FOR STATE SYMBOLS, ~~[AND]~~ PLACE
1-16 DESIGNATIONS, AND RECOGNITION DAYS, WEEKS, AND MONTHS

1-17 SECTION 2. Section 391.001, Government Code, is amended to
1-18 read as follows:

1-19 Sec. 391.001. EFFECT OF CHAPTER. (a) This chapter governs
1-20 the designation of state symbols, ~~[and]~~ place designations, and
1-21 days, weeks, and months for recognition made by the legislature by
1-22 resolution approved by each house of the legislature.

1-23 (b) This chapter does not affect the designation of:

1-24 (1) a state symbol or a place designation made by:

1-25 (A) [~~(1)~~] resolution before September 1, 2001;
1-26 or

1-27 (B) [~~(2)~~] statute; or

1-28 (2) a day, week, or month for recognition made by:

1-29 (A) resolution before September 1, 2009; or

1-30 (B) statute.

1-31 SECTION 3. Chapter 391, Government Code, is amended by
1-32 adding Section 391.004 to read as follows:

1-33 Sec. 391.004. DESIGNATING DAYS, WEEKS, OR MONTHS FOR
1-34 RECOGNITION. (a) In this section, "date designation" means the
1-35 special observance authorized by the legislature that annually
1-36 recognizes and honors a culturally or historically significant day,
1-37 week, or month in the state.

1-38 (b) The legislature may assign more than one designation to
1-39 a day, week, or month.

1-40 (c) Before the legislature may designate a day, week, or
1-41 month for recognition, the legislature must be presented with
1-42 information related to the historical or cultural significance of
1-43 the day, week, or month to be recognized by persons supporting the
1-44 designation.

1-45 (d) A designation of a day, week, or month for recognition
1-46 expires on the 10th anniversary of the date the legislature finally
1-47 passes the resolution making the designation. This subsection does
1-48 not prevent the legislature from redesignating a day, week, or
1-49 month for recognition during or after the 10-year period.

1-50 SECTION 4. Sections 391.002(c) and 391.003(f), Government
1-51 Code, are repealed.

1-52 SECTION 5. This Act takes effect immediately if it receives
1-53 a vote of two-thirds of all the members elected to each house, as
1-54 provided by Section 39, Article III, Texas Constitution. If this
1-55 Act does not receive the vote necessary for immediate effect, this
1-56 Act takes effect September 1, 2009.

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