

By: Elkins, et al.

H.J.R. No. 29

A JOINT RESOLUTION

1 proposing a constitutional amendment to allow the legislature to
2 override a veto of the governor following a legislative session.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 14, Article IV, Texas Constitution, is
5 amended to read as follows:

6 Sec. 14. (a) Every bill which shall have passed both
7 houses of the Legislature shall be presented to the Governor for his
8 approval. If he approve he shall sign it; but if he disapprove it,
9 he shall return it, with his objections, to the House in which it
10 originated, which House shall enter the objections at large upon
11 its journal, and proceed to reconsider it. If after such
12 reconsideration, two-thirds of the members present agree to pass
13 the bill, it shall be sent, with the objections, to the other House,
14 by which likewise it shall be reconsidered; and, if approved by
15 two-thirds of the members of that House, it shall become a law; but
16 in such cases the votes of both Houses shall be determined by yeas
17 and nays, and the names of the members voting for and against the
18 bill shall be entered on the journal of each House respectively.

19 (b) If any bill shall not be returned by the Governor with
20 his objections within ten days (Sundays excepted) after it shall
21 have been presented to him, the same shall be a law, in like manner
22 as if he had signed it, unless the Legislature, by its adjournment,
23 prevent its return, in which case it shall be a law, unless he shall
24 file the same, with his objections, in the office of the Secretary

1 of State and give notice thereof by public proclamation within
2 twenty days after such adjournment.

3 (c) If any bill presented to the Governor contains several
4 items of appropriation he may object to one or more of such items,
5 and approve the other portion of the bill. In such case he shall
6 append to the bill, at the time of signing it, a statement of the
7 items to which he objects, and no item so objected to shall take
8 effect. If the Legislature be in session, he shall transmit to the
9 House in which the bill originated a copy of such statement and the
10 items objected to shall be separately considered. If, on
11 reconsideration, one or more of such items be approved by
12 two-thirds of the members present of each House, the same shall be
13 part of the law, notwithstanding the objections of the Governor. If
14 any such bill, containing several items of appropriation, not
15 having been presented to the Governor ten days (Sundays excepted)
16 prior to adjournment, be in the hands of the Governor at the time of
17 adjournment, he shall have twenty days from such adjournment within
18 which to file objections to any items thereof and make proclamation
19 of the same, and such item or items shall not take effect.

20 (d) On the call of the presiding officer of either House of
21 the Legislature as provided by Subsection (e) of this section, the
22 Legislature shall convene to reconsider any bill disapproved by the
23 Governor under Subsection (a) of this section or any item of
24 appropriation in a bill to which the Governor objects under
25 Subsection (c) of this section if the bill or statement of objection
26 to the item of appropriation is:

27 (1) returned to the House in which the bill originated

1 on or after the third day before the date of adjournment of the
2 session at which the bill was passed; or

3 (2) filed with the Secretary of State after the
4 adjournment of the session at which the bill was passed.

5 (e) Not later than the fifth day following the last day on
6 which the Governor is authorized to file a disapproval of a bill or
7 objection to an item of appropriation with the Secretary of State
8 under this section after adjournment of the Legislature, a member
9 of either House in writing filed with the chief clerk or secretary
10 of that House may request the presiding officer of that House to
11 call the Legislature into session as provided by Subsection (f) of
12 this section to reconsider one or more bills or items of
13 appropriation described by Subsection (d) of this section. If a
14 majority of the members of either House file requests with the
15 applicable chief clerk or secretary within that period, the
16 presiding officer of that House shall call the Legislature into
17 session for purposes of Subsection (d).

18 (f) The period for reconsideration under Subsection (d) of
19 this section begins at 10 a.m. on the second Tuesday following the
20 last day on which the Governor is authorized to file a disapproval
21 or objection with the Secretary of State and may not exceed three
22 consecutive days. During this period, unless the Legislature has
23 been called into special session by the Governor, the Legislature
24 may not consider any subject other than the reconsideration of
25 bills or items of appropriation described by Subsection (d) of this
26 section. Reconsideration of a bill or item of appropriation during
27 this period is conducted in the manner provided by Subsection (a) or

1 (c) of this section, as applicable.

2 SECTION 2. This proposed constitutional amendment shall be
3 submitted to the voters at an election to be held November 3, 2009.
4 The ballot shall be printed to provide for voting for or against the
5 proposition: "The constitutional amendment to allow the
6 legislature to override a veto of the governor following a
7 legislative session."