

1-1 By: Elkins, et al. (Senate Sponsor - Wentworth) H.J.R. No. 29
1-2 (In the Senate - Received from the House April 2, 2009;
1-3 April 15, 2009, read first time and referred to Committee on State
1-4 Affairs; May 14, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 1;
1-6 May 14, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.J.R. No. 29 By: Lucio

1-8 HOUSE JOINT RESOLUTION

1-9 proposing a constitutional amendment to allow the legislature to
1-10 override a veto of the governor following a legislative session.

1-11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 14, Article IV, Texas Constitution, is
1-13 amended to read as follows:

1-14 Sec. 14. (a) Every bill which shall have passed both
1-15 houses of the Legislature shall be presented to the Governor for his
1-16 approval. If he approve he shall sign it; but if he disapprove it,
1-17 he shall return it, with his objections, to the House in which it
1-18 originated, which House shall enter the objections at large upon
1-19 its journal, and proceed to reconsider it. If after such
1-20 reconsideration, two-thirds of the members present agree to pass
1-21 the bill, it shall be sent, with the objections, to the other House,
1-22 by which likewise it shall be reconsidered; and, if approved by
1-23 two-thirds of the members of that House, it shall become a law; but
1-24 in such cases the votes of both Houses shall be determined by yeas
1-25 and nays, and the names of the members voting for and against the
1-26 bill shall be entered on the journal of each House respectively.

1-27 (b) If any bill shall not be returned by the Governor with
1-28 his objections within ten days (Sundays excepted) after it shall
1-29 have been presented to him, the same shall be a law, in like manner
1-30 as if he had signed it, unless the Legislature, by its adjournment,
1-31 prevent its return, in which case it shall be a law, unless he shall
1-32 file the same, with his objections, in the office of the Secretary
1-33 of State and give notice thereof by public proclamation within
1-34 twenty days after such adjournment.

1-35 (c) If any bill presented to the Governor contains several
1-36 items of appropriation he may object to one or more of such items,
1-37 and approve the other portion of the bill. In such case he shall
1-38 append to the bill, at the time of signing it, a statement of the
1-39 items to which he objects, and no item so objected to shall take
1-40 effect. If the Legislature be in session, he shall transmit to the
1-41 House in which the bill originated a copy of such statement and the
1-42 items objected to shall be separately considered. If, on
1-43 reconsideration, one or more of such items be approved by
1-44 two-thirds of the members present of each House, the same shall be
1-45 part of the law, notwithstanding the objections of the Governor. If
1-46 any such bill, containing several items of appropriation, not
1-47 having been presented to the Governor ten days (Sundays excepted)
1-48 prior to adjournment, be in the hands of the Governor at the time of
1-49 adjournment, he shall have twenty days from such adjournment within
1-50 which to file objections to any items thereof and make proclamation
1-51 of the same, and such item or items shall not take effect.

1-52 (d) On the call of the presiding officers of both Houses of
1-53 the Legislature as provided by Subsection (e) of this section, the
1-54 Legislature shall convene to reconsider any bill disapproved by the
1-55 Governor under Subsection (a) of this section or any item of
1-56 appropriation in a bill to which the Governor objects under
1-57 Subsection (c) of this section if the bill or statement of objection
1-58 to the item of appropriation is:

1-59 (1) returned to the House in which the bill originated
1-60 on or after the third day before the date of adjournment of the
1-61 session at which the bill was passed; or

1-62 (2) filed with the Secretary of State after the
1-63 adjournment of the session at which the bill was passed.

2-1 (e) Not later than the fifth day following the last day on
2-2 which the Governor is authorized to file a disapproval of a bill or
2-3 objection to an item of appropriation with the Secretary of State
2-4 under this section after adjournment of the Legislature, a member
2-5 of either House in writing filed with the chief clerk or secretary
2-6 of that House may request the presiding officer of that House to
2-7 call the Legislature into session as provided by Subsection (f) of
2-8 this section to reconsider one or more bills or items of
2-9 appropriation described by Subsection (d) of this section. If and
2-10 only if a majority of the members of either House file requests with
2-11 the applicable chief clerk or secretary within that period, the
2-12 presiding officers of both Houses shall jointly call the
2-13 Legislature into session for purposes of Subsection (d).

2-14 (f) The period for reconsideration under Subsection (d) of
2-15 this section begins at 10 a.m. on the second Tuesday following the
2-16 last day on which the Governor is authorized to file a disapproval
2-17 or objection with the Secretary of State and may not exceed three
2-18 consecutive days. During this period, unless the Legislature has
2-19 been called into special session by the Governor, the Legislature
2-20 may not consider any subject other than the reconsideration of
2-21 bills or items of appropriation described by Subsection (d) of this
2-22 section. Reconsideration of a bill or item of appropriation during
2-23 this period is conducted in the manner provided by Subsection (a) or
2-24 (c) of this section, as applicable.

2-25 SECTION 2. This proposed constitutional amendment shall be
2-26 submitted to the voters at an election to be held November 3, 2009.
2-27 The ballot shall be printed to provide for voting for or against the
2-28 proposition: "The constitutional amendment to allow the
2-29 legislature to override a veto of the governor following a
2-30 legislative session."

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