

SENATE AMENDMENTS

2nd Printing

By: Homer, Phillips

H.B. No. 4767

A BILL TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

SECTION 2. Section 391.001, Government Code, is amended to read as follows:

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

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

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

(A) ~~(1)~~ resolution before September 1, 2001;

or

(B) ~~(2)~~ statute; or

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

(A) resolution before September 1, 2009; or

(B) statute.

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

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

6 (b) The legislature may assign more than one designation to
7 a day, week, or month.

8 (c) Before the legislature may designate a day, week, or
9 month for recognition, the legislature must be presented with
10 information related to the historical or cultural significance of
11 the day, week, or month to be recognized by persons supporting the
12 designation.

13 (d) A designation of a day, week, or month for recognition
14 expires on the 10th anniversary of the date the legislature finally
15 passes the resolution making the designation. This subsection does
16 not prevent the legislature from redesignating a day, week, or
17 month for recognition during or after the 10-year period.

18 (e) To be effective, a resolution proposing the designation
19 of a day, week, or month for recognition must be referred to and
20 reported by the appropriate committee in each house in the manner
21 provided for bills.

22 SECTION 4. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2009.

ADOPTED

MAY 27 2009

Henry Spaw
Secretary of the Senate

By: _____

H.B. No. 4767

Substitute the following for H.B. No. 4767:

By: *[Signature]*

C.S. H.B. No. 4767

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2 relating to the designation of days, weeks, and months for
3 recognition by concurrent resolution of the legislature.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. The heading to Chapter 391, Government Code, is
6 amended to read as follows:

7 CHAPTER 391. RESOLUTIONS FOR STATE SYMBOLS, ~~[AND]~~ PLACE
8 DESIGNATIONS, AND RECOGNITION DAYS, WEEKS, AND MONTHS

9 SECTION 2. Section 391.001, Government Code, is amended to
10 read as follows:

11 Sec. 391.001. EFFECT OF CHAPTER. (a) This chapter governs
12 the designation of state symbols, ~~[and]~~ place designations, and
13 days, weeks, and months for recognition made by the legislature by
14 resolution approved by each house of the legislature.

15 (b) This chapter does not affect the designation of:

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

17 (A) ~~[(1)]~~ resolution before September 1, 2001;

18 or

19 (B) ~~[(2)]~~ statute; or

20 (2) a day, week, or month for recognition made by:

21 (A) resolution before September 1, 2009; or

22 (B) statute.

23 SECTION 3. Chapter 391, Government Code, is amended by
24 adding Section 391.004 to read as follows:

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

6 (b) The legislature may assign more than one designation to
7 a day, week, or month.

8 (c) Before the legislature may designate a day, week, or
9 month for recognition, the legislature must be presented with
10 information related to the historical or cultural significance of
11 the day, week, or month to be recognized by persons supporting the
12 designation.

13 (d) A designation of a day, week, or month for recognition
14 expires on the 10th anniversary of the date the legislature finally
15 passes the resolution making the designation. This subsection does
16 not prevent the legislature from redesignating a day, week, or
17 month for recognition during or after the 10-year period.

18 SECTION 4. Sections 391.002(c) and 391.003(f), Government
19 Code, are repealed.

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

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 27, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4767** by Homer (Relating to the designation of days, weeks, and months for recognition by concurrent resolution of the legislature.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KK, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 22, 2009

TO: Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4767 by Homer (relating to the designation of days, weeks, and months for recognition by concurrent resolution by the legislature.), Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KK, SD

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 12, 2009

TO: Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4767 by Homer (Relating to the designation of days, weeks, and months for recognition by concurrent resolution of the legislature.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KK, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 9, 2009

TO: Honorable Mark Homer, Chair, House Committee on Culture, Recreation & Tourism

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4767 by Homer (Relating to the designation of days, weeks, and months for recognition by concurrent resolution of the legislature.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, SD