

By: Elkins

H.J.R. No. 88

A JOINT RESOLUTION

1 proposing a constitutional amendment to provide for legislative  
2 review of the process of rulemaking by agencies in the executive  
3 department.

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

5 SECTION 1. Article III, Texas Constitution, is amended by  
6 adding Section 68 to read as follows:

7 Sec. 68. Regardless of any provision of Article II or of  
8 this article, the legislature by law may provide for legislative  
9 review of the process of rulemaking by agencies in the executive  
10 department. The law may prescribe conditions for rules to take  
11 effect and may provide for the suspension, repeal, or expiration of  
12 rules. The law may prescribe procedures and may delegate powers to  
13 either or both houses of the legislature or to committees of either  
14 or both houses.

15 SECTION 2. This proposed constitutional amendment shall be  
16 submitted to the voters at an election to be held November 8, 2011.  
17 The ballot shall be printed to permit voting for or against the  
18 proposition: "The constitutional amendment to provide for  
19 legislative review of the process of rulemaking by agencies in the  
20 executive department."