

By: Price

H.J.R. No. 136

A JOINT RESOLUTION

1 proposing a constitutional amendment providing that a legislator
2 who is absent without excuse for an extended period during a
3 legislative session vacates office and is not counted in
4 determining a quorum of the applicable house of the legislature.

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

6 SECTION 1. Article III, Texas Constitution, is amended by
7 adding Section 23-a to read as follows:

8 Sec. 23-a. (a) If a member of either house of the
9 legislature is absent without an excuse granted in accordance with
10 the procedures of that house for seven consecutive days in which
11 that house meets during a regular or special session of the
12 legislature, the member immediately vacates the member's office,
13 and the resulting vacancy shall be filled as provided by Section 13
14 of this article. A person who vacates office under this section may
15 not continue to perform the duties of the office under Section 17,
16 Article XVI, of this constitution.

17 (b) For purposes of determining whether a quorum of a house
18 is present under Section 10 of this article, a seat that becomes
19 vacant under this section is not counted in the total membership of
20 that house.

21 SECTION 2. This proposed constitutional amendment shall be
22 submitted to the voters at an election to be held November 8, 2011.
23 The ballot shall be printed to permit voting for or against the
24 proposition: "The constitutional amendment providing that a

1 legislator who is absent without excuse for seven consecutive
2 working days during a legislative session vacates office and is not
3 counted in determining a quorum of the applicable house of the
4 legislature."