

By: Hughes

H.R. No. 102

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, That, in accordance with Sections 9(b) and 11, Article III,
3 Texas Constitution, the House of Representatives of the 82nd
4 Legislature shall elect a speaker of the house from nominations
5 previously made as follows:

6 SECTION 1. VOTING PROCEDURES: VOTING MACHINE. (a) If
7 there is only one nominee for speaker, the members shall record
8 their votes from their desks on the voting machine with the yeas and
9 nays taken as in other record votes of the house.

10 (b) If there are two or three nominees for speaker, the
11 members shall record their votes from their desks on the voting
12 machine with a different colored light on the machine indicating a
13 vote for each nominee. If the nominees cannot agree on the color
14 that will indicate a vote for each nominee, the presiding officer
15 shall draw lots to determine the color for each nominee.

16 (c) Before the close of voting on the voting machine, the
17 presiding officer shall provide several warnings to the members
18 that the voting period is about to close.

19 (d) A verification of a vote taken by voting machine shall
20 be by roll call vote, with the members seated and the house at
21 order, beginning with the members recorded as voting for the
22 apparent winning nominee. During verification, a member may not
23 change a vote unless it was erroneously recorded, and any member not
24 having voted for a nominee may not cast a vote.

1 (e) If there are three nominees for speaker, a member who
2 does not cast a vote for a nominee but who was recorded as present at
3 the initial roll call shall be recorded as "present, not voting" in
4 the record of the vote.

5 SECTION 2. VOTING PROCEDURES: ROLL CALL VOTE. (a) If there
6 are more than three nominees for speaker, the election shall be held
7 in the manner provided for a roll call vote of the members with the
8 chief clerk calling the members' names in alphabetical order. When
9 the chief clerk reads aloud the name of a member, the member shall
10 vote by stating the name of one of the nominees or state that the
11 member is present, not voting. The chief clerk shall repeat the
12 member's vote aloud and record the vote on a tally sheet.

13 (b) After all members have announced their votes, the chief
14 clerk shall prepare a report containing the total votes received by
15 each nominee and the total number of members who are present, not
16 voting. The chief clerk shall provide a copy of the report to the
17 secretary of state.

18 (c) A verification of a vote taken by roll call consists
19 solely of ensuring that an announced vote was tallied correctly.

20 SECTION 3. RECORD VOTE. All votes taken shall be record
21 votes with the vote of each member entered in the House Journal.

22 SECTION 4. RESULTS; RUNOFF. (a) The secretary of state
23 shall announce the results of the election. If a nominee receives a
24 majority of the votes cast, the secretary of state shall declare
25 that nominee to be elected to the office of speaker of the house of
26 representatives.

27 (b) If no nominee receives a majority of the votes cast, the

1 two nominees receiving the largest number of votes in the initial
2 vote shall be in a runoff conducted by voting machine as provided by
3 Section 1 of this resolution. The secretary of state shall announce
4 the results of the runoff and declare the nominee receiving a
5 majority of the votes cast to be elected.

6 SECTION 5. TIE VOTES. (a) If in the initial vote no nominee
7 receives a majority of the votes cast and it is not possible to
8 determine the two nominees receiving the largest number of votes
9 cast because of a tie vote, additional rounds of voting shall occur
10 among the same nominees, other than a nominee who withdraws, until a
11 nominee receives a majority of the votes cast or, if no nominee
12 receives a majority of the votes cast, until it is possible to
13 determine the two nominees who receive the largest number of votes
14 cast.

15 (b) If in a runoff between two nominees no nominee receives
16 a majority of the votes cast because of a tie vote, additional
17 rounds of runoff voting shall occur between the same two nominees
18 until one of the nominees in the runoff receives a majority of the
19 votes cast.

20 SECTION 6. OATH. After the election, the secretary of state
21 shall direct the administration of the oath of office to the
22 speaker-elect. The speaker shall take the chair immediately after
23 taking the oath of office.