

By: Bonnen of Galveston

H.J.R. No. 128

A JOINT RESOLUTION

1 proposing a constitutional amendment to require the legislature to
2 convene following each regular session of the legislature to
3 consider the repeal of laws enacted during that regular session or
4 at a subsequent special session.

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

6 SECTION 1. Section 5(a), Article III, Texas Constitution,
7 is amended to read as follows:

8 (a) The Legislature shall meet in regular session every two
9 years at such time as may be provided by law, in a session to repeal
10 recently enacted laws as provided by Section 40(b) of this article,
11 and at other times when convened by the Governor.

12 SECTION 2. Section 40, Article III, Texas Constitution, is
13 amended to read as follows:

14 Sec. 40. (a) When the Legislature shall be convened in
15 special session, there shall be no legislation upon subjects other
16 than those designated in the proclamation of the Governor calling
17 such session, or presented to them by the Governor; and no such
18 session shall be of longer duration than thirty days.

19 (b) The Legislature shall convene at 10 a.m. on the first
20 Tuesday following the 60th day after the date of final adjournment
21 of a regular session, for a period not to exceed three consecutive
22 days, to consider the repeal of laws passed during that regular
23 session or during a subsequent special session. During this period
24 the Governor may not call the Legislature into special session and

1 the Legislature may not consider any subject other than the repeal
2 of laws passed during the preceding regular session or subsequent
3 special session or emergency matters submitted by the Governor. A
4 member of either house may introduce a bill to repeal a law, or to
5 repeal an item of appropriation in an appropriation act, passed
6 during the preceding regular session or subsequent special session
7 that would not otherwise change existing law or create new law.
8 Acts may only be considered during this session for the purposes of
9 correcting typographical errors in the original act that are
10 clearly contrary to the intent of the act, as determined
11 exclusively by each house, or to void the act, or in the case of a
12 general appropriations act that limits consideration to certain
13 items of appropriation, to void one or more items of appropriation
14 identified in the petition. The bill when introduced must include
15 the signatures of at least 76 members of the house of
16 representatives if the author of the bill is a representative, or
17 at least 21 members of the senate if the author of the bill is a
18 senator. The bill may not be referred to a committee of either
19 house but shall be considered directly by the house in which the
20 bill was introduced and then, if passed by that house, by the other
21 house. The Legislature may not amend the bill. If passed by both
22 houses in the manner provided by Section 32 of this article, the
23 bill shall be sent to the Governor for approval or disapproval as
24 provided by Section 14, Article IV, of this constitution.

25 SECTION 3. This proposed constitutional amendment shall be
26 submitted to the voters at an election to be held November 5, 2013.
27 The ballot shall be printed to permit voting for or against the

1 proposition: "The constitutional amendment to require the
2 legislature to convene following each regular session of the
3 legislature to consider the repeal of laws enacted during that
4 regular session or during a special session immediately following
5 that regular session."