

By: Smithee

H.R. No. 4

R E S O L U T I O N

BE IT RESOLVED by the House of Representatives of the State of Texas, That the following are adopted as the permanent rules of the House of Representatives of the 83rd [~~82nd~~] Legislature:

RULES OF
THE HOUSE OF REPRESENTATIVES
OF THE TEXAS LEGISLATURE

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STATEMENT OF AUTHORIZATION AND PRECEDENCE

Pursuant to and under the authority of Section 11, Article III, Texas Constitution, and notwithstanding any provision of statute, the House of Representatives adopts the following rules to govern its operations and procedures. The provisions of these rules shall be deemed the only requirements binding on the House of Representatives under Section 11, Article III, Texas Constitution, notwithstanding any other requirements expressed in statute.

RULE 1. DUTIES AND RIGHTS OF THE SPEAKER

CHAPTER A. DUTIES AS PRESIDING OFFICER

Sec. 1. ENFORCEMENT OF THE RULES. The speaker shall enforce, apply, and interpret the rules of the house in all deliberations of the house and shall enforce the legislative rules prescribed by the statutes and the Constitution of Texas.

Sec. 2. CALL TO ORDER. The speaker shall take the chair on each calendar day precisely at the hour to which the house adjourned or recessed at its last sitting and shall immediately call the members to order.

Sec. 3. LAYING BUSINESS BEFORE THE HOUSE. The speaker shall lay before the house its business in the order indicated by the rules and shall receive propositions made by members and put them to the house.

Sec. 4. REFERRAL OF PROPOSED LEGISLATION TO COMMITTEE. All proposed legislation shall be referred by the speaker to an appropriate standing or select committee with jurisdiction, subject to correction by a majority vote of the house. A bill or

1 resolution may not be referred simultaneously to more than one
2 committee.

3 Sec. 5. PRESERVATION OF ORDER AND DECORUM. The speaker
4 shall preserve order and decorum. In case of disturbance or
5 disorderly conduct in the galleries or in the lobby, the speaker may
6 order that these areas be cleared. No signs, placards, or other
7 objects of similar nature shall be permitted in the rooms, lobby,
8 gallery, and hall of the house. The speaker shall see that the
9 members of the house conduct themselves in a civil manner in
10 accordance with accepted standards of parliamentary conduct and
11 may, when necessary, order the sergeant-at-arms to clear the aisles
12 and seat the members of the house so that business may be conducted
13 in an orderly manner.

14 Sec. 6. RECOGNITION OF GALLERY VISITORS. On written
15 request of a member, the speaker may recognize persons in the
16 gallery. The speaker shall afford that recognition at a convenient
17 place in the order of business, considering the need for order and
18 decorum and the need for continuity of debate. The request must be
19 made on a form prescribed by the Committee on House Administration.
20 The speaker may recognize, at a time he or she considers appropriate
21 during floor proceedings, the person serving as physician of the
22 day.

23 Sec. 7. STATING AND VOTING ON QUESTIONS. The speaker shall
24 rise to put a question but may state it sitting. The question shall
25 be put substantially in this form: "The question occurs on
26 _____" (here state the question or proposition under
27 consideration). "All in favor say 'Aye,'" and after the affirmative

1 vote is expressed, "All opposed say 'No.'" If the speaker is in
2 doubt as to the result, or if a division is called for, the house
3 shall divide: those voting in the affirmative on the question
4 shall register "Aye" on the voting machine, and those voting in the
5 negative on the question shall register "No." The decision of the
6 house on the question shall be printed in the journal and shall
7 include the yeas and nays if a record of the yeas and nays is ordered
8 in accordance with the rules.

9 Sec. 8. VOTING RIGHTS OF THE PRESIDING OFFICER. The
10 speaker shall have the same right as other members to vote. If the
11 speaker, or a member temporarily presiding, has not voted, he or she
12 may cast the deciding vote at the time such opportunity becomes
13 official, whether to make or break a tie. If a verification of the
14 vote is called for and granted, the decision of the speaker, or a
15 member temporarily presiding, to cast the deciding vote need not be
16 made until the verification has been completed. In case of error in
17 a vote, if the correction leaves decisive effect to the vote of the
18 speaker, or a member temporarily presiding, the deciding vote may
19 be cast even though the result has been announced.

20 Sec. 9. QUESTIONS OF ORDER. (a) The speaker shall decide
21 on all questions of order; however, such decisions are subject to an
22 appeal to the house made by any 10 members. Pending an appeal, the
23 speaker shall call a member to the chair, who shall not have the
24 authority to entertain or decide any other matter or proposition
25 until the appeal has first been determined by the house. The
26 question on appeal is, "Shall the chair be sustained?"

27 (b) No member shall speak more than once on an appeal unless

1 given leave by a majority of the house. No motion shall be in order,
2 pending an appeal, except a motion to adjourn, a motion to lay on
3 the table, a motion for the previous question, or a motion for a
4 call of the house. Responses to parliamentary inquiries and
5 decisions of recognition made by the chair may not be appealed,
6 except as provided by Rule 5, Section 24.

7 (c) Further consideration of the matter or proposition that
8 is the subject of a question of order is prohibited until the
9 speaker decides the question of order and any appeal of that
10 decision has been determined by the house. Consideration of any
11 other matter or proposition is also prohibited while a question of
12 order is pending, unless the question of order is temporarily
13 withdrawn and the matter or proposition that is the subject of the
14 question of order is postponed. Withdrawal of the question of order
15 does not prevent any member from raising that question of order when
16 the matter or proposition is again before the house.

17 Sec. 10. APPOINTMENT OF SPEAKER PRO TEMPORE AND TEMPORARY
18 CHAIR. The speaker shall have the right to name any member to
19 perform the duties of the chair and may name a member to serve as
20 speaker pro tempore by delivering a written order to the chief clerk
21 and a copy to the journal clerk. A permanent speaker pro tempore
22 shall, in the absence or inability of the speaker, call the house to
23 order and perform all other duties of the chair in presiding over
24 the deliberations of the house and perform other duties and
25 exercise other responsibilities as may be assigned by the speaker.
26 If the house is not in session, and a permanent speaker pro tempore
27 has not been named, or if the speaker pro tempore is not available

1 or for any reason is not able to function, the speaker may deliver a
2 written order to the chief clerk, with a copy to the journal clerk,
3 naming the member who shall call the house to order and preside
4 during the speaker's absence. The speaker pro tempore shall serve
5 at the pleasure of the speaker.

6 Sec. 11. EMERGENCY ADJOURNMENT. In the event of an
7 emergency of such compelling nature that the speaker must adjourn
8 the house without fixing a date and hour of reconvening, the speaker
9 shall have authority to determine the date and hour of reconvening
10 and to notify the members of the house by any means the speaker
11 considers adequate. Should the speaker be disabled or otherwise
12 unable to exercise these emergency powers, the permanent speaker
13 pro tempore, if one has been named, shall have authority to act. If
14 there is no permanent speaker pro tempore, or if that officer is
15 unable to act, authority shall be exercised by the chair of the
16 Committee on State Affairs, who shall preside until the house can
17 proceed to the selection of a temporary presiding officer to
18 function until the speaker or the speaker pro tempore is again able
19 to exercise the duties and responsibilities of the office.

20 Sec. 12. POSTPONEMENT OF RECONVENING. When the house is
21 not in session, if the speaker determines that it would be a hazard
22 to the safety of the members, officers, employees, and others
23 attending the legislature to reconvene at the time determined by
24 the house at its last sitting, the speaker may clear the area of the
25 capitol under the control of the house and postpone the reconvening
26 of the house for a period of not more than 12 hours. On making that
27 determination, the speaker shall order the sergeant-at-arms to post

1 an assistant at each first floor entrance to the capitol and other
2 places and advise all persons entering of the determination and the
3 time set for the house to reconvene. The speaker shall also notify
4 the journal clerk and the news media of the action, and the action
5 shall be entered in the house journal.

6 Sec. 13. SIGNING BILLS AND RESOLUTIONS. All bills, joint
7 resolutions, and concurrent resolutions shall be signed by the
8 speaker in the presence of the house, as required by the
9 constitution; and all writs, warrants, and subpoenas issued by
10 order of the house shall be signed by the speaker and attested by
11 the chief clerk, or the person acting as chief clerk.

12 CHAPTER B. ADMINISTRATIVE DUTIES

13 Sec. 14. CONTROL OVER HALL OF THE HOUSE. The speaker shall
14 have general control, except as otherwise provided by law, of the
15 hall of the house, its lobbies, galleries, corridors, and passages,
16 and other rooms in those parts of the capitol assigned to the use of
17 the house; except that the hall of the house shall not be used for
18 any meeting other than legislative meetings during any regular or
19 special session of the legislature unless specifically authorized
20 by resolution.

21 Sec. 15. STANDING COMMITTEE APPOINTMENTS. (a) The
22 speaker shall designate the chair and vice-chair of each standing
23 substantive committee and shall also appoint membership of the
24 committee, subject to the provisions of Rule 4, Section 2.

25 (b) If members of equal seniority request the same
26 committee, the speaker shall decide which among them shall be
27 assigned to that committee.

1 (c) In announcing the membership of the standing
2 substantive committees, the speaker shall designate which are
3 appointees and which acquire membership by seniority.

4 (d) The speaker shall appoint the chair and vice-chair of
5 each standing procedural committee and the remaining membership of
6 the committee.

7 Sec. 16. APPOINTMENT OF SELECT AND CONFERENCE
8 COMMITTEES. (a) The speaker shall appoint all conference
9 committees. The speaker shall name the chair of each conference
10 committee, and may also name the vice-chair thereof.

11 (b) The speaker may at any time by proclamation create a
12 select committee. The speaker shall name the chair and vice-chair
13 thereof. A select committee has the jurisdiction, authority, and
14 duties and exists for the period of time specified in the
15 proclamation. A select committee has the powers granted by these
16 rules to a standing committee except as limited by the
17 proclamation. A copy of each proclamation creating a select
18 committee shall be filed with the chief clerk.

19 (c) If a new speaker is elected to fill a vacancy in the
20 office after the appointment of standing committees, the new
21 speaker may not alter the composition of any standing committee
22 before the end of the session, except that the new speaker may:

23 (1) vacate the new speaker's membership on any
24 committee;

25 (2) make committee appointments for the member who was
26 removed as speaker;

27 (3) designate a different member of a standing

1 committee as committee chair; and

2 (4) fill vacancies that occur on a committee.

3 Sec. 17. INTERIM STUDIES. When the legislature is not in
4 session, the speaker shall have the authority to direct committees
5 to make interim studies for such purposes as the speaker may
6 designate, and the committees shall meet as often as necessary to
7 transact effectively the business assigned to them. The speaker
8 shall provide to the chief clerk a copy of interim charges made to a
9 standing or select committee.

10 CHAPTER C. CAMPAIGNS FOR SPEAKER

11 Sec. 18. PLEDGES FOR SPEAKER PROHIBITED DURING REGULAR
12 SESSION. During a regular session of the legislature a member may
13 not solicit written pledges from other members for their support of
14 or promise to vote for any person for the office of speaker.

RULE 2. EMPLOYEES

CHAPTER A. DUTIES OF EMPLOYEES OF THE HOUSE

Sec. 1. CHIEF CLERK. (a) The chief clerk shall:

(1) be the custodian of all bills, resolutions, and amendments;

(2) number in the order of their filing, with a separate sequence for each category, all bills, joint resolutions, concurrent resolutions, and house resolutions;

(3) provide for the keeping of a complete record of introduction and action on all bills and resolutions, including the number, author, brief description of the subject matter, committee reference, and the time sequence of action taken on all bills and resolutions to reflect at all times their status in the legislative process;

(4) on the day of numbering a bill relating to a conservation and reclamation district created under Article XVI, Section 59, of the Texas Constitution, send two copies of the bill, with two copies of the notice of intention to introduce the bill, to the governor and notify the journal clerk of the action;

(5) receive the recommendations of the Texas Commission on Environmental Quality on a bill forwarded to the commission under Article XVI, Section 59, of the Texas Constitution, attach them to the bill to which they apply, and notify the journal clerk that the recommendations have been filed;

(6) forward to the committee chair a certified copy of each legislative document referred to a committee along with certified copies of all official attachments to the document;

1 (7) have printed and distributed correct copies of all
2 legislative documents, as provided in the subchapter on printing,
3 and keep an exact record of the date and hour of transmittal to the
4 printer, return from the printer, and distribution of the document
5 to members of the house with that information time-stamped on the
6 originals of the document;

7 (8) certify the passage of bills and resolutions,
8 noting on them the date of passage and the vote by which passed,
9 including the yeas and nays if a record of the yeas and nays is
10 ordered;

11 (9) be responsible for engrossing all house bills and
12 resolutions that have passed second reading and those that have
13 passed third reading, and for enrolling all house bills and
14 resolutions that have passed both houses.

15 All engrossed and enrolled documents shall be prepared
16 without erasures, interlineations, or additions in the margin.

17 House concurrent resolutions passed without amendment
18 shall not be engrossed but shall be certified and forwarded
19 directly to the senate.

20 Engrossed riders may be used in lieu of full engrossment
21 on second reading passage;

22 (10) be authorized to amend the caption to conform to
23 the body of each house bill and joint resolution ordered engrossed
24 or enrolled;

25 (11) be responsible for noting on each house bill or
26 joint resolution, for certification by the speaker of the house,
27 the lieutenant governor, the chief clerk of the house, and the

1 secretary of the senate, the following information:

2 (A) date of final passage, and the vote on final
3 passage, including the yeas and nays if a record of the yeas and
4 nays is ordered. If the bill was amended in the senate, this fact
5 shall also be noted;

6 (B) date of concurrence by the house in senate
7 amendments, and the vote on concurrence, including the yeas and
8 nays if a record of the yeas and nays is ordered;

9 (C) date of adoption by each house of a
10 conference committee report and the vote on adoption, including the
11 yeas and nays if a record of the yeas and nays is ordered;

12 (D) that a bill containing an appropriation was
13 passed subject to the provisions of Article III, Section 49a, of the
14 Texas Constitution; and

15 (E) that a concurrent resolution was adopted by
16 both houses directing the correction of an enrolled bill, if
17 applicable;

18 (12) transmit over signature all messages from the
19 house to the senate, including typewritten copies of amendments to
20 senate bills;

21 (13) prepare copies of senate amendments to house
22 bills for the journal before the amendments and the bill or
23 resolution to which they relate are sent to the printer or to the
24 speaker;

25 (14) notify the speaker in writing that the senate did
26 not concur in house amendments to a bill or resolution and requests
27 a conference committee, and include in this notice the names of the

1 senate conferees;

2 (15) provide a certified copy of a house bill or
3 resolution which may be lost showing each parliamentary step taken
4 on the bill; and

5 (16) request fiscal notes on house bills and joint
6 resolutions with senate amendments and distribute fiscal notes on
7 house bills and joint resolutions with senate amendments and
8 conference committee reports as required by Rule 13, Sections 5 and
9 10.

10 (b) The chief clerk shall also:

11 (1) attest all writs, warrants and subpoenas issued by
12 order of the house;

13 (2) receive reports of select committees and forward
14 copies to the speaker and journal clerk;

15 (3) not later than 30 days after the close of each
16 session, acquire from each of the various clerks of the house,
17 except the journal clerk, all reports, records, bills, papers, and
18 other documents remaining in their possession and file them with
19 the Legislative Reference Library, unless otherwise provided by
20 law;

21 (4) receive and file all other documents required by
22 law or by the rules of the house;

23 (5) prepare a roster of members in order of seniority
24 showing the number of years of service of each member, as provided
25 in Rule 4, Section 2; and

26 (6) have posted the list of Items Eligible for
27 Consideration as required by the rules.

1 (c) The chief clerk shall also provide for the following to
2 be made available on the electronic legislative information system:

3 (1) all house calendars and lists of items eligible
4 for consideration and the time-stamp information for those
5 calendars and lists; and

6 (2) the time-stamp information for all official
7 printings of bills and resolutions.

8 (d) The chief clerk shall provide notice to a Capitol e-mail
9 address designated by each member when a new house calendar or list
10 of items eligible for consideration is posted on the electronic
11 legislative information system. If a member informs the chief
12 clerk that the member also desires to receive a paper copy of house
13 calendars or lists of items eligible for consideration, the chief
14 clerk shall place paper copies of those documents designated by the
15 member in the newspaper box of the member as soon as practicable
16 after the electronic copies are posted.

17 Sec. 2. JOURNAL CLERK. (a) The journal clerk shall:

18 (1) keep a journal of the proceedings of the house,
19 except when the house is acting as a committee of the whole, and
20 enter the following:

21 (A) the number, author, and caption of every bill
22 introduced;

23 (B) descriptions of all congratulatory and
24 memorial resolutions on committee report, motions, amendments,
25 questions of order and decisions on them, messages from the
26 governor, and messages from the senate;

27 (C) the summaries of congratulatory and memorial

1 resolutions, as printed on the congratulatory and memorial
2 calendar;

3 (D) the number of each bill, joint resolution,
4 and concurrent resolution signed in the presence of the house;

5 (E) a listing of reports made by standing
6 committees;

7 (F) reports of select committees, when ordered by
8 the house;

9 (G) every vote where a record of the yeas and nays
10 is ordered or registration of the house with a concise statement of
11 the action and the result;

12 (H) the names of all absentees, both excused and
13 not excused;

14 (I) senate amendments to house bills or
15 resolutions, when concurred in by the house;

16 (J) the date each bill is transmitted to the
17 governor;

18 (K) the date recommendations of the Texas
19 Commission on Environmental Quality on each bill subject to Article
20 XVI, Section 59, of the Texas Constitution, are filed with the chief
21 clerk;

22 (L) all pairs as a part of a vote where a record
23 of the yeas and nays is ordered;

24 (M) reasons for a vote;

25 (N) the vote of a member on any question where a
26 record of the yeas and nays has not been ordered;

27 (O) the statement of a member who was absent when

1 a vote was taken indicating how the member would have voted; and

2 (P) official state documents, reports, and other
3 matters, when ordered by the house;

4 (2) prepare a daily journal for each calendar day that
5 the house is in session and distribute on the succeeding calendar
6 day or the earliest possible date copies to the members of the house
7 who have submitted requests to the journal clerk to receive a copy;
8 and

9 (3) prepare and have printed a permanent house journal
10 of regular and special sessions in accordance with the law and the
11 following provisions:

12 (A) When completed, no more than 300 copies shall
13 be bound and distributed as follows:

14 (i) one copy to each member of the house of
15 representatives who submitted a request to the journal clerk to
16 receive a copy;

17 (ii) one copy to each member of the senate
18 who submitted a request to the journal clerk to receive a copy; and

19 (iii) the remainder of the copies to be
20 distributed by the Committee on House Administration.

21 (B) The journal clerk shall not receive or
22 receipt for the permanent house journal until it has been correctly
23 published.

24 (b) The journal clerk shall lock the voting machine of each
25 member who is excused or who is otherwise known to be absent when
26 the house is in session until the member personally requests that
27 the machine be unlocked.

1 Sec. 3. READING CLERKS. The reading clerks, under the
2 supervision of the speaker, shall:

3 (1) call the roll of the house in alphabetical order
4 when ordered to do so by the speaker; and

5 (2) read all bills, resolutions, motions, and other
6 matters required by the rules or directed by the speaker.

7 Sec. 4. SERGEANT-AT-ARMS. The sergeant-at-arms shall:

8 (1) under the direction of the speaker, have charge of
9 and maintain order in the hall of the house, its lobbies and
10 galleries, and all other rooms in the capitol assigned for the use
11 of the house of representatives;

12 (2) attend the house and the committee of the whole
13 during all meetings and maintain order under the direction of the
14 speaker or other presiding officer;

15 (3) execute the commands of the house and serve the
16 writs and processes issued by the authority of the house and
17 directed by the speaker;

18 (4) supervise assistants to the sergeant-at-arms who
19 shall aid in the performance of prescribed duties and have the same
20 authority, subject to the control of the speaker;

21 (5) clear the floor of the house of all persons not
22 entitled to the privileges of the floor at least 30 minutes prior to
23 the convening of each session of the house;

24 (6) bring in absent members when so directed under a
25 call of the house;

26 (7) not allow the distribution of any printed matter
27 in the hall of the house, other than newspapers that have been

1 published at least once a week for a period of one year, unless it
2 first has been authorized in writing by at least one member of the
3 house and the name of the member appears on the printed matter. The
4 sergeant-at-arms shall refuse to accept for distribution any
5 printed matter which does not bear the name of the member or members
6 authorizing the distribution;

7 (8) keep a copy of written authorization and a record
8 of the matter distributed in the permanent files of the house;

9 (9) enforce parking regulations applicable to areas of
10 the capitol complex under the control of the house and supervise
11 parking attendants;

12 (10) provide for issuance of an identification card to
13 each member and employee of the house; and

14 (11) supervise the doorkeeper.

15 Sec. 5. DOORKEEPER. The doorkeeper, under the supervision
16 of the sergeant-at-arms, shall:

17 (1) enforce strictly the rules of the house relating
18 to privileges of the floor and perform other duties as directed by
19 the speaker;

20 (2) close the main entrance and permit no member to
21 leave the house without written permission from the speaker when a
22 call of the house or a call of the committee of the whole is ordered,
23 take up permission cards as members leave the hall, and take up
24 permission cards of those who are admitted to the floor of the house
25 under the rules and practice of the house;

26 (3) obtain recognition from the speaker and announce a
27 messenger from the governor or the senate on arrival at the bar of

1 the house; and

2 (4) obtain recognition from the speaker and announce
3 the arrival of the governor or the senate on arrival at the bar of
4 the house for official proceedings in the house.

5 Sec. 6. CHAPLAIN. The chaplain shall open the first
6 session on each calendar day with a prayer and shall perform such
7 other duties as directed by the Committee on House Administration.

8 Sec. 7. VOTING CLERK. The voting clerk, under the
9 supervision of the speaker, shall:

10 (1) open and close the voting machine on registrations
11 and record votes as ordered by the speaker;

12 (2) record votes from the floor as directed by the
13 speaker;

14 (3) prepare official copies of all record votes for
15 the journal; and

16 (4) make no additions, subtractions, or other changes
17 in any registration or record vote unless specifically granted
18 permission by the house or directed by the speaker prior to the
19 announcement of the final result.

20 Sec. 8. COMMITTEE COORDINATOR. The committee coordinator
21 shall:

22 (1) under the direction of the Committee on House
23 Administration, prepare a schedule for regular meetings of all
24 standing committees as provided by Rule 4, Section 8(a);

25 (2) post committee meeting notices, as directed by the
26 chair of a committee, in accordance with Rule 4, Section 11(a);

27 (3) maintain duplicate originals of committee minutes

1 as required by Rule 4, Sections 18(c) and (d);

2 (4) maintain sworn statements and, under the direction
3 of the Committee on House Administration, prescribe the form of
4 those statements, as required by Rule 4, Sections 20(a) and (c);

5 (5) receive and forward impact statements as required
6 by Rule 4, Section 34(e);

7 (6) receive committee reports as required by Rule 4,
8 Section 37, and refer them for printing as provided by Rule 6,
9 Section 19; and

10 (7) receive and distribute the recommendations and
11 final reports of interim study committees as provided by Rule 4,
12 Section 61.

13 Sec. 9. PARLIAMENTARIAN. (a) The parliamentarian is an
14 officer of the house who serves at the pleasure of the speaker. The
15 parliamentarian shall advise and assist the presiding officer and
16 the members of the house on matters of procedure. The
17 parliamentarian has a duty of confidentiality to the speaker and to
18 each member of the house and shall keep confidential all requests
19 made by members of the house for advice or guidance regarding
20 procedure unless the parties otherwise agree.

21 (b) After the initial appointment of a parliamentarian by
22 the speaker, the appointment of a new parliamentarian to fill a
23 vacancy must be approved by a majority of the membership of the
24 house if the appointment is made during a regular or special
25 session. If the appointment to fill the vacancy is made when the
26 house is not in session, the appointment must be approved by a
27 majority of the membership not later than the third day of the first

1 special session that occurs after the date the appointment is made.
2 If no special session occurs after the appointment, approval by the
3 membership is not required.

4 (c) In the event of a conflict between this section and the
5 housekeeping resolution, this section controls.

6 CHAPTER B. OTHER EMPLOYEES

7 Sec. 10. LEGISLATIVE COUNCIL EMPLOYEES: CONFIDENTIALITY.

8 (a) Communications between an attorney employed by the Texas
9 Legislative Council and the speaker, another member of the house,
10 or an employee of a member or committee of the house are
11 confidential in accordance with the rules and laws concerning
12 attorney-client privilege.

13 (b) Communications between any employee of the Texas
14 Legislative Council and the speaker, another member of the house,
15 or an employee of a member or committee of the house are
16 confidential. The General Investigating and Ethics Committee of
17 the House may investigate an alleged violation of this subsection.

18 (c) This section does not prohibit the speaker, member, or
19 committee from waiving a privilege as otherwise permitted by law or
20 from waiving confidentiality under this section.

1 (1) all bills and resolutions appropriating money from
2 the state treasury;

3 (2) all bills and resolutions containing provisions
4 resulting in automatic allocation of funds from the state treasury;

5 (3) [~~all matters related to federal economic stimulus~~
6 ~~legislation,~~

7 [~~(4)~~] all bills and resolutions diverting funds from
8 the state treasury or preventing funds from going in that otherwise
9 would be placed in the state treasury; and

10 (4) [~~(5)~~] all matters pertaining to claims and
11 accounts filed with the legislature against the state unless
12 jurisdiction over those bills and resolutions is specifically
13 granted by these rules to some other standing committee.

14 (b) The appropriations committee may comment upon any bill
15 or resolution containing a provision resulting in an automatic
16 allocation of funds.

17 Sec. 3 [~~4~~]. BUSINESS AND INDUSTRY. The committee shall
18 have seven [~~nine~~] members, with jurisdiction over all matters
19 pertaining to:

20 (1) industry and manufacturing;

21 (2) industrial safety and adequate and safe working
22 conditions, and the regulation and control of those conditions;

23 (3) hours, wages, collective bargaining, and the
24 relationship between employers and employees;

25 (4) the regulation of business transactions and
26 transactions involving property interests;

27 (5) the organization, incorporation, management, and

1 regulation of private corporations and professional associations
2 and the Uniform Commercial Code and the Texas Revised Limited
3 Partnership Act;

4 (6) the protection of consumers, governmental
5 regulations incident thereto, the agencies of government
6 authorized to regulate such activities, and the role of the
7 government in consumer protection;

8 (7) privacy and identity theft;

9 (8) homeowners' associations;

10 (9) oversight and regulation of the construction
11 industry; and

12 (10) the following state agencies: the State Office of
13 Risk Management, the Risk Management Board, the Division of
14 Workers' Compensation of the Texas Department of Insurance, the
15 workers' compensation research and evaluation group in the Texas
16 Department of Insurance, the Office of Injured Employee Counsel,
17 including the ombudsman program of that office, and the Texas
18 Mutual Insurance Company Board of Directors.

19 Sec. 4 [~~5~~]. CALENDARS (PROCEDURAL). The committee shall
20 have 15 members, with jurisdiction over:

21 (1) the placement of bills and resolutions on
22 appropriate calendars, except those within the jurisdiction of the
23 Committee on Rules and Resolutions;

24 (2) the determination of priorities and proposal of
25 rules for floor consideration of such bills and resolutions; and

26 (3) all other matters concerning the calendar system
27 and the expediting of the business of the house as may be assigned

1 by the speaker.

2 Sec. 5 [~~6~~]. CORRECTIONS. The committee shall have seven
3 [~~nine~~] members, with jurisdiction over all matters pertaining to:

4 (1) the incarceration and rehabilitation of convicted
5 felons;

6 (2) the establishment and maintenance of programs that
7 provide alternatives to incarceration;

8 (3) the commitment and rehabilitation of youths;

9 (4) the construction, operation, and management of
10 correctional facilities of the state and facilities used for the
11 commitment and rehabilitation of youths;

12 (5) juvenile delinquency and gang violence;

13 (6) criminal law, prohibitions, standards, and
14 penalties as applied to juveniles;

15 (7) criminal procedure in the courts of Texas as it
16 relates to juveniles; and

17 (8) the following state agencies: the Texas
18 Department of Criminal Justice, the Special Prosecution Unit, the
19 Board of Pardons and Paroles, the Texas Juvenile Justice Board, the
20 Texas Juvenile Justice Department [~~Youth Commission~~], the Office of
21 Independent Ombudsman for [~~of~~] the Texas Juvenile Justice
22 Department [~~Youth Commission~~], the Council on Sex Offender
23 Treatment, the Texas Correctional Office on Offenders with Medical
24 or Mental Impairments, [~~the Texas Juvenile Probation Commission,~~]
25 and the Advisory Council on Juvenile Services.

26 Sec. 6 [~~7~~]. COUNTY AFFAIRS. The committee shall have nine
27 members, with jurisdiction over all matters pertaining to:

1 (1) counties, including their organization, creation,
2 boundaries, government, and finance and the compensation and duties
3 of their officers and employees;

4 (2) establishing districts for the election of
5 governing bodies of counties;

6 (3) regional councils of governments;

7 (4) multicounty boards or commissions;

8 (5) relationships or contracts between counties;

9 (6) other units of local government not otherwise
10 assigned by these rules to other standing committees; and

11 (7) the following state agency: the Commission on
12 Jail Standards.

13 Sec. 7 [~~8~~]. CRIMINAL JURISPRUDENCE. The committee shall
14 have nine members, with jurisdiction over all matters pertaining
15 to:

16 (1) criminal law, prohibitions, standards, and
17 penalties;

18 (2) probation and parole;

19 (3) criminal procedure in the courts of Texas;

20 (4) revision or amendment of the Penal Code; and

21 (5) the following state agencies: the Office of State
22 Prosecuting Attorney and the Texas State Council for Interstate
23 Adult Offender Supervision.

24 Sec. 8 [~~9~~]. CULTURE, RECREATION, AND TOURISM. The
25 committee shall have seven [~~nine~~] members, with jurisdiction over:

26 (1) the creation, operation, and control of state
27 parks, including the development, maintenance, and operation of

1 state parks in connection with the sales and use tax imposed on
2 sporting goods, but not including any matter within the
3 jurisdiction of the Committee on Appropriations;

4 (2) the regulation and control of the propagation and
5 preservation of wildlife and fish in the state;

6 (3) the development and regulation of the fish and
7 oyster industries of the state;

8 (4) hunting and fishing in the state, and the
9 regulation and control thereof, including the imposition of fees,
10 fines, and penalties relating to that regulation;

11 (5) the regulation of other recreational activities;

12 (6) cultural resources and their promotion,
13 development, and regulation;

14 (7) historical resources and their promotion,
15 development, and regulation;

16 (8) promotion and development of Texas' image and
17 heritage;

18 (9) preservation and protection of Texas' shrines,
19 monuments, and memorials;

20 (10) international and interstate tourist promotion
21 and development;

22 (11) the Texas Economic Development and Tourism Office
23 as it relates to the subject-matter jurisdiction of this committee;

24 (12) the Gulf States Marine Fisheries Compact; and

25 (13) the following state agencies: the Parks and
26 Wildlife Department, the Texas Commission on the Arts, the State
27 Cemetery Committee, the Texas State Library and Archives

1 Commission, the Texas Historical Commission, the State
2 Preservation Board, the San Jacinto Historical Advisory Board, and
3 an office of state government to the extent the office promotes the
4 Texas music industry.

5 Sec. 9 [~~10~~]. DEFENSE AND VETERANS' AFFAIRS. The committee
6 shall have nine members, with jurisdiction over all matters
7 pertaining to:

8 (1) the relations between the State of Texas and the
9 federal government involving defense, emergency preparedness, and
10 veterans issues;

11 (2) the various branches of the military service of
12 the United States;

13 (3) the realignment or closure of military bases;

14 (4) the defense of the state and nation, including
15 terrorism response;

16 (5) emergency preparedness;

17 (6) veterans of military and related services; and

18 (7) the following state agencies: the Adjutant
19 General's Department, the Texas Veterans Commission, the Veterans'
20 Land Board, the Texas Military Preparedness Commission, the Texas
21 Division of Emergency Management, and the Emergency Management
22 Council.

23 Sec. 10 [~~11~~]. ECONOMIC AND SMALL BUSINESS DEVELOPMENT. (a)
24 The committee shall have nine [~~seven~~] members, with jurisdiction
25 over all matters pertaining to:

26 (1) workforce training;

27 (2) commerce, trade, and manufacturing;

- 1 (3) economic and industrial development;
- 2 (4) development and support of small businesses;
- 3 (5) job creation and job-training programs;
- 4 (6) hours, wages, collective bargaining, and the
5 relationship between employers and employees;
- 6 (7) unemployment compensation, including coverage,
7 benefits, taxes, and eligibility;
- 8 (8) labor unions and their organization, control,
9 management, and administration;
- 10 (9) weights and measures; and
- 11 (10) the following state agencies: the Texas Economic
12 Development and Tourism Office, the Texas Workforce Commission, and
13 the Texas Workforce Investment Council.

14 (b) The chair of the committee shall appoint a permanent
15 subcommittee on manufacturing consisting of not fewer than five
16 members to consider all matters pertaining to:

17 (1) manufacturing in the state, including the
18 state's manufacturing capability;

19 (2) advances in manufacturing science and
20 technology;

21 (3) the promotion of manufacturing research,
22 development, and technology transfers in the state; and

23 (4) matters related to cooperation of state and
24 local governments with the scientific, educational, and
25 manufacturing communities, including industry, institutions of
26 higher education, and federal or state experiment stations and
27 laboratories.

1 Sec. 11 [~~12~~]. ELECTIONS. The committee shall have seven
2 [~~nine~~] members, with jurisdiction over all matters pertaining to:

- 3 (1) the right of suffrage in Texas;
- 4 (2) primary, special, and general elections;
- 5 (3) revision, modification, amendment, or change of
6 the Election Code;
- 7 (4) the secretary of state in relation to elections;
- 8 (5) campaign finance;
- 9 (6) the duties and conduct of candidates for public
10 office and of persons with an interest in influencing public
11 policy; and
- 12 (7) the following state agencies: the Office of the
13 Secretary of State and the Texas Ethics Commission.

14 Sec. 12 [~~13~~]. ENERGY RESOURCES. The committee shall have
15 11 [~~nine~~] members, with jurisdiction over all matters pertaining
16 to:

- 17 (1) the conservation of the energy resources of Texas;
- 18 (2) the production, regulation, transportation, and
19 development of oil, gas, and other energy resources;
- 20 (3) mining and the development of mineral deposits
21 within the state;
- 22 (4) the leasing and regulation of mineral rights under
23 public lands;
- 24 (5) pipelines, pipeline companies, and all others
25 operating as common carriers in the state;
- 26 (6) electric utility regulation as it relates to
27 energy production and consumption;

1 (7) identifying, developing, and using alternative
2 energy sources;

3 (8) increasing energy efficiency throughout the
4 state; and

5 (9) the following state agencies: the Railroad
6 Commission of Texas, the Office of Interstate Oil Compact
7 Commissioner for Texas, the Office of Interstate Mining Compact
8 Commissioner for Texas, [~~the Texas Energy Coordination Council,~~]
9 the State Energy Conservation Office, and the Office of Southern
10 States Energy Board Member for Texas.

11 Sec. 13 [~~14~~]. ENVIRONMENTAL REGULATION. The committee
12 shall have nine members, with jurisdiction over all matters
13 pertaining to:

14 (1) air, land, and water pollution, including the
15 environmental regulation of industrial development;

16 (2) the regulation of waste disposal;

17 (3) environmental matters that are regulated by the
18 Department of State Health Services or the Texas Commission on
19 Environmental Quality;

20 (4) oversight of the Texas Commission on Environmental
21 Quality as it relates to environmental regulation; and

22 (5) the following state agency: the Texas Low-Level
23 Radioactive Waste Disposal Compact Commission.

24 Sec. 14 [~~15~~]. GENERAL INVESTIGATING AND ETHICS
25 (PROCEDURAL). (a) The General Investigating and Ethics Committee
26 shall have five members of the house appointed by the speaker. The
27 speaker shall appoint the chair and the vice-chair of the

1 committee.

2 (b) The committee has all the powers and duties of a general
3 investigating committee and shall operate as the general
4 investigating committee of the house according to the procedures
5 prescribed by Subchapter B, Chapter 301, Government Code, and the
6 rules of the house, as applicable.

7 (c) The committee has jurisdiction over all matters
8 pertaining to the conduct of and ethical standards applicable to
9 state and local government officers and employees.

10 Sec. 15 [~~16~~]. GOVERNMENT EFFICIENCY AND REFORM. The
11 committee shall have seven members, with jurisdiction over all
12 matters pertaining to:

13 (1) the organization, operation, powers, regulations,
14 and management of state departments, agencies, institutions, and
15 advisory committees;

16 (2) elimination of inefficiencies in the provision of
17 state services; [~~and~~]

18 (3) open government matters, including open records
19 and open meetings; and

20 (4) the Sunset Advisory Commission.

21 Sec. 16 [~~17~~]. HIGHER EDUCATION. The committee shall have
22 nine members, with jurisdiction over all matters pertaining to:

23 (1) education beyond high school;

24 (2) the colleges and universities of the State of
25 Texas; and

26 (3) the following state agencies: the Texas
27 Engineering Experiment Station, the Texas Engineering Extension

1 Service, the Texas Higher Education Coordinating Board, the Texas
2 Guaranteed Student Loan Corporation, the State Medical Education
3 Board, the Prepaid Higher Education Tuition Board, and the Texas
4 Transportation Institute.

5 Sec. 17 [~~18~~]. HOMELAND SECURITY AND PUBLIC SAFETY. The
6 committee shall have nine members, with jurisdiction over all
7 matters pertaining to:

8 (1) law enforcement;

9 (2) the prevention of crime and the apprehension of
10 criminals;

11 (3) the provision of security services by private
12 entities;

13 (4) homeland security, including:

14 (A) the defense of the state and nation,
15 including terrorism response; and

16 (B) disaster mitigation, preparedness, response,
17 and recovery; and

18 (5) the following state agencies: the Commission on
19 Law Enforcement Officer Standards and Education, the Department of
20 Public Safety, the Texas Division of Emergency Management, the
21 Emergency Management Council, the Texas Forensic Science
22 Commission, the Texas Military Preparedness Commission, the Texas
23 Private Security Board, the Commission on State Emergency
24 Communications, and the Texas Crime Stoppers Council.

25 Sec. 18 [~~19~~]. HOUSE ADMINISTRATION (PROCEDURAL). (a) The
26 committee shall have 11 members, with jurisdiction over:

27 (1) administrative operation of the house and its

1 employees;

2 (2) the general house fund, with full control over all
3 expenditures from the fund;

4 (3) all property, equipment, and supplies obtained by
5 the house for its use and the use of its members;

6 (4) all office space available for the use of the house
7 and its members;

8 (5) the assignment of vacant office space, vacant
9 parking spaces, and vacant desks on the house floor to members with
10 seniority based on cumulative years of service in the house, except
11 that the committee may make these assignments based on physical
12 disability of a member where it deems proper;

13 (6) all admissions to the floor during sessions of the
14 house;

15 (7) all proposals to invite nonmembers to appear
16 before or address the house or a joint session;

17 (8) all radio broadcasting and televising, live or
18 recorded, of sessions of the house;

19 (9) the electronic recording of the proceedings of the
20 house of representatives and the custody of the recordings of
21 testimony before house committees, with authority to promulgate
22 reasonable rules, regulations, and conditions concerning the
23 safekeeping, reproducing, and transcribing of the recordings, and
24 the defraying of costs for transcribing the recordings, subject to
25 other provisions of these rules;

26 (10) all witnesses appearing before the house or any
27 committee thereof in support of or in opposition to any pending

1 legislative proposal; and

2 (11) the following state agency: the State
3 Preservation Board.

4 (b) The committee must vote to adopt the annual budget for
5 each house department.

6 Sec. 19 [~~20~~]. HUMAN SERVICES. The committee shall have
7 nine members, with jurisdiction over all matters pertaining to:

8 (1) welfare and rehabilitation programs and their
9 development, administration, and control;

10 (2) oversight of the Health and Human Services
11 Commission as it relates to the subject matter jurisdiction of this
12 committee;

13 (3) intellectual disabilities and the development of
14 programs incident thereto;

15 (4) the prevention and treatment of intellectual
16 disabilities; and

17 (5) the following state agencies: the Department of
18 Aging and Disability Services, the Department of Assistive and
19 Rehabilitative Services, the Department of Family and Protective
20 Services, the Texas State Board of Social Worker Examiners, the
21 Texas Council on Purchasing from People with Disabilities, and the
22 Texas State Board of Examiners of Professional Counselors.

23 Sec. 20 [~~21~~]. INSURANCE. The committee shall have nine
24 members, with jurisdiction over all matters pertaining to:

25 (1) insurance and the insurance industry;

26 (2) all insurance companies and other organizations of
27 any type writing or issuing policies of insurance in the State of

1 Texas, including their organization, incorporation, management,
2 powers, and limitations; and

3 (3) the following state agencies: the Texas
4 Department of Insurance, the Texas Health Benefits Purchasing
5 Cooperative, and the Office of Public Insurance Counsel.

6 Sec. 21 [~~3~~]. INTERNATIONAL TRADE [~~BORDER~~] AND
7 INTERGOVERNMENTAL AFFAIRS. The committee shall have seven [~~nine~~]
8 members, with jurisdiction over all matters pertaining to:

9 (1) the relations between the State of Texas and other
10 nations, including matters related to trade relations and
11 international trade zones;

12 (2) the relations between the State of Texas and the
13 federal government other than matters involving defense, emergency
14 preparedness, and veterans issues;

15 (3) the relations between the State of Texas and other
16 states of the United States;

17 (4) international commerce and trade, including the
18 regulation of persons participating in international commerce and
19 trade;

20 (5) international and border regions (as described in
21 Sections 2056.002(e)(2) and (3), Government Code) economic
22 development, public health and safety issues affecting the border,
23 tourist development, and goodwill, and economic development,
24 tourist development, and goodwill in other areas of the state that
25 have experienced a significant increase in the percentage of the
26 population that consists of immigrants from other nations,
27 according to the last two federal decennial censuses or another

1 reliable measure;

2 (6) the provision of public services to persons
3 residing in proximity to Texas' international border or in other
4 areas of the state that have experienced a significant increase in
5 the percentage of the population that consists of immigrants from
6 other nations, according to the last two federal decennial censuses
7 or another reliable measure; and

8 (7) the following state agency: the Office of
9 State-Federal Relations.

10 Sec. 22 [~~27~~]. [~~PENSIONS,~~] INVESTMENTS[~~7~~] AND FINANCIAL
11 SERVICES. The committee shall have seven [~~nine~~] members, with
12 jurisdiction over all matters pertaining to:

13 (1) banking and the state banking system;

14 (2) savings and loan associations;

15 (3) credit unions;

16 (4) the regulation of state and local bonded
17 indebtedness;

18 (5) the lending of money;

19 (6) [~~benefits or participation in benefits of a public~~
20 ~~retirement system and the financial obligations of a public~~
21 ~~retirement system,~~

22 [~~7~~] the regulation of securities and investments;

23 (7) [~~8~~] privacy and identity theft; and

24 (8) [~~9~~] the following state agencies: the Finance
25 Commission of Texas, the Credit Union Commission, the Office of
26 Consumer Credit Commissioner, the Office of Banking Commissioner,
27 the Texas Department of Banking, the Department of Savings and

1 Mortgage Lending, the Texas Treasury Safekeeping Trust Company, the
2 Texas Public Finance Authority, the Bond Review Board, [~~the Office~~
3 ~~of Fire Fighters' Pension Commissioner, the Board of Trustees of~~
4 ~~the Teacher Retirement System of Texas, the Board of Trustees of the~~
5 ~~Employees Retirement System of Texas, the Board of Trustees of the~~
6 ~~Texas County and District Retirement System, the Board of Trustees~~
7 ~~of the Texas Municipal Retirement System, the State Pension Review~~
8 ~~Board,~~] and the State Securities Board.

9 Sec. 23 [~~22~~]. JUDICIARY AND CIVIL JURISPRUDENCE. The
10 committee shall have nine [~~11~~] members, with jurisdiction over all
11 matters pertaining to:

- 12 (1) fines and penalties arising under civil laws;
- 13 (2) civil law, including rights, duties, remedies, and
14 procedures thereunder, and including probate and guardianship
15 matters;
- 16 (3) civil procedure in the courts of Texas;
- 17 (4) administrative law and the adjudication of rights
18 by administrative agencies;
- 19 (5) permission to sue the state;
- 20 (6) civil law as it relates to familial relationships,
21 including rights, duties, remedies, and procedures thereunder;
- 22 (7) uniform state laws;
- 23 (8) creating, changing, or otherwise affecting courts
24 of judicial districts of the state;
- 25 (9) establishing districts for the election of
26 judicial officers;
- 27 (10) the State Commission on Judicial Conduct;

1 (11) the Office of the Attorney General, including its
2 organization, powers, functions, and responsibilities;

3 (12) courts and court procedures except where
4 jurisdiction is specifically granted to some other standing
5 committee; and

6 (13) the following state agencies: the Supreme Court,
7 the Courts of Appeals, the Court of Criminal Appeals, the State
8 Commission on Judicial Conduct, the Office of Court Administration
9 of the Texas Judicial System, the State Law Library, the Texas
10 Judicial Council, the Guardianship Certification Board, the Office
11 of the Attorney General, the Court Reporters Certification Board,
12 the Board of Law Examiners, the State Bar of Texas, and the State
13 Office of Administrative Hearings.

14 Sec. 24 [~~23~~]. LAND AND RESOURCE MANAGEMENT. The committee
15 shall have nine members, with jurisdiction over all matters
16 pertaining to:

- 17 (1) the management of public lands;
18 (2) the power of eminent domain;
19 (3) annexation, zoning, and other governmental
20 regulation of land use; and

21 (4) the following state agencies: the School Land
22 Board, the Board for Lease of University Lands, [~~the Coastal~~
23 ~~Coordination Council,~~] and the General Land Office.

24 Sec. 25 [~~24~~]. LICENSING AND ADMINISTRATIVE PROCEDURES. The
25 committee shall have nine members, with jurisdiction over all
26 matters pertaining to:

- 27 (1) the oversight of businesses, industries, general

1 trades, and occupations regulated by this state;

2 (2) the regulation of greyhound and horse racing and
3 other gaming industries;

4 (3) regulation of the sale of intoxicating beverages
5 and local option control;

6 (4) the Alcoholic Beverage Code; and

7 (5) the following state agencies: the Texas
8 Department of Licensing and Regulation, the State Office of
9 Administrative Hearings, the Texas Board of Architectural
10 Examiners, the Texas State Board of Public Accountancy, the Texas
11 Real Estate Commission, the Texas State Board of Plumbing
12 Examiners, the Texas Board of Professional Engineers, the Real
13 Estate Research Center, the Texas Board of Professional Land
14 Surveying, the Texas Racing Commission, the Texas Appraiser
15 Licensing and Certification Board, the Texas Lottery Commission,
16 and the Texas Alcoholic Beverage Commission.

17 Sec. 26 [~~25~~]. LOCAL AND CONSENT CALENDARS (PROCEDURAL).

18 The committee shall have 13 [~~11~~] members, with jurisdiction over:

19 (1) the placement on appropriate calendars of bills
20 and resolutions that, in the opinion of the committee, are in fact
21 local or will be uncontested, and have been recommended as such by
22 the standing committee of original jurisdiction; and

23 (2) the determination of priorities for floor
24 consideration of bills and resolutions except those within the
25 jurisdiction of the Committee on Calendars.

26 Sec. 27 [~~26~~]. NATURAL RESOURCES. The committee shall have
27 11 members, with jurisdiction over all matters pertaining to:

1 (1) the conservation of the natural resources of
2 Texas;

3 (2) the control and development of land and water and
4 land and water resources, including the taking, storing, control,
5 and use of all water in the state, and its appropriation and
6 allocation;

7 (3) irrigation, irrigation companies, and irrigation
8 districts, and their incorporation, management, and powers;

9 (4) the creation, modification, and regulation of
10 groundwater conservation districts and the modification and
11 regulation of water supply districts, water control and improvement
12 districts, conservation and reclamation districts, and all similar
13 organs of local government dealing with water and water supply;

14 (5) oversight of the Texas Commission on Environmental
15 Quality as it relates to the regulation of water resources; and

16 (6) the following state agencies: the Office of
17 Canadian River Compact Commissioner for Texas, the Office of Pecos
18 River Compact Commissioner for Texas, the Office of Red River
19 Compact Commissioner for Texas, the Office of Rio Grande Compact
20 Commissioner for Texas, the Office of Sabine River Compact
21 Administrator for Texas, the Multi-State Water Resources Planning
22 Commission, and the Texas Water Development Board.

23 Sec. 28 [~~27~~]. PENSIONS [~~, INVESTMENTS, AND FINANCIAL~~
24 ~~SERVICES~~]. The committee shall have seven [~~nine~~] members, with
25 jurisdiction over all matters pertaining to:

26 (1) [~~banking and the state banking system,~~

27 [~~(2) savings and loan associations,~~

1 ~~[(3) credit unions,~~
2 ~~[(4) the regulation of state and local bonded~~
3 ~~indebtedness,~~
4 ~~[(5) the lending of money,~~
5 ~~[(6)]~~ benefits or participation in benefits of a
6 public retirement system and the financial obligations of a public
7 retirement system; and
8 (2) ~~[(7) the regulation of securities and~~
9 ~~investments,~~
10 ~~[(8) privacy and identity theft, and~~
11 ~~[(9)]~~ the following state agencies: ~~[the Finance~~
12 ~~Commission of Texas, the Credit Union Commission, the Office of~~
13 ~~Consumer Credit Commissioner, the Office of Banking Commissioner,~~
14 ~~the Texas Department of Banking, the Department of Savings and~~
15 ~~Mortgage Lending, the Texas Treasury Safekeeping Trust Company, the~~
16 ~~Texas Public Finance Authority, the Bond Review Board,~~] the Office
17 of Fire Fighters' Pension Commissioner, the Board of Trustees of
18 the Teacher Retirement System of Texas, the Board of Trustees of the
19 Employees Retirement System of Texas, the Board of Trustees of the
20 Texas County and District Retirement System, the Board of Trustees
21 of the Texas Municipal Retirement System, and the State Pension
22 Review Board~~[, and the State Securities Board]~~.

23 Sec. 29 ~~[28]~~. PUBLIC EDUCATION. The committee shall have
24 11 members, with jurisdiction over all matters pertaining to:

25 (1) the public schools and the public school system of
26 Texas and the financing thereof;

27 (2) the state programming of elementary and secondary

1 education for the public school system of Texas;

2 (3) proposals to create, change, or otherwise alter
3 school districts of the state; and

4 (4) the following state agencies: the State Board of
5 Education, the Texas Education Agency, the Office of Compact for
6 Education Commissioner for Texas, the Office of Southern Regional
7 Education Compact Commissioner for Texas, the Texas School for the
8 Blind and Visually Impaired, the State Board for Educator
9 Certification, and the Texas School for the Deaf.

10 Sec. 30 [~~29~~]. PUBLIC HEALTH. The committee shall have 11
11 members, with jurisdiction over all matters pertaining to:

12 (1) the protection of public health, including
13 supervision and control of the practice of medicine and dentistry
14 and other allied health services;

15 (2) mental health and the development of programs
16 incident thereto;

17 (3) the prevention and treatment of mental illness;

18 (4) oversight of the Health and Human Services
19 Commission as it relates to the subject matter jurisdiction of this
20 committee; and

21 (5) the following state agencies: the Department of
22 State Health Services, the Anatomical Board of the State of Texas,
23 the Texas Funeral Service Commission, the State Committee of
24 Examiners in the Fitting and Dispensing of Hearing Instruments, the
25 Texas Health Services Authority, the Texas Optometry Board, the
26 Radiation Advisory Board, the Texas State Board of Pharmacy, the
27 Interagency Obesity Council, the Texas Board of Nursing, the Texas

1 Board of Chiropractic Examiners, the Texas Board of Physical
2 Therapy Examiners, the Texas State Board of Podiatric Medical
3 Examiners, the Texas State Board of Examiners of Psychologists, the
4 State Board of Dental Examiners, the Texas Medical Board, the
5 Advisory Board of Athletic Trainers, the Dental Hygiene Advisory
6 Committee, the Cancer Prevention and Research Institute of Texas,
7 the Texas State Board of Acupuncture Examiners, the Health
8 Professions Council, the Office of Patient Protection, and the
9 Texas Board of Occupational Therapy Examiners.

10 Sec. 31 [~~30~~]. REDISTRICTING (PROCEDURAL). The committee
11 shall have nine [~~17~~] members, with jurisdiction over all matters
12 pertaining to:

13 (1) legislative districts, both house and senate, and
14 any changes or amendments;

15 (2) congressional districts, their creation, and any
16 changes or amendments;

17 (3) establishing districts for the election of
18 judicial officers or of governing bodies or representatives of
19 political subdivisions or state agencies as required by law; and

20 (4) preparations for the redistricting process.

21 Sec. 32 [~~31~~]. RULES AND RESOLUTIONS (PROCEDURAL). The
22 committee shall have 11 members, with jurisdiction over:

23 (1) Rules of Procedure of the House of
24 Representatives, and all proposed amendments;

25 (2) Joint Rules of the House and Senate, and all
26 proposed amendments;

27 (3) all procedures for expediting the business of the

1 house in an orderly and efficient manner;

2 (4) all resolutions to congratulate, memorialize, or
3 name mascots of the house; and

4 (5) other matters concerning rules, procedures, and
5 operation of the house assigned by the speaker.

6 Sec. 33. SPECIAL PURPOSE DISTRICTS. (a) The committee
7 shall have nine members, with jurisdiction over all matters
8 pertaining to:

9 (1) the creation of any special purpose district not
10 otherwise assigned by these rules to other standing committees,
11 including a hospital district, emergency services district, crime
12 control and prevention district, library district, public
13 improvement district, municipal management district, municipal
14 development district, irrigation district, water improvement
15 district, water control and improvement district, river authority,
16 or navigation district; and

17 (2) any other local government special purpose
18 district authorized or created under law that as the result of its
19 creation may levy or impose a tax, assessment, or fee for a special
20 purpose.

21 (b) In this section, "local government" means a political
22 subdivision of this state and includes a corporation or other
23 entity created by a political subdivision of this state.

24 Sec. 34 [32]. STATE AFFAIRS. The committee shall have 13
25 members, with jurisdiction over all matters pertaining to:

26 (1) questions and matters of state policy;

27 (2) the administration of state government;

- 1 (3) the organization, operation, powers, regulation,
2 and management of state departments, agencies, and institutions;
- 3 (4) the operation and regulation of public lands and
4 state buildings;
- 5 (5) the duties and conduct of officers and employees
6 of the state government;
- 7 (6) the operation of state government and its agencies
8 and departments; all of above except where jurisdiction is
9 specifically granted to some other standing committee;
- 10 (7) access of the state agencies to scientific and
11 technological information;
- 12 (8) the regulation and deregulation of electric
13 utilities and the electric industry;
- 14 (9) the regulation and deregulation of
15 telecommunications utilities and the telecommunications industry;
- 16 (10) electric utility regulation as it relates to
17 energy production and consumption;
- 18 (11) pipelines, pipeline companies, and all others
19 operating as common carriers in the state;
- 20 (12) the regulation and deregulation of other
21 industries jurisdiction of which is not specifically assigned to
22 another committee under these rules; and
- 23 (13) the following organizations and state agencies:
24 the Council of State Governments, the National Conference of State
25 Legislatures, the Office of the Governor, the Texas Facilities
26 Commission, the Department of Information Resources, the Inaugural
27 Endowment Fund Committee, the Sunset Advisory Commission, the

1 Public Utility Commission of Texas, and the Office of Public
2 Utility Counsel.

3 Sec. 35 [~~33~~]. TECHNOLOGY. The committee shall have five
4 members, with jurisdiction over all matters pertaining to:

5 (1) advances in science and technology, including in
6 telecommunications, electronic technology, and automated data
7 processing;

8 (2) the promotion of scientific research,
9 technological development, and technology transfer in the state;

10 (3) matters relating to cooperation of state and local
11 governments with the scientific and technological community,
12 including industry, institutions of higher education, and federal
13 governmental laboratories; and

14 (4) the Texas Emerging Technology Advisory Committee.

15 Sec. 36 [~~34~~]. TRANSPORTATION. The committee shall have 11
16 members, with jurisdiction over all matters pertaining to:

17 (1) commercial motor vehicles, both bus and truck, and
18 their control, regulation, licensing, and operation;

19 (2) the Texas highway system, including all roads,
20 bridges, and ferries constituting a part of the system;

21 (3) the licensing of private passenger vehicles to
22 operate on the roads and highways of the state;

23 (4) the regulation and control of traffic on the
24 public highways of the State of Texas;

25 (5) railroads, street railway lines, interurban
26 railway lines, steamship companies, and express companies;

27 (6) airports, air traffic, airlines, and other

1 organizations engaged in transportation by means of aerial flight;

2 (7) water transportation in the State of Texas, and
3 the rivers, harbors, and related facilities used in water
4 transportation and the agencies of government exercising
5 supervision and control thereover;

6 (8) the regulation of metropolitan transit; and

7 (9) the following state agencies: the Texas Department
8 of Motor Vehicles, the Texas Department of Transportation, and the
9 Texas Transportation Commission.

10 Sec. 37 [~~35~~]. URBAN AFFAIRS. The committee shall have
11 seven [~~nine~~] members, with jurisdiction over all matters pertaining
12 to:

13 (1) municipalities, including their creation,
14 organization, powers, government, and finance, and the
15 compensation and duties of their officers and employees;

16 (2) home-rule municipalities, their relationship to
17 the state, and their powers, authority, and limitations;

18 (3) the creation or change of metropolitan areas and
19 the form of government under which those areas operate;

20 (4) problems and issues particularly affecting
21 metropolitan areas of the state;

22 (5) other units of local government not otherwise
23 assigned by these rules to other standing committees;

24 (6) establishing districts for the election of
25 governing bodies of municipalities;

26 (7) land use regulation by municipalities; and

27 (8) the following state agencies: the Texas

1 Department of Housing and Community Affairs and the Texas
2 Commission on Fire Protection.

3 Sec. 38 [~~36~~]. WAYS AND MEANS. The committee shall have nine
4 [~~11~~] members, with jurisdiction over:

5 (1) all bills and resolutions proposing to raise state
6 revenue;

7 (2) all bills or resolutions proposing to levy state
8 taxes or other fees;

9 (3) all proposals to modify, amend, or change any
10 existing state tax or revenue statute;

11 (4) all proposals to regulate the manner of collection
12 of state revenues and taxes;

13 (5) all bills and resolutions containing provisions
14 resulting in automatic allocation of funds from the state treasury;

15 (6) all bills and resolutions diverting funds from the
16 state treasury or preventing funds from going in that otherwise
17 would be placed in the state treasury;

18 (7) all bills and resolutions proposing to permit a
19 local government to raise revenue;

20 (8) all bills and resolutions proposing to permit a
21 local government to levy or impose property taxes, sales and use
22 taxes, or other taxes and fees;

23 (9) all proposals to modify, amend, or change any
24 existing local government tax or revenue statute;

25 (10) all proposals to regulate the manner of
26 collection of local government revenues and taxes;

27 (11) all bills and resolutions relating to the

1 appraisal of property for taxation;

2 (12) all bills and resolutions relating to the Tax
3 Code; and

4 (13) the following state agencies: the Office of
5 Multistate Tax Compact Commissioner for Texas and the State
6 Comptroller of Public Accounts.

1 RULE 4. ORGANIZATION, POWERS, AND DUTIES OF COMMITTEES

2 CHAPTER A. ORGANIZATION

3 Sec. 1. COMMITTEES, MEMBERSHIP, AND JURISDICTION. Standing
4 committees of the house, and the number of members and general
5 jurisdiction of each, shall be as enumerated in Rule 3.

6 Sec. 2. DETERMINATION OF MEMBERSHIP. (a) Membership on
7 the standing committees shall be determined at the beginning of
8 each regular session in the following manner:

9 (1) For each standing substantive committee, a maximum
10 of one-half of the membership, exclusive of the chair and
11 vice-chair, shall be determined by seniority. The remaining
12 membership of the committee shall be appointed by the speaker.

13 (2) Each member of the house, in order of seniority,
14 may designate three committees on which he or she desires to serve,
15 listed in order of preference. The member is entitled to become a
16 member of the committee of his or her highest preference on which
17 there remains a vacant seniority position.

18 (3) If members of equal seniority request the same
19 committee, the speaker shall appoint the member from among those
20 requesting that committee. Seniority, as the term is used in this
21 subsection, shall mean years of cumulative service as a member of
22 the house of representatives.

23 (4) After each member of the house has selected one
24 committee on the basis of seniority, the remaining membership on
25 each standing committee shall be filled by appointment of the
26 speaker, subject to the limitations imposed in this chapter.

27 (5) Seniority shall not apply to a procedural

1 committee. For purposes of these rules, the procedural committees
2 are the Committee on Calendars, the Committee on Local and Consent
3 Calendars, the Committee on Rules and Resolutions, the General
4 Investigating and Ethics Committee, the Committee on House
5 Administration, and the Committee on Redistricting. The entire
6 membership of these committees shall be appointed by the speaker.

7 (6) In announcing the membership of committees, the
8 speaker shall designate those appointed by the speaker and those
9 acquiring membership by seniority.

10 (7) The speaker shall designate the chair and
11 vice-chair from the total membership of the committee.

12 (b) In the event of a vacancy in a representative district
13 that has not been filled at the time of the determination of the
14 membership of standing committees, the representative of the
15 district who fills that vacancy shall not be entitled to select a
16 committee on the basis of seniority. Committee appointments on
17 behalf of that district shall be designated by the district number.

18 (c) In the event that a member-elect of the current
19 legislature has not taken the oath of office by the end of the ninth
20 day of the regular session, the representative of that district
21 shall not be entitled to select a committee on the basis of
22 seniority. If the member-elect has not taken the oath of office by
23 the time committee appointments are announced, committee
24 appointments on behalf of that district shall be designated by
25 district number.

26 Sec. 3. RANKING OF COMMITTEE MEMBERS. Except for the chair
27 and vice-chair, members of a standing committee shall rank

1 according to their seniority.

2 Sec. 4. MEMBERSHIP RESTRICTIONS. (a) No member shall serve
3 concurrently on more than two standing substantive committees.

4 (b) A member serving as chair of the Committee on
5 Appropriations or the Committee on State Affairs may not serve on
6 any other substantive committee.

7 Sec. 5. VACANCIES ON COMMITTEES. Should a vacancy occur on
8 a standing, select, or interim committee subsequent to its
9 organization, the speaker shall appoint an eligible member to fill
10 the vacancy.

11 Sec. 6. DUTIES OF THE CHAIR. The chair of each committee
12 shall:

13 (1) be responsible for the effective conduct of the
14 business of the committee;

15 (2) appoint all subcommittees and determine the number
16 of members to serve on each subcommittee;

17 (3) in consultation with members of the committee,
18 schedule the work of the committee and determine the order in which
19 the committee shall consider and act on bills, resolutions, and
20 other matters referred to the committee;

21 (4) have authority to employ and discharge the staff
22 and employees authorized for the committee and have supervision and
23 control over all the staff and employees;

24 (5) direct the preparation of all committee reports.

25 No committee report shall be official until signed by the chair of
26 the committee, or by the person acting as chair, or by a majority of
27 the membership of the committee;

1 (6) determine the necessity for public hearings,
2 schedule hearings, and be responsible for directing the posting of
3 notice of hearings as required by the rules;

4 (7) preside at all meetings of the committee and
5 control its deliberations and activities in accordance with
6 acceptable parliamentary procedure; and

7 (8) have authority to direct the sergeant-at-arms to
8 assist, where necessary, in enforcing the will of the committee.

9 Sec. 7. BILL ANALYSES. Except for the general
10 appropriations bill, for each bill or joint resolution referred to
11 the committee, the staff of the committee shall be responsible for
12 distributing a copy of a bill analysis to each member of the
13 committee and to the author of a house measure or sponsor of a
14 senate measure at the earliest possible opportunity but not later
15 than the first time the measure is laid out in a committee meeting.
16 The author of the bill or joint resolution may request the Texas
17 Legislative Council to prepare an analysis for purposes of this
18 section suitable for distribution by committee staff to each member
19 of the committee.

20 CHAPTER B. PROCEDURE

21 Sec. 8. MEETINGS. (a) As soon as practicable after
22 standing committees are constituted and organized, the committee
23 coordinator, under the direction of the Committee on House
24 Administration, shall prepare a schedule for regular meetings of
25 all standing committees. This schedule shall be published in the
26 house journal and posted in a convenient and conspicuous place near
27 the entrance to the house and on other posting boards for committee

1 meeting notices, as determined necessary by the Committee on House
2 Administration. To the extent practicable during each regular
3 session, standing committees shall conduct regular committee
4 meetings in accordance with the schedule of meetings prepared by
5 the committee coordinator under the supervision of the Committee on
6 House Administration.

7 (b) Standing committees shall meet at other times as may be
8 determined by the committee, or as may be called by the chair.
9 Subcommittees of standing committees shall likewise meet at other
10 times as may be determined by the committee, or as may be called by
11 the chair of the committee or subcommittee.

12 (c) Committees shall also meet in such places and at such
13 times as the speaker may designate.

14 Sec. 9. MEETING WHILE HOUSE IN SESSION. No standing
15 committee or subcommittee shall meet during the time the house is in
16 session without permission being given by a majority vote of the
17 house. No standing committee or subcommittee shall conduct its
18 meeting on the floor of the house or in the house chamber while the
19 house is in session, but shall, if given permission to meet while
20 the house is in session, retire to a designated committee room for
21 the conduct of its meeting.

22 Sec. 10. PURPOSES FOR MEETING. A committee or a
23 subcommittee may be assembled for:

24 (1) a public hearing where testimony is to be heard,
25 and where official action may be taken, on bills, resolutions, or
26 other matters;

27 (2) a formal meeting where the committee may discuss

1 and take official action on bills, resolutions, or other matters
2 without testimony; and

3 (3) a work session where the committee may discuss
4 bills, resolutions, or other matters but take no formal action.

5 Sec. 11. POSTING NOTICE. (a) No committee or
6 subcommittee, including a calendars committee, shall assemble for
7 the purpose of a public hearing during a regular session unless
8 notice of the hearing has been posted in accordance with the rules
9 at least five calendar days in advance of the hearing. No committee
10 or subcommittee, including a calendars committee, shall assemble
11 for the purpose of a public hearing during a special session unless
12 notice of the hearing has been posted in accordance with the rules
13 at least 24 hours in advance of the hearing. The committee minutes
14 shall reflect the date of each posting of notice. Notice shall not
15 be required for a public hearing on a senate bill which is
16 substantially the same as a house bill that has previously been the
17 subject of a duly posted public hearing by the committee.

18 (b) No committee or subcommittee, including a calendars
19 committee, shall assemble for the purpose of a formal meeting or
20 work session during a regular or special session unless written
21 notice has been posted and transmitted to each member of the
22 committee two hours in advance of the meeting or an announcement has
23 been filed with the journal clerk and read by the reading clerk
24 while the house is in session.

25 (c) All committees meeting during the interim for the
26 purpose of a formal meeting, work session, or public hearing shall
27 post notice in accordance with the rules and notify members of the

1 committee at least five calendar days in advance of the meeting.

2 Sec. 12. MEETINGS OPEN TO THE PUBLIC. All meetings of a
3 committee or subcommittee, including a calendars committee, shall
4 be open to other members, the press, and the public unless
5 specifically provided otherwise by resolution adopted by the house.
6 However, the General Investigating and Ethics Committee or a
7 committee considering an impeachment, an address, the punishment of
8 a member of the house, or any other matter of a quasi-judicial
9 nature may meet in executive session for the limited purpose of
10 examining a witness or deliberating, considering, or debating a
11 decision, but no decision may be made or voted on except in a
12 meeting that is open to the public and otherwise in compliance with
13 the rules of the house.

14 Sec. 13. RULES GOVERNING OPERATIONS. (a) The Rules of
15 Procedure of the House of Representatives, and to the extent
16 applicable, the rules of evidence and procedure in the civil courts
17 of Texas, shall govern the hearings and operations of each
18 committee, including a calendars committee. Subject to the
19 foregoing, and to the extent necessary for orderly transaction of
20 business, each committee may promulgate and adopt additional rules
21 and procedures by which it will function.

22 (b) No standing committee, including a calendars committee,
23 or any subcommittee, shall adopt any rule of procedure, including
24 but not limited to an automatic subcommittee rule, which will have
25 the effect of thwarting the will of the majority of the committee or
26 subcommittee or denying the committee or subcommittee the right to
27 ultimately dispose of any pending matter by action of a majority of

1 the committee or subcommittee. A bill or resolution may not be laid
2 on the table subject to call in committee without a majority vote of
3 the committee.

4 Sec. 14. APPEALS FROM RULINGS OF THE CHAIR. Appeals from
5 rulings of the chair of a committee shall be in order if seconded by
6 three members of the committee, which may include the member making
7 the appeal. Procedure in committee following an appeal which has
8 been seconded shall be the same as the procedure followed in the
9 house in a similar situation.

10 Sec. 15. PREVIOUS QUESTION. Before the previous question
11 can be ordered in a committee, the motion therefor must be seconded
12 by not less than 4 members of a committee consisting of 21 or more
13 members, 3 members of a committee consisting of less than 21 members
14 and more than 10 members, or 2 members of a committee consisting of
15 10 members or less. If the motion is properly seconded and ordered
16 by a majority vote of the committee, further debate on the
17 proposition under consideration shall be terminated, and the
18 proposition shall be immediately put to a vote of the committee for
19 its action.

20 Sec. 16. QUORUM. A majority of a committee shall
21 constitute a quorum. No action or recommendation of a committee
22 shall be valid unless taken at a meeting of the committee with a
23 quorum actually present, and the committee minutes shall reflect
24 the names of those members of the committee who were actually
25 present. No committee report shall be made to the house nor shall
26 bills or resolutions be placed on a calendar unless ordered by a
27 majority of the membership of the committee, except as otherwise

1 provided in the rules, and a quorum of the committee must be present
2 when the vote is taken on reporting a bill or resolution, on placing
3 bills or resolutions on a calendar, or on taking any other formal
4 action within the authority of the committee. No committee report
5 shall be made nor shall bills or resolutions be placed on a calendar
6 except by record vote of the members of the committee, with the yeas
7 and nays to be recorded in the minutes of the committee. Proxies
8 cannot be used in committees.

9 Sec. 17. MOVING A CALL OF A COMMITTEE. (a) It shall be in
10 order to move a call of a committee at any time to secure and
11 maintain a quorum for any one or more of the following purposes:

12 (1) for the consideration of a specific bill,
13 resolution, or other matter;

14 (2) for a definite period of time; or

15 (3) for the consideration of any designated class of
16 bills or other matters.

17 (b) When a call of a committee is moved for one or more of
18 the foregoing purposes and seconded by two members, one of whom may
19 be the chair, and is ordered by a majority of the members present,
20 no member shall thereafter be permitted to leave the committee
21 meeting without written permission from the chair. After the call
22 is ordered, and in the absence of a quorum, the chair shall have the
23 authority to authorize the sergeant-at-arms to locate absent
24 members of the committee and to compel their attendance for the
25 duration of the call.

26 Sec. 18. MINUTES OF PROCEEDINGS. (a) For each committee,
27 including a calendars committee, the chair, or the member acting as

1 chair, shall keep complete minutes of the proceedings in committee,
2 which shall include:

3 (1) the time and place of each meeting of the
4 committee;

5 (2) a roll call to determine the members present at
6 each meeting of the committee, whether that meeting follows an
7 adjournment or a recess from a previous committee meeting;

8 (3) an accurate record of all votes taken, including a
9 listing of the yeas and nays cast on a record vote;

10 (4) the date of posting of notice of the meeting; and

11 (5) other information that the chair shall determine.

12 (b) The minutes for each public hearing of a committee shall
13 also include an attachment listing the names of the persons, other
14 than members of the legislature, and the persons or entities
15 represented by those persons, who were recognized by the chair to
16 address the committee. The attachment shall also list the name of
17 each person, other than a member of the legislature, who submitted
18 to the committee a sworn statement indicating that the person was
19 present in favor of, in opposition to, or without taking a position
20 on the measure or other matter, but who because of the person's
21 departure or other reason was not recognized by the chair to address
22 the committee; provided that the omission of the name of such a
23 person is not a sustainable question of order.

24 (c) Committee minutes shall be corrected only at the
25 direction of the chair as authorized by a majority vote of the
26 committee. Duplicate originals of committee minutes shall be
27 maintained, one to remain with the committee chair and the other to

1 be filed with the committee coordinator. The committee minutes of a
2 meeting of the Appropriations Committee on the general
3 appropriations bill must be filed with the committee coordinator
4 within five days of the committee meeting. All other committee
5 minutes must be filed with the committee coordinator within three
6 days of the committee meeting for a substantive committee, and
7 within one day of the committee meeting for a procedural committee.
8 If the date on which the committee minutes are due occurs on a
9 Saturday, Sunday, or holiday on which the house is not in session,
10 the committee minutes shall be filed on the following working day.
11 The time at which the minutes are filed shall be time-stamped on the
12 duplicate originals of the minutes that are filed with the
13 committee coordinator. The duplicate originals shall be available
14 at all reasonable business hours for inspection by members or the
15 public.

16 (d) The committee coordinator shall maintain the minutes
17 and records safe from loss, destruction, and alteration at all
18 times, and may, at any time, turn them, or any portion, over to the
19 Committee on House Administration.

20 Sec. 19. RECORDING OF TESTIMONY. All testimony before
21 committees and subcommittees shall be electronically recorded
22 under the direction of the Committee on House Administration.
23 Copies of the testimony may be released under guidelines
24 promulgated by the Committee on House Administration.

25 Sec. 20. SWORN STATEMENT OF WITNESSES. (a) The committee
26 coordinator, under the direction of the Committee on House
27 Administration, shall prescribe the form of a sworn statement to be

1 executed by all persons, other than members, who wish to be
2 recognized by the chair to address the committee. The statement
3 shall provide for showing at least:

4 (1) the committee or subcommittee;

5 (2) the name, address, and telephone number of the
6 person appearing;

7 (3) the person, firm, corporation, class, or group
8 represented;

9 (4) the type of business, profession, or occupation in
10 which the person is engaged, if the person is representing himself
11 or herself; and

12 (5) the matter before the committee on which the
13 person wishes to be recognized to address the committee and whether
14 for, against, or neutral on the matter.

15 (b) No person shall be recognized by the chair to address
16 the committee in favor of, in opposition to, or without taking a
17 position on a matter until the sworn statement has been filed with
18 the chair of the committee. The chair of the committee shall
19 indicate on the sworn statement whether the person completing the
20 statement was recognized to address the committee.

21 (c) All sworn statements for those persons recognized by the
22 chair to address the committee shall accompany the copy of the
23 minutes of the meeting filed with the committee coordinator.

24 (d) All persons, other than members, recognized by the chair
25 to address the committee shall give their testimony under oath, and
26 each committee may avail itself of additional powers and
27 prerogatives authorized by law.

1 (e) The committee shall ensure that an individual who is
2 blind receives any necessary assistance in executing the sworn
3 statement.

4 (f) The committee shall inform a witness who is blind which
5 members of the committee are present when the witness begins to
6 testify and shall inform the witness during the testimony of the
7 departure and arrival of committee members.

8 (g) The chair may recognize a witness who has been invited
9 by the committee to attend the meeting but is not present in the
10 same physical location as the committee to testify before the
11 committee through an Internet or other videoconferencing system if:

12 (1) the witness has executed a sworn statement under
13 this section;

14 (2) the witness has filed the statement or an
15 electronic copy of the statement with the chair before testifying;
16 and

17 (3) two-way communication has been enabled to allow
18 the witness to be clearly visible and audible to the committee
19 members and the committee members to be clearly visible and audible
20 to the witness.

21 Sec. 21. POWER TO ISSUE PROCESS AND SUMMON WITNESSES. (a)
22 By a record vote of not less than two-thirds of those present and
23 voting, a quorum being present, each standing committee shall have
24 the power and authority to issue process to witnesses at any place
25 in the State of Texas, to compel their attendance, and to compel the
26 production of all books, records, and instruments. If necessary to
27 obtain compliance with subpoenas or other process, the committee

1 shall have the power to issue writs of attachment. All process
2 issued by the committee may be addressed to and served by an agent
3 of the committee or a sergeant-at-arms appointed by the committee
4 or by any peace officer of the State of Texas. The committee shall
5 also have the power to cite and have prosecuted for contempt, in the
6 manner provided by law, anyone disobeying the subpoenas or other
7 process lawfully issued by the committee. The chair of the
8 committee shall issue, in the name of the committee, the subpoenas
9 and other process as the committee may direct.

10 (b) The chair may summon the governing board or other
11 representatives of a state agency to appear and testify before the
12 committee without issuing process under Subsection (a) of this
13 section. The summons may be communicated in writing, orally, or
14 electronically. If the persons summoned fail or refuse to appear,
15 the committee may issue process under Subsection (a) of this
16 section.

17 Sec. 22. MILEAGE AND PER DIEM FOR WITNESSES. Subject to
18 prior approval by the Committee on House Administration, witnesses
19 attending proceedings of any committee under process of the
20 committee shall be allowed the same mileage and per diem as are
21 allowed members of the committee when in a travel status, to be paid
22 out of the contingent expense fund of the house of representatives
23 on vouchers approved by the chair of the committee, the chair of the
24 Committee on House Administration, and the speaker of the house.

25 Sec. 23. POWER TO REQUEST ASSISTANCE OF STATE AGENCIES.
26 Each committee is authorized to request the assistance, when
27 needed, of all state departments, agencies, and offices, and it

1 shall be the duty of the departments, agencies, and offices to
2 assist the committee when requested to do so. Each committee shall
3 have the power and authority to inspect the records, documents, and
4 files of every state department, agency, and office, to the extent
5 necessary to the discharge of its duties within the area of its
6 jurisdiction.

7 Sec. 23A. ASSISTANCE OF OTHER MEMBERS OF LEGISLATURE. At a
8 meeting of a committee, the chair may recognize a member of the
9 house who is not a member of the committee to provide information to
10 the committee, and may recognize a member of the senate for that
11 purpose. Recognition is solely within the discretion of the chair
12 and is not subject to appeal by that member.

13 CHAPTER C. COMMITTEE FUNCTIONS

14 Sec. 24. INTERIM STUDIES. Standing committees, en banc or
15 by subcommittees, are hereby authorized to conduct studies that are
16 authorized by the speaker pursuant to Rule 1, Section 17. Studies
17 may not be authorized by resolution. The speaker may appoint public
18 citizens and officials of state and local governments to standing
19 committees to augment the membership for the purpose of interim
20 studies and shall provide a list of such appointments to the chief
21 clerk. The chair of the standing committee shall have authority to
22 name the subcommittees necessary and desirable for the conduct of
23 the interim studies and shall also prepare a budget for interim
24 studies for approval by the Committee on House Administration.

25 Sec. 25. MOTION PREVENTING REPORTING OR PLACEMENT ON A
26 CALENDAR. No motion is in order in a committee considering a bill,
27 resolution, or other matter that would prevent the committee from

1 reporting it back to the house or placing it on a calendar in
2 accordance with the Rules of the House.

3 Sec. 26. FINAL ACTION IN FORM OF REPORT. No action by a
4 committee on bills or resolutions referred to it shall be
5 considered as final unless it is in the form of a favorable report,
6 an unfavorable report, or a report of inability to recommend a
7 course of action.

8 Sec. 27. VOTE ON MOTION TO REPORT. Motions made in
9 committee to report favorably or unfavorably must receive
10 affirmative majority votes, majority negative votes to either
11 motion being insufficient to report. If a committee is unable to
12 agree on a recommendation for action, as in the case of a tie vote,
13 it should submit a statement of this fact as its report, and the
14 house shall decide, by a majority vote, the disposition of the
15 matter by one of the following alternatives:

16 (1) leave the bill in the committee for further
17 consideration;

18 (2) refer the bill to some other committee; or

19 (3) order the bill printed, in which case the bill
20 shall go to the Committee on Calendars for placement on a calendar
21 and for proposal of an appropriate rule for house consideration.

22 Sec. 28. MINORITY REPORTS. The report of a minority of a
23 committee shall be made in the same general form as a majority
24 report. No minority report shall be recognized by the house unless
25 it has been signed by not less than 4 members of a committee
26 consisting of 21 or more members, 3 members of a committee
27 consisting of less than 21 members and more than 10 members, or 2

1 members of a committee consisting of 10 or less members. Only
2 members who were present when the vote was taken on the bill,
3 resolution, or other matter being reported, and who voted on the
4 losing side, may sign a minority report. Notice of intention to
5 file a minority report shall be given to the assembled committee
6 after the vote on the bill, resolution, or other matter, and before
7 the recess or adjournment of the committee, provided ample
8 opportunity is afforded for the giving of notice; otherwise, notice
9 may be given in writing to the chief clerk within 24 hours after the
10 recess or adjournment of the committee.

11 Sec. 29. ACTION ON BILLS REPORTED UNFAVORABLY. If the
12 majority report on a bill is unfavorable, and a favorable minority
13 report is not signed in accordance with Section 28 of this rule and
14 filed with the chief clerk within two calendar days, exclusive of
15 Sunday and the date of committee action, the chief clerk shall file
16 the bill away as dead; except during the last 15 calendar days of a
17 regular session, or the last 7 calendar days of a special session,
18 when the chief clerk shall hold a bill only one calendar day,
19 exclusive of Sunday and the date of committee action, awaiting the
20 filing of a minority report before the bill is filed away as dead.
21 If the favorable minority report is properly signed and filed, the
22 chief clerk shall hold the bill for five legislative days,
23 exclusive of the legislative day in which the minority report was
24 filed, awaiting adoption by the house of a motion to print the bill
25 on minority report. If the motion to print is carried, the bill
26 shall be printed as if it had been reported favorably, and shall
27 then be immediately forwarded to the Committee on Calendars for

1 placement on a calendar and for proposal of an appropriate rule for
2 house consideration. If a motion to print a bill on minority report
3 is not made within the five legislative days authorized above, the
4 chief clerk shall file the bill away as dead. It shall not be in
5 order to move to recommit a bill adversely reported with no minority
6 report, except as provided in Section 30 of this rule. A two-thirds
7 vote of the house shall be required to print on minority report a
8 joint resolution proposing an amendment to the Constitution of
9 Texas.

10 Sec. 30. MAKING ADVERSE REPORTS WITHOUT HEARING THE
11 AUTHOR. No adverse report shall be made on any bill or resolution
12 by any committee without first giving the author or sponsor of the
13 bill an opportunity to be heard. If it becomes evident to the house
14 that a bill has been reported adversely without the author or
15 sponsor having had an opportunity to be heard as provided in this
16 section, the house may, by a majority vote, order the bill
17 recommitted even though no minority report was filed in the manner
18 prescribed by the rules. This provision shall have precedence over
19 Rule 7, Section 20.

20 Sec. 31. ADVERSE REPORTS ON LOCAL BILLS. If a local bill is
21 reported adversely, it shall be subject to the same rules that
22 govern other bills reported adversely.

23 Sec. 32. FORM OF REPORTS. (a) Reports of standing
24 committees on bills and resolutions shall be made in duplicate,
25 with one copy to be filed with the journal clerk for printing in the
26 journal and the other to accompany the original bill.

27 (b) All committee reports must be in writing and shall:

- 1 (1) be signed by the chair, or the member acting as
2 chair, or a majority of the membership of the committee;
- 3 (2) be addressed to the speaker;
- 4 (3) contain a statement of the recommendations of the
5 committee with reference to the matter which is the subject of the
6 report;
- 7 (4) contain the date the committee made its
8 recommendation;
- 9 (5) indicate whether a copy of a bill or resolution was
10 forwarded to the Legislative Budget Board for preparation of a
11 fiscal note or other impact statement, if applicable;
- 12 (6) contain the record vote by which the report was
13 adopted, including the vote of each member of the committee;
- 14 (7) contain the recommendation that the bill or
15 resolution be sent to the Committee on Local and Consent Calendars
16 for placement on the local, consent, and resolutions calendar if
17 applicable;
- 18 (8) state the name of the primary house sponsor of all
19 senate bills and resolutions and indicate the names of all joint
20 sponsors or cosponsors;
- 21 (9) include a summary of the committee hearing on the
22 bill or resolution;
- 23 (10) include a list of the names of the persons, other
24 than members of the legislature, and persons or entities
25 represented by those persons, who submitted to the committee sworn
26 statements indicating that the persons were present in favor of, in
27 opposition to, or without taking a position on the bill or

1 resolution. The omission from the list of the name of a person who
2 submitted a sworn statement regarding a bill or resolution but who
3 was not recognized by the chair to address the committee is not a
4 sustainable question of order;

5 (11) for a joint resolution proposing a constitutional
6 amendment, include the bill number of any enabling legislation for
7 the constitutional amendment designated as such by the author or
8 sponsor of the joint resolution; and

9 (12) for a bill that is designated by the author or
10 sponsor of the bill as enabling legislation for a constitutional
11 amendment proposed by a joint resolution, include the number of the
12 joint resolution.

13 (c) Except for the general appropriations bill, each
14 committee report on a bill or joint resolution, including a
15 complete committee substitute, and, to the extent considered
16 necessary by the committee, a committee report on any other
17 resolution, must include in summary or section-by-section form a
18 detailed analysis of the subject matter of the bill or resolution,
19 specifically including:

20 (1) background information on the proposal and
21 information on what the bill or resolution proposes to do;

22 (2) an analysis of the content of the bill or
23 resolution, including a separate statement that lists each statute
24 or constitutional provision that is expressly repealed by the bill
25 or resolution;

26 (3) a statement indicating whether or not any
27 rulemaking authority is expressly delegated to a state officer,

1 department, agency, or institution, and, if so, identifying the
2 sections of the measure in which that rulemaking authority is
3 delegated;

4 (4) a statement of substantial differences between a
5 complete committee substitute and the original bill; and

6 (5) a brief explanation of each amendment adopted by
7 the committee.

8 (d) The author of a bill or resolution for which an analysis
9 is required by Subsection (c) of this section and the committee to
10 which the bill or resolution is referred may request the Texas
11 Legislative Council to prepare the analysis required by Subsection
12 (c) of this section.

13 (e) A committee chair shall provide to the author of a house
14 measure or sponsor of a senate measure a copy of the analysis
15 required by Subsection (c) of this section as soon as the analysis
16 is complete.

17 (f) A point of order raised as to a violation of Subsection
18 (c) of this section may be overruled if the analysis is not
19 materially or substantially misleading.

20 (g) It shall be the duty of the committee chair, on all
21 matters reported by the committee, to see that all provisions of
22 Rule 12 are satisfied. The chair shall strictly construe this
23 provision to achieve the desired purposes.

24 Sec. 33. FISCAL NOTES. (a) If the chair of a standing
25 committee determines that a bill or joint resolution, other than
26 the general appropriations bill, authorizes or requires the
27 expenditure or diversion of state funds for any purpose, the chair

1 shall send a copy of the measure to the Legislative Budget Board for
2 the preparation of a fiscal note outlining the fiscal implications
3 and probable cost of the measure.

4 (b) If the chair of a standing committee determines that a
5 bill or joint resolution has statewide impact on units of local
6 government of the same type or class and authorizes or requires the
7 expenditure or diversion of local funds, or creates or impacts a
8 local tax, fee, license charge, or penalty, the chair shall send a
9 copy of the measure to the Legislative Budget Board for the
10 preparation of a fiscal note outlining the fiscal implications and
11 probable cost of the measure.

12 (c) In preparing a fiscal note, the director of the
13 Legislative Budget Board may utilize information or data supplied
14 by any person, agency, organization, or governmental unit that the
15 director deems reliable. If the director determines that the fiscal
16 implications of the measure cannot be ascertained, the director
17 shall so state in the fiscal note and shall include in the note a
18 statement of the reasons the director is unable to ascertain the
19 fiscal implications of the measure, in which case the fiscal note
20 shall be in full compliance with the rules. If the director of the
21 Legislative Budget Board is unable to acquire or develop sufficient
22 information to prepare the fiscal note within 15 days of receiving
23 the measure from the chair of a committee, the director shall so
24 state in the fiscal note and shall include in the note a statement
25 of the reasons the director is unable to acquire or develop
26 sufficient information, in which case the note shall be in full
27 compliance with the rules.

1 (d) If the chair determines that a fiscal note is required,
2 copies of the fiscal note must be distributed to the members of the
3 committee not later than the first time the measure is laid out in a
4 committee meeting. The fiscal note shall be attached to the measure
5 on first printing. If the measure is amended by the committee so as
6 to alter its fiscal implications, the chair shall obtain an updated
7 fiscal note, which shall also be attached to the measure on first
8 printing.

9 (e) All fiscal notes shall remain with the measure
10 throughout the entire legislative process, including submission to
11 the governor.

12 Sec. 34. OTHER IMPACT STATEMENTS. (a) It is the intent of
13 this section that all members of the house are timely informed as to
14 the impact of proposed legislation on the state or other unit of
15 government.

16 (a-1) The chair of the appropriations committee shall send a
17 copy of the general appropriations bill to the Legislative Budget
18 Board for the preparation of a dynamic economic impact statement,
19 specifically including the number of state employees to be affected
20 and the estimated impact on private-sector employment in Texas as a
21 result of any change in state expenditures made by the bill as
22 compared to the biennium preceding the biennium to which the bill
23 applies.

24 (b) If the chair of a standing committee determines that a
25 bill or joint resolution:

26 (1) authorizes or requires a change in the sanctions
27 applicable to adults convicted of felony crimes, the chair shall

1 send a copy of the measure to the Legislative Budget Board for the
2 preparation of a criminal justice policy impact statement;

3 (2) authorizes or requires a change in the public
4 school finance system, the chair shall send a copy of the measure to
5 the Legislative Budget Board for the preparation of an equalized
6 education funding impact statement;

7 (3) proposes to change benefits or participation in
8 benefits of a public retirement system or change the financial
9 obligations of a public retirement system, the chair shall send a
10 copy of the measure to the Legislative Budget Board for the
11 preparation of an actuarial impact statement in cooperation with
12 the State Pension Review Board;

13 (4) proposes to create a water district under the
14 authority of Article XVI, Section 59, of the Texas Constitution,
15 the chair shall send a copy of the measure to the Legislative Budget
16 Board for the preparation of a water development policy impact
17 statement; or

18 (5) creates or impacts a state tax or fee, the chair
19 shall send a copy of the measure to the Legislative Budget Board for
20 the preparation of a tax equity note that estimates the general
21 effects of the proposal on the distribution of tax and fee burdens
22 among individuals and businesses.

23 (c) In preparing an impact statement, the director of the
24 Legislative Budget Board may utilize information or data supplied
25 by any person, agency, organization, or governmental unit that the
26 director deems reliable. If the director determines that the
27 particular implications of the measure cannot be ascertained, the

1 director shall so state in the impact statement, in which case the
2 impact statement shall be in full compliance with the rules.

3 (d) An impact statement is not required to be present before
4 a measure is laid out in a committee meeting. If timely received,
5 the impact statement shall be attached to the measure on first
6 printing. If the measure is amended by the committee so as to alter
7 its particular implications, the chair shall obtain an updated
8 impact statement. If timely received, the updated impact statement
9 shall also be attached to the measure on first printing.

10 (e) An impact statement that is received after the first
11 printing of a measure has been distributed to the members shall be
12 forwarded by the chair of the committee to the committee
13 coordinator. The committee coordinator shall have the impact
14 statement printed and distributed to the members.

15 (f) All impact statements received shall remain with the
16 measure throughout the entire legislative process, including
17 submission to the governor.

18 Sec. 35. REPORTS ON HOUSE AND CONCURRENT
19 RESOLUTIONS. Committee reports on house and concurrent
20 resolutions shall be made in the same manner and shall follow the
21 same procedure as provided for bills, subject to any differences
22 otherwise authorized or directed by the rules.

23 Sec. 36. ACTION BY HOUSE ON REPORTS NOT REQUIRED. No
24 action by the house is necessary on the report of a standing
25 committee. The bill, resolution, or proposition recommended or
26 reported by the committee shall automatically be before the house
27 for its consideration after the bill or resolution has been

1 referred to the appropriate calendars committee for placement on a
2 calendar and for proposal of an appropriate rule for house
3 consideration.

4 Sec. 37. REFERRAL OF REPORTS TO COMMITTEE COORDINATOR. All
5 committee reports on bills or resolutions shall be immediately
6 referred to the committee coordinator. The chair of the committee
7 shall be responsible for delivery of the report to the committee
8 coordinator.

9 Sec. 38. DELIVERY OF REPORTS TO CALENDARS
10 COMMITTEES. After printing, the chief clerk shall be responsible
11 for delivery of a certified copy of the committee report to the
12 appropriate calendars committee, which committee shall immediately
13 accept the bill or resolution for placement on a calendar and for
14 the proposal of an appropriate rule for house consideration.

15 Sec. 38A. NOTIFICATION OF SUNSET BILLS. The chief clerk
16 shall provide notice to each member at the member's designated
17 Capitol e-mail address when a committee report under Section 38 of
18 this rule on a bill extending an agency, commission, or advisory
19 committee under the Texas Sunset Act has been printed or posted and
20 is available to be distributed to the appropriate calendars
21 committee.

22 Sec. 39. COMMITTEE AMENDMENTS. No committee shall have the
23 power to amend, delete, or change in any way the nature, purpose, or
24 content of any bill or resolution referred to it, but may draft and
25 recommend amendments to it, which shall become effective only if
26 adopted by a majority vote of the house.

27 Sec. 40. SUBSTITUTES. The committee may adopt and report a

1 complete germane committee substitute containing the title,
2 enacting clause, and text of the bill in lieu of an original bill,
3 in which event the complete substitute bill on committee report
4 shall be laid before the house and shall be the matter then before
5 the house for its consideration, instead of the original bill. If
6 the substitute bill is defeated at any legislative stage, the bill
7 is considered not passed.

8 Sec. 41. GERMANENESS OF SUBSTITUTE. If a point of order is
9 raised that a complete committee substitute is not germane, in
10 whole or in part, and the point of order is sustained, the committee
11 substitute shall be returned to the Committee on Calendars, which
12 may have the original bill printed and distributed and placed on a
13 calendar in lieu of the substitute or may return the original bill
14 to the committee from which it was reported for further action.

15 Sec. 42. AUTHOR'S RIGHT TO OFFER AMENDMENTS TO
16 REPORT. Should the author or sponsor of the bill, resolution, or
17 other proposal not be satisfied with the final recommendation or
18 form of the committee report, the member shall have the privilege of
19 offering on the floor of the house such amendments or changes as he
20 or she considers necessary and desirable, and those amendments or
21 changes shall be given priority during the periods of time when
22 original amendments are in order under the provisions of Rule 11,
23 Section 7.

24 CHAPTER D. SUBCOMMITTEES

25 Sec. 43. JURISDICTION. Each committee is authorized to
26 conduct its activities and perform its work through the use of
27 subcommittees as shall be determined by the chair of the committee.

1 Subcommittees shall be created, organized, and operated in such a
2 way that the subject matter and work area of each subcommittee shall
3 be homogeneous and shall pertain to related governmental
4 activities. The size and jurisdiction of each subcommittee shall
5 be determined by the chair of the committee.

6 Sec. 44. MEMBERSHIP. The chair of each standing committee
7 shall appoint from the membership of the committee the members who
8 are to serve on each subcommittee. Any vacancy on a subcommittee
9 shall be filled by appointment of the chair of the standing
10 committee. The chair and vice-chair of each subcommittee shall be
11 named by the chair of the committee.

12 Sec. 45. RULES GOVERNING OPERATIONS. The Rules of
13 Procedure of the House of Representatives, to the extent
14 applicable, shall govern the hearings and operations of each
15 subcommittee. Subject to the foregoing, and to the extent
16 necessary for orderly transaction of business, each subcommittee
17 may promulgate and adopt additional rules and procedures by which
18 it will function.

19 Sec. 46. QUORUM. A majority of a subcommittee shall
20 constitute a quorum, and no action or recommendation of a
21 subcommittee shall be valid unless taken at a meeting with a quorum
22 actually present. All reports of a subcommittee must be approved by
23 record vote by a majority of the membership of the subcommittee.
24 Minutes of the subcommittee shall be maintained in a manner similar
25 to that required by the rules for standing committees. Proxies
26 cannot be used in subcommittees.

27 Sec. 47. POWER AND AUTHORITY. Each subcommittee, within

1 the area of its jurisdiction, shall have all of the power,
2 authority, and rights granted by the Rules of Procedure of the House
3 of Representatives to the standing committee, except subpoena
4 power, to the extent necessary to discharge the duties and
5 responsibilities of the subcommittee.

6 Sec. 48. REFERRAL OF PROPOSED LEGISLATION TO
7 SUBCOMMITTEE. All bills and resolutions referred to a standing
8 committee shall be reviewed by the chair to determine appropriate
9 disposition of the bills and resolutions. All bills and
10 resolutions shall be considered by the entire standing committee
11 unless the chair of that standing committee determines to refer the
12 bills and resolutions to subcommittee. If a bill or resolution is
13 referred by the chair of the standing committee to a subcommittee,
14 it shall be considered by the subcommittee in the same form in which
15 the measure was referred to the standing committee, and any action
16 taken by the standing committee on a proposed amendment or
17 committee substitute before a measure is referred to subcommittee
18 is therefore voided at the time the measure is referred to
19 subcommittee. The subcommittee shall be charged with the duty and
20 responsibility of conducting the hearing, doing research, and
21 performing such other functions as the subcommittee or its parent
22 standing committee may determine. All meetings of the subcommittee
23 shall be scheduled by the subcommittee chair, with appropriate
24 public notice and notification of each member of the subcommittee
25 under the same rules of procedure as govern the conduct of the
26 standing committee.

27 Sec. 49. REPORT BY SUBCOMMITTEE. At the conclusion of its

1 deliberations on a bill, resolution, or other matter referred to
2 it, the subcommittee may prepare a written report, comprehensive
3 in nature, for submission to the full committee. The report shall
4 include background material as well as recommended action and shall
5 be accompanied by a complete draft of the bill, resolution, or other
6 proposal in such form as the subcommittee shall determine.

7 Sec. 50. ACTION ON SUBCOMMITTEE REPORTS. Subcommittee
8 reports shall be directed to the chair of the committee, who shall
9 schedule meetings of the standing committee from time to time as
10 necessary and appropriate for the reception of subcommittee reports
11 and for action on reports by the standing committee. No
12 subcommittee report shall be scheduled for action by the standing
13 committee until at least 24 hours after a copy of the subcommittee
14 report is provided to each member of the standing committee.

15 CHAPTER E. COMMITTEES OF THE WHOLE HOUSE

16 Sec. 51. RESOLUTION INTO A COMMITTEE OF THE WHOLE
17 HOUSE. The house may resolve itself into a committee of the whole
18 house to consider any matter referred to it by the house. In
19 forming a committee of the whole house, the speaker shall vacate the
20 chair and shall appoint a chair to preside in committee.

21 Sec. 52. RULES GOVERNING OPERATIONS. The rules governing
22 the proceedings of the house and those governing committees shall
23 be observed in committees of the whole, to the extent that they are
24 applicable.

25 Sec. 53. MOTION FOR A CALL OF THE COMMITTEE OF THE
26 WHOLE. (a) It shall be in order to move a call of the committee of
27 the whole at any time to secure and maintain a quorum for the

1 following purposes:

2 (1) for the consideration of a certain or specific
3 matter; or

4 (2) for a definite period of time; or

5 (3) for the consideration of any designated class of
6 bills.

7 (b) When a call of the committee of the whole is moved and
8 seconded by 10 members, of whom the chair may be one, and is ordered
9 by majority vote, the main entrance of the hall and all other doors
10 leading out of the hall shall be locked, and no member shall be
11 permitted to leave the hall without written permission. Other
12 proceedings under a call of the committee shall be the same as under
13 a call of the house.

14 Sec. 54. HANDLING OF A BILL. A bill committed to a
15 committee of the whole house shall be handled in the same manner as
16 in any other committee. The body of the bill shall not be defaced or
17 interlined, but all amendments shall be duly endorsed by the chief
18 clerk as they are adopted by the committee, and so reported to the
19 house. When a bill is reported by the committee of the whole house
20 it shall be referred immediately to the appropriate calendars
21 committee for placement on the appropriate calendar and shall
22 follow the same procedure as any other bill on committee report.

23 Sec. 55. FAILURE TO COMPLETE WORK AT ANY SITTING. In the
24 event that the committee of the whole, at any sitting, fails to
25 complete its work on any bill or resolution under consideration for
26 lack of time, or desires to take any action on that measure that is
27 permitted under the rules for other committees, it may, on a motion

1 made and adopted by majority vote, rise, report progress, and ask
2 leave of the house to sit again generally, or at a time certain.

3 Sec. 56. REPORTS OF SELECT COMMITTEES. Reports of select
4 committees made during a session shall be filed with the chief clerk
5 and printed in the journal, unless otherwise determined by the
6 house.

7 CHAPTER F. INTERIM STUDY COMMITTEES

8 Sec. 57. INTERIM STUDIES. Pursuant to Rule 1, Section 17,
9 the speaker may create interim study committees to conduct studies
10 by issuing a proclamation for each committee, which shall specify
11 the issue to be studied, committee membership, and any additional
12 authority and duties. A copy of each proclamation creating an
13 interim study committee shall be filed with the chief clerk. An
14 interim study committee expires on release of its final report or
15 when the next legislature convenes, whichever is earlier. An
16 interim study committee may not be created by resolution.

17 Sec. 58. APPOINTMENT AND MEMBERSHIP. The speaker shall
18 appoint all members of an interim study committee, which may
19 include public citizens and officials of state and local
20 governments. The speaker shall also designate the chair and
21 vice-chair and may authorize the chair to create subcommittees and
22 appoint citizen advisory committees.

23 Sec. 59. RULES GOVERNING OPERATIONS. The rules governing
24 the proceedings of the house and those governing standing
25 committees shall be observed by an interim study committee, to the
26 extent that they are applicable. An interim study committee shall
27 have the power to issue process and to request assistance of state

1 agencies as provided for a standing committee in Sections 21, 22,
2 and 23 of this rule.

3 Sec. 60. FUNDING AND STAFF. An interim study committee
4 shall use existing staff resources of its members, standing
5 committees, house offices, and legislative service agencies. The
6 chair of an interim study committee shall prepare a detailed budget
7 for approval by the speaker and the Committee on House
8 Administration. An interim study committee may accept gifts,
9 grants, and donations for the purpose of funding its activities as
10 provided by Sections 301.032(b) and (c), Government Code.

11 Sec. 61. STUDY REPORTS. (a) The final report or
12 recommendations of an interim study committee shall be approved by
13 a majority of the committee membership. Dissenting members may
14 attach statements to the final report.

15 (b) An interim study committee shall submit the committee's
16 final report to the committee coordinator in the manner prescribed
17 by the committee coordinator. The committee coordinator shall:

18 (1) distribute copies of the final report to the
19 speaker, the Legislative Reference Library, and other appropriate
20 agencies; and

21 (2) make a copy of the final report available on the
22 house's Internet website.

23 (c) This section shall also apply to interim study reports
24 of standing committees.

25 Sec. 62. JOINT HOUSE AND SENATE INTERIM
26 STUDIES. Procedures may be established by a concurrent resolution
27 adopted by both houses, by which the speaker may authorize and

1 appoint, jointly with the senate, committees to conduct interim
2 studies. A copy of the authorization for and the appointments to a
3 joint interim study committee shall be filed with the chief clerk.
4 Individual joint interim study committees may not be authorized or
5 created by resolution.

1 RULE 5. FLOOR PROCEDURE

2 CHAPTER A. QUORUM AND ATTENDANCE

3 Sec. 1. QUORUM. Two-thirds of the house shall constitute a
4 quorum to do business.

5 Sec. 2. ROLL CALLS. On every roll call or registration,
6 the names of the members shall be called or listed, as the case may
7 be, alphabetically by surname, except when two or more have the same
8 surname, in which case the initials of the members shall be added.

9 Sec. 3. LEAVE OF ABSENCE. (a) No member shall be absent
10 from the sessions of the house without leave, and no member shall be
11 excused on his or her own motion.

12 (b) A leave of absence may be granted by a majority vote of
13 the house and may be revoked at any time by a similar vote.

14 (c) Any member granted a leave of absence due to a meeting of
15 a committee or conference committee that has authority to meet
16 while the house is in session shall be so designated on each roll
17 call or registration for which that member is excused.

18 Sec. 4. FAILURE TO ANSWER ROLL CALL. Any member who is
19 present and fails or refuses to record on a roll call after being
20 requested to do so by the speaker shall be recorded as present by
21 the speaker and shall be counted for the purpose of making a quorum.

22 Sec. 5. POINT OF ORDER OF "NO QUORUM." (a) The point of
23 order of "No Quorum" shall not be accepted by the chair if the last
24 roll call showed the presence of a quorum, provided the last roll
25 call was taken within two hours of the time the point of order is
26 raised.

27 (b) If the last roll call was taken more than two hours

1 before the point of order is raised, it shall be in order for the
2 member who raised the point of order to request a roll call. Such a
3 request must be seconded by 25 members. If the request for a roll
4 call is properly seconded, the chair shall order a roll call.

5 (c) Once a point of order has been made that a quorum is not
6 present, it may not be withdrawn after the absence of a quorum has
7 been ascertained and announced.

8 Sec. 6. MOTIONS IN ORDER WHEN QUORUM NOT PRESENT. If a
9 registration or record vote reveals that a quorum is not present,
10 only a motion to adjourn or a motion for a call of the house and the
11 motions incidental thereto shall be in order.

12 Sec. 7. MOTION FOR CALL OF THE HOUSE. It shall be in order
13 to move a call of the house at any time to secure and maintain a
14 quorum for one of the following purposes:

15 (1) for the consideration of a specific bill,
16 resolution, motion, or other measure;

17 (2) for the consideration of any designated class of
18 bills; or

19 (3) for a definite period of time.

20 Motions for, and incidental to, a call of the house are not
21 debatable.

22 Sec. 8. SECURING A QUORUM. When a call of the house is
23 moved for one of the above purposes and seconded by 15 members (of
24 whom the speaker may be one) and ordered by a majority vote, the
25 main entrance to the hall and all other doors leading out of the
26 hall shall be locked and no member permitted to leave the house
27 without the written permission of the speaker. The names of members

1 present shall be recorded. All absentees for whom no sufficient
2 excuse is made may, by order of a majority of those present, be sent
3 for and arrested, wherever they may be found, by the
4 sergeant-at-arms or an officer appointed by the sergeant-at-arms
5 for that purpose, and their attendance shall be secured and
6 retained. The house shall determine on what conditions they shall
7 be discharged. Members who voluntarily appear shall, unless the
8 house otherwise directs, be immediately admitted to the hall of the
9 house and shall report their names to the clerk to be entered in the
10 journal as present.

11 Until a quorum appears, should the roll call fail to show one
12 present, no business shall be transacted, except to compel the
13 attendance of absent members or to adjourn. It shall not be in
14 order to recess under a call of the house.

15 Sec. 9. FOLLOWING ACHIEVEMENT OF A QUORUM. When a quorum
16 is shown to be present, the house may proceed with the matters on
17 which the call was ordered, or may enforce the call and await the
18 attendance of as many of the absentees as it desires. When the
19 house proceeds to the business on which the call was ordered, it
20 may, by a majority vote, direct the sergeant-at-arms to cease
21 bringing in absent members.

22 Sec. 10. REPEATING A RECORD VOTE. When a record vote
23 reveals the lack of a quorum, and a call is ordered to secure one, a
24 record vote shall again be taken when the house resumes business
25 with a quorum present.

26 CHAPTER B. ADMITTANCE TO HOUSE CHAMBER

27 Sec. 11. PRIVILEGES OF THE HOUSE FLOOR. Only the following

1 persons shall be entitled to the privileges of the floor of the
2 house when the house is in session: members of the house; employees
3 of the house when performing their official duties as determined by
4 the Committee on House Administration; members of the senate;
5 employees of the senate when performing their official duties; the
6 Governor of Texas and the governor's executive and administrative
7 assistant; the lieutenant governor; the secretary of state; duly
8 accredited reporters, photographers, correspondents, and
9 commentators of press, radio, and television who have complied with
10 Sections 20(a), (b), (c), and (d) of this rule; contestants in
11 election cases pending before the house; and immediate families of
12 the members of the legislature on such special occasions as may be
13 determined by the Committee on House Administration.

14 Sec. 12. ADMITTANCE WITHIN THE RAILING. Only the following
15 persons shall be admitted to the area on the floor of the house
16 enclosed by the railing when the house is in session: members of
17 the house; members of the senate; the governor; the lieutenant
18 governor; officers and employees of the senate and house when those
19 officers and employees are actually engaged in performing their
20 official duties as determined by the Committee on House
21 Administration; spouses of members of the house on such occasions
22 as may be determined by the Committee on House Administration; and,
23 within the area specifically designated for media representatives,
24 duly accredited reporters, photographers, correspondents, and
25 commentators of press, radio, and television who have complied with
26 Sections 20(a), (b), (c), and (d) of this rule.

27 Sec. 13. SOLICITORS AND COLLECTORS PROHIBITED. Solicitors

1 and collectors shall not be admitted to the floor of the house while
2 the house is in session.

3 Sec. 14. INVITATION TO ADDRESS THE HOUSE. A motion to
4 invite a person to address the house while it is in session shall be
5 in order only if the person invited is entitled to the privileges of
6 the floor as defined by Section 11 of this rule and if no business is
7 pending before the house.

8 Sec. 15. LOBBYING ON FLOOR. No one, except the governor or
9 a member of the legislature, who is lobbying or working for or
10 against any pending or prospective legislative measure shall be
11 permitted on the floor of the house or in the adjacent rooms while
12 the house is in session.

13 Sec. 16. SUSPENSION OF FLOOR PRIVILEGES. If any person
14 admitted to the floor of the house under the rules, except the
15 governor or a member of the legislature, lobbies or works for or
16 against any pending or prospective legislation or violates any of
17 the other rules of the house, the privileges extended to that person
18 under the rules shall be suspended by a majority vote of the
19 Committee on House Administration. The action of the committee
20 shall be reviewable by the house only if two members of the
21 committee request an appeal from the decision of the committee. The
22 request shall be in the form of a minority report and shall be
23 subject to the same rules that are applicable to minority reports on
24 bills. Suspension shall remain in force until the accused person
25 purges himself or herself and comes within the rules, or until the
26 house, by majority vote, reverses the action of the committee.

27 Sec. 17. MEMBERS LOUNGE PRIVILEGES. Only the following

1 persons shall be admitted to the members lounge at any
2 time: members of the house; members of the senate; and former
3 members of the house and senate who are not engaged in any form of
4 employment requiring them to lobby or work for or against any
5 pending or prospective legislative measures.

6 Sec. 18. FLOOR DUTIES OF HOUSE OFFICERS AND EMPLOYEES. It
7 shall be the duty of the Committee on House Administration to
8 determine what duties are to be discharged by officers and
9 employees of the house on the floor of the house, specifically in
10 the area enclosed by the railing, when the house is in session. It
11 shall be the duty of the speaker to see that the officers and
12 employees do not violate the regulations promulgated by the
13 Committee on House Administration.

14 Sec. 19. PROPER DECORUM. No person shall be admitted to,
15 or allowed to remain in, the house chamber while the house is in
16 session unless properly attired, and all gentlemen shall wear a
17 coat and tie. Food or beverage shall not be permitted in the house
18 chamber at any time, and no person carrying food or beverage shall
19 be admitted to the chamber, whether the house is in session or in
20 recess. Reading newspapers shall not be permitted in the house
21 chamber while the house is in session. Smoking is not permitted in
22 the member's lounge or bathrooms. The Committee on House
23 Administration shall designate an area for smoking that is easily
24 accessible to the house chamber.

25 Sec. 20. MEDIA ACCESS TO HOUSE CHAMBER. (a) When the
26 house is in session, no media representative shall be admitted to
27 the floor of the house or allowed its privileges unless the person

1 is a salaried staff correspondent, reporter, or photographer
2 regularly employed by a newspaper, a press association or news
3 service serving newspapers, a publication requiring telegraphic
4 coverage, or a duly licensed radio or television station or
5 network.

6 (b) Any media representative seeking admission to the floor
7 of the house under the provisions of Subsection (a) of this section
8 must present to the Committee on House Administration fully
9 accredited credentials from his or her employer certifying that the
10 media representative is engaged primarily in reporting the sessions
11 of the legislature. Regularly accredited media representatives who
12 have duly qualified under the provisions of this section may, when
13 requested to do so, make recommendations through their professional
14 committees to the Committee on House Administration as to the
15 sufficiency or insufficiency of the credentials of any person
16 seeking admission to the floor of the house under this section.

17 Every media representative, before being admitted to the
18 floor of the house during its sessions, shall file with the
19 Committee on House Administration a written statement showing the
20 paper or papers, press association, news service, publication
21 requiring telegraphic coverage, or radio or television station or
22 network which he or she represents and certifying that no part of
23 his or her salary for legislative coverage is paid by any person,
24 firm, corporation, or association except the listed news media
25 which he or she represents.

26 (c) If the Committee on House Administration determines
27 that a person's media credentials meet the requirements of this

1 section, the committee shall issue a pass card to the person. This
2 pass card must be presented to the doorkeeper each time the person
3 seeks admission to the floor of the house while the house is in
4 session. Pass cards issued under this section shall not be
5 transferable. Persons admitted to the floor of the house pursuant
6 to the provisions of this section shall work in appropriate
7 convenient seats or work stations in the house, which shall be
8 designated for that purpose by the Committee on House
9 Administration.

10 (d) Members of the house shall not engage in interviews and
11 press conferences on the house floor while the house is in session.
12 The Committee on House Administration is authorized to enforce this
13 provision and to prescribe such other regulations as may be
14 necessary and desirable to achieve these purposes. Persons
15 governed by this subsection shall be subject to the provisions of
16 Section 15 of this rule.

17 (e) Permission to make live or recorded television or radio
18 broadcasts in or from the house chamber while the house is in
19 session may be granted only by the Committee on House
20 Administration. The committee shall promulgate regulations
21 governing television or radio broadcasts, and such regulations
22 shall be printed as an addendum to the rules of the house. When
23 television or radio broadcasts from the floor of the house are
24 recommended by the Committee on House Administration, the
25 recommendation shall identify those persons in the technical crews
26 to whom pass cards to the floor of the house and galleries are to be
27 issued. Passes granted under this authority shall be subject to

1 revocation on the recommendation of the Committee on House
2 Administration. Each committee of the house shall have authority
3 to determine whether or not to permit television or radio
4 broadcasts of any of its proceedings.

5 Sec. 21. PUBLIC ADMISSION TO AND NONLEGISLATIVE USE OF THE
6 HOUSE CHAMBER. When the house is not in session, the floor of the
7 house shall remain open on days and hours determined by the
8 Committee on House Administration. By resolution, the house may
9 open the floor of the house during its sessions for the inauguration
10 of the governor and lieutenant governor and for such other public
11 ceremonies as may be deemed warranted.

12 CHAPTER C. SPEAKING AND DEBATE

13 Sec. 22. ADDRESSING THE HOUSE. When a member desires to
14 speak or deliver any matter to the house, the member shall rise and
15 respectfully address the speaker as "Mr. (or Madam) Speaker" and,
16 on being recognized, may address the house from the microphone at
17 the reading clerk's desk, and shall confine all remarks to the
18 question under debate, avoiding personalities.

19 Sec. 23. WHEN TWO MEMBERS RISE AT ONCE. When two or more
20 members rise at once, the speaker shall name the one who is to speak
21 first. This decision shall be final and not open to debate or
22 appeal.

23 Sec. 24. RECOGNITION. (a) Except as otherwise provided
24 by this section, there shall be no appeal from the speaker's
25 recognition, but the speaker shall be governed by rules and usage in
26 priority of entertaining motions from the floor. When a member
27 seeks recognition, the speaker may ask, "For what purpose does the

1 member rise?" or "For what purpose does the member seek
2 recognition?" and may then decide if recognition is to be granted,
3 except that the speaker shall recognize a member who seeks
4 recognition on a question of privilege.

5 (b) If the speaker denies recognition of a member who seeks
6 recognition on a question of privilege, other than a question of
7 privilege relating to the right of the house to remove the speaker
8 and elect a new speaker, the decision of recognition may be appealed
9 using the procedures provided in Rule 1, Section 9.

10 (c) If the speaker denies recognition of a member who seeks
11 recognition on a question of privilege relating to the right of the
12 house to remove the speaker and elect a new speaker, the member may
13 appeal the speaker's denial of recognition if the member submits to
14 the speaker a written request, signed by at least 76 members of the
15 house, to appeal the decision of recognition. Upon receiving a
16 request for appeal in accordance with this subsection, the speaker
17 shall announce the request to the house. The names of the members
18 who signed the request and the time that the announcement was made
19 shall be entered in the journal. The appeal of a decision of
20 recognition under this subsection is eligible for consideration 24
21 hours after the request for appeal has been announced in accordance
22 with this subsection. The appeal and consideration of the question
23 of privilege, if the appeal is successful, takes precedence over
24 all other questions except motions to adjourn.

25 Sec. 25. INTERRUPTION OF A MEMBER WHO HAS THE FLOOR. A
26 member who has the floor shall not be interrupted by another member
27 for any purpose, unless he or she consents to yield to the other

1 member. A member desiring to interrupt another in debate should
2 first address the speaker for the permission of the member
3 speaking. The speaker shall then ask the member who has the floor
4 if he or she wishes to yield, and then announce the decision of that
5 member. The member who has the floor may exercise personal
6 discretion as to whether or not to yield, and it is entirely within
7 the member's discretion to determine who shall interrupt and when.

8 Sec. 26. YIELDING THE FLOOR. A member who obtains the
9 floor on recognition of the speaker may not be taken off the floor
10 by a motion, even the highly privileged motion to adjourn, but if
11 the member yields to another to make a motion or to offer an
12 amendment, he or she thereby loses the floor.

13 Sec. 27. RIGHT TO OPEN AND CLOSE DEBATE. The mover of any
14 proposition, or the member reporting any measure from a committee,
15 or, in the absence of either of them, any other member designated by
16 such absentee, shall have the right to open and close the debate,
17 and for this purpose may speak each time not more than 20 minutes.

18 Sec. 28. TIME LIMITS ON SPEECHES. All speeches shall be
19 limited to 10 minutes in duration, except as provided in Section 27
20 of this rule, and the speaker shall call the members to order at the
21 expiration of their time. If the house by a majority vote extends
22 the time of any member, the extension shall be for 10 minutes only.
23 A second extension of time shall be granted only by unanimous
24 consent. During the last 10 calendar days of the regular session,
25 and the last 5 calendar days of a special session, Sundays excepted,
26 all speeches shall be limited to 10 minutes and shall not be
27 extended. The time limits established by this rule shall include

1 time consumed in yielding to questions from the floor.

2 Sec. 29. LIMIT ON NUMBER OF TIMES TO SPEAK. No member shall
3 speak more than twice on the same question without leave of the
4 house, nor more than once until every member choosing to speak has
5 spoken, nor shall any member be permitted to consume the time of
6 another member without leave of the house being given by a majority
7 vote.

8 Sec. 30. EFFECT OF ADJOURNMENT ON SPEAKING LIMIT. If a
9 pending question is not disposed of because of an adjournment of the
10 house, a member who has spoken twice on the subject shall not be
11 allowed to speak again without leave of the house.

12 Sec. 31. OBJECTION TO READING A PAPER. When the reading of
13 a paper is called for, and objection is made, the matter shall be
14 determined by a majority vote of the house, without debate.

15 Sec. 32. PASSING BETWEEN MICROPHONES DURING DEBATE. No
16 person shall pass between the front and back microphones during
17 debate or when a member has the floor and is addressing the house.

18 Sec. 33. TRANSGRESSION OF RULES WHILE SPEAKING. If any
19 member, in speaking or otherwise, transgresses the rules of the
20 house, the speaker shall, or any member may, call the member to
21 order, in which case the member so called to order shall immediately
22 be seated; however, that member may move for an appeal to the house,
23 and if appeal is duly seconded by 10 members, the matter shall be
24 submitted to the house for decision by majority vote. In such
25 cases, the speaker shall not be required to relinquish the chair, as
26 is required in cases of appeals from the speaker's decisions. The
27 house shall, if appealed to, decide the matter without debate. If

1 the decision is in favor of the member called to order, the member
2 shall be at liberty to proceed; but if the decision is against the
3 member, he or she shall not be allowed to proceed, and, if the case
4 requires it, shall be liable to the censure of the house, or such
5 other punishment as the house may consider proper.

6 Sec. 34. ELECTRONIC RECORDING OF ALL HOUSE PROCEEDINGS. (a)
7 All proceedings of the house of representatives shall be
8 electronically recorded under the direction of the Committee on
9 House Administration. Copies of the proceedings may be released
10 under guidelines promulgated by the Committee on House
11 Administration.

12 (b) Archived video broadcasts of proceedings in the house
13 chamber that are available through the house's Internet or intranet
14 website may, under the direction of the Committee on House
15 Administration, include a link to the point in time in the video
16 where each measure under consideration by the house is laid out.
17 Such a link shall be provided as soon as the committee determines is
18 practical.

19 CHAPTER D. QUESTIONS OF PRIVILEGE

20 Sec. 35. QUESTIONS OF PRIVILEGE DEFINED. Questions of
21 privilege shall be:

22 (1) those affecting the rights of the house
23 collectively, its safety and dignity, and the integrity of its
24 proceedings, including the right of the house to remove the speaker
25 and elect a new speaker; and

26 (2) those affecting the rights, reputation, and
27 conduct of members individually in their representative capacity

1 only.

2 Sec. 36. PRECEDENCE OF QUESTIONS OF PRIVILEGE. Questions
3 of privilege shall have precedence over all other questions except
4 motions to adjourn. When in order, a member may address the house
5 on a question of privilege, or may at any time print it in the
6 journal, provided it contains no reflection on any member of the
7 house.

8 Sec. 37. WHEN QUESTIONS OF PRIVILEGE NOT IN ORDER. (a) It
9 shall not be in order for a member to address the house on a question
10 of privilege:

11 (1) between the time an undebatable motion is offered
12 and the vote is taken on the motion;

13 (2) between the time the previous question is ordered
14 and the vote is taken on the last proposition included under the
15 previous question; or

16 (3) between the time a motion to table is offered and
17 the vote is taken on the motion.

18 (b) If a question of privilege relating to removal of the
19 speaker and election of a new speaker fails, a subsequent attempt to
20 remove the same speaker can be made only by reconsidering the vote
21 by which the original question of privilege failed. Such
22 reconsideration shall be subject to the rules of the house
23 governing reconsideration.

24 Sec. 38. CONFINING REMARKS TO QUESTION OF PRIVILEGE;
25 INTERRUPTIONS PROHIBITED. (a) When speaking on privilege,
26 members must confine their remarks within the limits of Section 35
27 of this rule, which will be strictly construed to achieve the

1 purposes hereof.

2 (b) When a member is speaking on privilege, the member shall
3 not be interrupted by another member for any purpose. While the
4 member is speaking, another member may submit a question of order to
5 the speaker in writing or by approaching the podium in person. The
6 member submitting the question of order shall not interrupt the
7 member who is speaking. The speaker may interrupt the member who is
8 speaking if the speaker determines it is appropriate to address the
9 question of order at that time.

10 Sec. 39. DISCUSSION OF MERITS OF MOTION FORBIDDEN. Merits
11 of a main or subsidiary motion shall not be discussed or debated
12 under the guise of speaking to a question of privilege.

13 CHAPTER E. VOTING

14 Sec. 40. RECORDING ALL VOTES ON VOTING MACHINE. On all
15 votes, except viva voce votes, members shall record their votes on
16 the voting machine and shall not be recognized by the chair to cast
17 their votes from the floor. If a member attempts to vote from the
18 floor, the speaker shall sustain a point of order directed against
19 the member's so doing. This rule shall not be applicable to the
20 mover or the principal opponent of the proposition being voted on
21 nor to a member whose voting machine is out of order. If a member
22 demands strict enforcement of this section, Section 47 shall not
23 apply to the taking of a vote, and the house may discipline a member
24 in violation of this rule pursuant to its inherent authority.

25 Sec. 41. REGISTRATION EQUIVALENT TO ROLL CALL VOTE. A
26 registration or vote taken on the voting machine of the house shall
27 in all instances be considered the equivalent of a roll call or yea

1 and nay vote, which might be had for the same purpose.

2 Sec. 42. DISCLOSURE OF PERSONAL OR PRIVATE INTEREST. Any
3 member who has a personal or private interest in any measure or bill
4 proposed or pending before the house shall disclose the fact and not
5 vote thereon.

6 Sec. 43. DIVIDING THE QUESTION. By a majority vote of the
7 house, a quorum being present, the question shall be divided, if it
8 includes propositions so distinct in substance that, one being
9 taken away, a substantive proposition remains. A motion for a
10 division vote cannot be made after the previous question has been
11 ordered, after a motion to table has been offered, after the
12 question has been put, nor after the yeas and nays have been
13 ordered. Under this subsection, the speaker may divide the
14 question into groups of propositions that are closely related.

15 Sec. 44. FAILURE OR REFUSAL TO VOTE. Any member who is
16 present and fails or refuses to vote after being requested to do so
17 by the speaker shall be recorded as present but not voting, and
18 shall be counted for the purpose of making a quorum.

19 Sec. 45. PRESENCE IN HOUSE REQUIRED IN ORDER TO VOTE. A
20 member must be on the floor of the house or in an adjacent room or
21 hallway on the same level as the house floor, in order to vote.

22 Sec. 46. LOCKING VOTING MACHINES OF ABSENT MEMBERS. During
23 each calendar day in which the house is in session, it shall be the
24 duty of the journal clerk to lock the voting machine of each member
25 who is excused or who is otherwise known to be absent. Each such
26 machine shall remain locked until the member in person contacts the
27 journal clerk and personally requests the unlocking of the machine.

1 Unless otherwise directed by the speaker, the journal clerk shall
2 not unlock any machine except at the personal request of the member
3 to whom the machine is assigned. Any violation, or any attempt by a
4 member or employee to circumvent the letter or spirit of this
5 section, shall be reported immediately to the speaker for such
6 disciplinary action by the speaker, or by the house, as may be
7 warranted under the circumstances.

8 Sec. 47. VOTING FOR ANOTHER MEMBER. Any member found
9 guilty by the house of knowingly voting for another member on the
10 voting machine without that other member's permission shall be
11 subject to discipline deemed appropriate by the house.

12 Sec. 48. INTERRUPTION OF A ROLL CALL. Once a roll call has
13 begun, it may not be interrupted for any reason. While a yea and nay
14 vote is being taken, or the vote is being counted, no member shall
15 visit the reading clerk's desk or the voting clerk's desk.

16 Sec. 49. EXPLANATION OF VOTE. (a) No member shall be
17 allowed to interrupt the vote or to make any explanation of a vote
18 that the member is about to give after the voting machine has been
19 opened, but may record in the journal the reasons for giving such a
20 vote.

21 (b) A "Reason for Vote" must be in writing and filed with the
22 journal clerk. If timely received, the "Reason for Vote" shall be
23 printed immediately following the results of the vote in the
24 journal. Otherwise, "Reasons for Vote" shall be printed in a
25 separate section at the end of the journal for the day on which the
26 reasons were recorded with the journal clerk. Such "Reason for
27 Vote" shall not deal in personalities or contain any personal

1 reflection on any member of the legislature, the speaker, the
2 lieutenant governor, or the governor, and shall not in any other
3 manner transgress the rules of the house relating to decorum and
4 debate.

5 (c) A member absent when a vote was taken may file with the
6 journal clerk while the house is in session a statement of how the
7 member would have voted if present. If timely received, the
8 statement shall be printed immediately following the results of the
9 vote in the journal. Otherwise, statements shall be printed in a
10 separate section at the end of the journal for the day on which the
11 statements were recorded with the journal clerk.

12 Sec. 50. PAIRS. (a) All pairs must be announced before the
13 vote is declared by the speaker, and a written statement sent to the
14 journal clerk. The statement must be signed by the absent member to
15 the pair, or the member's signature must have been authorized in
16 writing or by telephone, and satisfactory evidence presented to the
17 speaker if deemed necessary. If authorized in writing, the writing
18 shall be delivered to the chief clerk by personal delivery or by
19 commercially acceptable means of delivery, including electronic
20 transmission by PDF or similar secure format that is capable of
21 transmitting an accurate image of the member's signature. If
22 authorized by telephone, the call must be to and confirmed by the
23 chief clerk in advance of the vote to which it applies. Pairs shall
24 be entered in the journal, and the member present shall be counted
25 to make a quorum.

26 (b) The speaker may not refuse to recognize a pair that
27 complies with the requirements of Subsection (a), if both members

1 consent to the pair.

2 Sec. 51. ENTRY OF YEA AND NAY VOTE IN JOURNAL. (a) At the
3 desire of any member present, the yeas and nays of the members of
4 the house on any question shall be taken and entered in the journal.
5 No member or members shall be allowed to call for a yea and nay vote
6 after a vote has been declared by the speaker.

7 (b) A motion to expunge a yea and nay vote from the journal
8 shall not be in order.

9 (c) The yeas and nays of the members of the house on final
10 passage of any bill, and on any joint resolution proposing or
11 ratifying a constitutional amendment, shall be taken and entered in
12 the journal. For purposes of this subsection, a vote on final
13 passage means a vote on:

14 (1) third reading;

15 (2) second reading if the house suspends or otherwise
16 dispenses with the requirement for three readings;

17 (3) whether to concur in the senate's amendments; or

18 (4) whether to adopt a conference committee report.

19 Sec. 51A. REAL-TIME ACCESS BY PUBLIC TO YEAS AND NAYS. The
20 Committee on House Administration shall ensure that:

21 (1) the recorded yeas and nays are available to the
22 public on the Internet and on any televised broadcast of the house
23 proceedings produced by or under the direction of the house; and

24 (2) members of the public may view the yeas and nays in
25 real time to the extent possible on the Internet and on any
26 televised broadcast of the house proceedings produced by or under
27 the direction of the house.

1 Sec. 52. JOURNAL RECORDING OF VOTES ON ANY QUESTION. On
2 any question where a record of the yeas and nays has not been
3 ordered, members may have their votes recorded in the journal as
4 "yea" or "nay" by filing such information with the journal clerk
5 before adjournment or recess to another calendar day.

6 Sec. 53. CHANGING A VOTE. Before the result of a vote has
7 been finally and conclusively pronounced by the chair, but not
8 thereafter, a member may change his or her vote; however, if a
9 member's vote is erroneous, the member shall be allowed to change
10 that vote at a later time provided:

11 (1) the result of the record vote is not changed
12 thereby;

13 (2) the request is made known to the house by the chair
14 and permission for the change is granted by unanimous consent; and

15 (3) a notation is made in the journal that the member's
16 vote was changed.

17 Sec. 54. TIE VOTE. All matters on which a vote may be taken
18 by the house shall require for adoption a favorable affirmative
19 vote as required by these rules, and in the case of a tie vote, the
20 matter shall be considered lost.

21 Sec. 55. VERIFICATION OF A YEA AND NAY VOTE. When the
22 result of a yea and nay vote is close, the speaker may on the request
23 of any member order a verification vote, or the speaker may order a
24 verification on his or her own initiative. During verification, no
25 member shall change a vote unless it was erroneously recorded, nor
26 may any member not having voted cast a vote; however, when the clerk
27 errs in reporting the yeas and nays, and correction thereof leaves

1 decisive effect to the speaker's vote, the speaker may exercise the
2 right to vote, even though the result has been announced. A
3 verification shall be called for immediately after the vote is
4 announced. The speaker shall not entertain a request for
5 verification after the house has proceeded to the next question, or
6 after a recess or an adjournment. A vote to recess or adjourn, like
7 any other proposition, may be verified. Only one vote verification
8 can be pending at a time. A verification may be dispensed with by a
9 two-thirds vote.

10 Sec. 56. VERIFICATION OF A REGISTRATION. The speaker may
11 allow the verification of a registration (as differentiated from a
12 record vote) if in the speaker's opinion there is serious doubt as
13 to the presence of a quorum.

14 Sec. 57. MOTION FOR A CALL OF THE HOUSE PENDING
15 VERIFICATION. A motion for a call of the house, and all incidental
16 motions relating to it, shall be in order pending the verification
17 of a vote. These motions must be made before the roll call on
18 verification begins, and it shall not be in order to break into the
19 roll call to make them.

20 Sec. 58. ERRONEOUS ANNOUNCEMENT OF THE RESULT OF A
21 VOTE. If, by an error of the voting clerk or reading clerk in
22 reporting the yeas and nays from a registration or verification,
23 the speaker announces a result different from that shown by the
24 registration or verification, the status of the question shall be
25 determined by the vote as actually recorded. If the vote is
26 erroneously announced in such a way as to change the true result,
27 all subsequent proceedings in connection therewith shall fail, and

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1 the journal shall be amended accordingly.

1 RULE 6. ORDER OF BUSINESS AND CALENDARS

2 Sec. 1. DAILY ORDER OF BUSINESS. (a) When the house
3 convenes on a new legislative day, the daily order of business shall
4 be as follows:

5 (1) Call to order by speaker.

6 (2) Registration of members.

7 (3) Prayer by chaplain, unless the invocation has been
8 given previously on the particular calendar day.

9 (4) Pledge of allegiance to the United States flag.

10 (5) Pledge of allegiance to the Texas flag.

11 (6) Excuses for absence of members and officers.

12 (7) First reading and reference to committee of bills
13 filed with the chief clerk; and motions to introduce bills, when
14 such motions are required.

15 (8) Requests to print bills and other papers; requests
16 of committees for further time to consider papers referred to them;
17 and all other routine motions and business not otherwise provided
18 for, all of which shall be undebatable except that the mover and one
19 opponent of the motion shall be allowed three minutes each.

20 The mover of a routine motion shall be allowed his or her
21 choice of making the opening or the closing speech under this rule.
22 If the house, under a suspension of the rules, extends the time of a
23 member under this rule, such extensions shall be for three minutes.
24 Subsidiary motions that are applicable to routine motions shall be
25 in order, but the makers of such subsidiary motions shall not be
26 entitled to speak thereon in the routine motion period, nor shall
27 the authors of the original routine motions be allowed any

1 additional time because of subsidiary motions.

2 (9) Unfinished business.

3 (10) Third reading calendars of the house in their
4 order of priority in accordance with Section 7 of this rule, unless
5 a different order is determined under other provisions of these
6 rules.

7 (11) Postponed matters to be laid before the house in
8 accordance with Rule 7, Section 15.

9 (12) Second reading calendars of the house in their
10 order of priority in accordance with Section 7 of this rule, unless
11 a different order is determined under other provisions of these
12 rules.

13 (b) When the house reconvenes for the first time on a new
14 calendar day following a recess, the daily order of business shall
15 be:

16 (1) Call to order by the speaker.

17 (2) Registration of members.

18 (3) Prayer by the chaplain.

19 (4) Pledge of allegiance to the United States flag.

20 (5) Pledge of allegiance to the Texas flag.

21 (6) Excuses for absence of members and officers.

22 (7) Pending business.

23 (8) Calendars of the house in their order of priority
24 in accordance with Section 7 of this rule, unless a different order
25 is determined under other provisions of these rules.

26 Sec. 2. SPECIAL ORDERS. (a) Any bill, resolution, or
27 other measure may on any day be made a special order for the same day

1 or for a future day of the session by an affirmative vote of
2 two-thirds of the members present. A motion to set a special order
3 shall be subject to the three-minute pro and con debate rule. When
4 once established as a special order, a bill, resolution, or other
5 measure shall be considered from day to day until disposed of; and
6 until it has been disposed of, no further special orders shall be
7 made.

8 A three-fourths vote of the members present shall be required
9 to suspend the portion of this rule which specifies that only one
10 special order may be made and pending at a time.

11 (b) After the first eight items under the daily order of
12 business for a legislative day have been passed, a special order
13 shall have precedence when the hour for its consideration has
14 arrived, except as provided in Section 9 of this rule.

15 (c) After the 115th day of a regular session, if a joint
16 resolution has appeared on a daily house calendar and is adopted,
17 and a bill that is enabling legislation for the joint resolution is
18 either on or eligible to be placed on a calendar, the author or
19 sponsor of the bill or another member may immediately be recognized
20 for a motion to set the bill that is the enabling legislation as a
21 special order pursuant to this section. For purposes of this
22 subsection, the bill must have been designated as the enabling
23 legislation for the joint resolution in writing filed with the
24 chief clerk not later than the date the committee report for the
25 enabling legislation is printed and distributed.

26 Sec. 3. POSTPONEMENT OF A SPECIAL ORDER. A special order
27 may be postponed to a day certain by a two-thirds vote of those

1 present, and when so postponed, shall be considered as disposed of
2 so far as its place as a special order is concerned.

3 Sec. 4. TABLED MEASURES AS SPECIAL ORDERS. A bill or
4 resolution laid on the table subject to call may be made a special
5 order.

6 Sec. 5. SUBSTITUTION IN MOTION FOR A SPECIAL ORDER. When a
7 motion is pending to set a particular bill or resolution as a
8 special order, it shall not be in order to move as a substitute to
9 set another bill or resolution as a special order. It shall be in
10 order, however, to substitute, by majority vote, a different time
11 for the special order consideration than that given in the original
12 motion.

13 Sec. 6. MEMBER'S SUSPENSION AND SPECIAL ORDER PRIVILEGES.
14 If a member moves to set a bill or joint resolution as a special
15 order, or moves to suspend the rules to take up a bill or joint
16 resolution out of its regular order, and the motion prevails, the
17 member shall not have the right to make either of these motions
18 again until every other member has had an opportunity, via either of
19 these motions, to have some bill or joint resolution considered out
20 of its regular order during that session of the legislature. A
21 member shall not lose the suspension privilege if the motion to
22 suspend or set for special order does not prevail.

23 Sec. 7. SYSTEM OF CALENDARS. (a) Legislative business of
24 the house shall be controlled by a system of calendars, consisting
25 of the following:

26 (1) EMERGENCY CALENDAR, on which shall appear bills
27 considered to be of such pressing and imperative import as to demand

1 immediate action, bills to raise revenue and levy taxes, and the
2 general appropriations bill. A bill submitted as an emergency
3 matter by the governor may also be placed on this calendar.

4 (2) MAJOR STATE CALENDAR, on which shall appear bills
5 of statewide effect, not emergency in nature, which establish or
6 change state policy in a major field of governmental activity and
7 which will have a major impact in application throughout the state
8 without regard to class, area, or other limiting factors.

9 (3) CONSTITUTIONAL AMENDMENTS CALENDAR, on which
10 shall appear joint resolutions proposing amendments to the Texas
11 Constitution, joint resolutions proposing the ratification of
12 amendments to the Constitution of the United States, and joint
13 resolutions applying to Congress for a convention to amend the
14 Constitution of the United States.

15 (4) GENERAL STATE CALENDAR, on which shall appear
16 bills of statewide effect, not emergency in nature, which establish
17 or change state law and which have application to all areas but are
18 limited in legal effect by classification or other factors which
19 minimize the impact to something less than major state policy, and
20 bills, not emergency in nature, which are not on the local, consent,
21 and resolutions calendar.

22 (5) LOCAL, CONSENT, AND RESOLUTIONS CALENDAR, on which
23 shall appear bills, house resolutions, and concurrent resolutions,
24 not emergency in nature, regardless of extent and scope, on which
25 there is such general agreement as to render improbable any
26 opposition to the consideration and passage thereof, and which have
27 been recommended by the appropriate standing committee for

1 placement on the local, consent, and resolutions calendar by the
2 Committee on Local and Consent Calendars.

3 (6) RESOLUTIONS CALENDAR, on which shall appear house
4 resolutions and concurrent resolutions, not emergency in nature and
5 not privileged.

6 (7) CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR,
7 on which shall appear congratulatory and memorial resolutions whose
8 sole intent is to congratulate, memorialize, or otherwise express
9 concern or commendation. The Committee on Rules and Resolutions
10 may provide separate categories for congratulatory and memorial
11 resolutions.

12 (b) A calendars committee shall strictly construe and the
13 speaker shall strictly enforce this system of calendars.

14 Sec. 8. SENATE BILL CALENDARS. (a) Senate bills and
15 resolutions pending in the house shall follow the same procedure
16 with regard to calendars as house bills and resolutions, but
17 separate calendars shall be maintained for senate bills and
18 resolutions, and consideration of them on senate bill days shall
19 have priority in the manner and order specified in this rule.

20 (b) No other business shall be considered on days devoted to
21 the consideration of senate bills when there remain any bills on any
22 of the senate calendars, except with the consent of the senate. When
23 all senate calendars are clear, the house may proceed to
24 consideration of house calendars on senate bill days.

25 Sec. 9. SENATE BILL DAYS. (a) On calendar Wednesday and
26 on calendar Thursday of each week, only senate bills and senate
27 resolutions shall be taken up and considered, until disposed of.

1 Senate bills and senate resolutions shall be considered in the
2 order prescribed in Section 7 of this rule on separate senate
3 calendars prepared by the Committee on Calendars. In case a senate
4 bill or senate resolution is pending at adjournment on calendar
5 Thursday, it shall go over to the succeeding calendar Wednesday as
6 unfinished business.

7 (b) Precedence given in Rule 8 to certain classes of bills
8 during the first 60 calendar days of a regular session shall also
9 apply to senate bills on senate bill days.

10 Sec. 10. CONSIDERATION OF SENATE BILL ON SAME
11 SUBJECT. When any house bill is reached on the calendar or is
12 before the house for consideration, it shall be the duty of the
13 speaker to give the place on the calendar of the house bill to any
14 senate bill containing the same subject that has been referred to
15 and reported from a committee of the house and to lay the senate
16 bill before the house, to be considered in lieu of the house bill.

17 Sec. 11. PERIODS FOR CONSIDERATION OF CONGRATULATORY AND
18 MEMORIAL CALENDARS. As the volume of legislation shall warrant,
19 the chair of the Committee on Rules and Resolutions shall move to
20 designate periods for the consideration of congratulatory and
21 memorial calendars. Each such motion shall require a two-thirds
22 vote for its adoption. In each instance, the Committee on Rules and
23 Resolutions shall prepare and post on the electronic legislative
24 information system a calendar at least 24 hours in advance of the
25 hour set for consideration. No memorial or congratulatory
26 resolution will be heard by the full house without having first been
27 approved, at least 24 hours in advance, by a majority of the

1 membership of the Committee on Rules and Resolutions, in accordance
2 with Rule 4, Section 16. It shall not be necessary for the
3 Committee on Rules and Resolutions to report a memorial or
4 congratulatory resolution from committee in order to place the
5 resolution on a congratulatory and memorial calendar. If the
6 Committee on Rules and Resolutions determines that a resolution is
7 not eligible for placement on the congratulatory and memorial
8 calendar the measure shall be sent to the Committee on Calendars for
9 further action. A congratulatory and memorial calendar will
10 contain the resolution number, the author's name, and a brief
11 description of the intent of the resolution. On the congratulatory
12 and memorial calendar, congratulatory resolutions may be listed
13 separately from memorial resolutions. Once a calendar is posted,
14 no additional resolutions will be added to it, and the requirements
15 of this section shall not be subject to suspension.

16 Sec. 12. PROCEDURE FOR CONSIDERATION OF CONGRATULATORY AND
17 MEMORIAL CALENDARS. During the consideration of a congratulatory
18 and memorial calendar, resolutions shall not be read in full unless
19 they pertain to members or former members of the legislature, or
20 unless the intended recipient of the resolution is present on the
21 house floor or in the gallery. All other such resolutions shall be
22 read only by number, type of resolution, and name of the person or
23 persons designated in the resolutions. Members shall notify the
24 chair, in advance of consideration of the calendar, of any
25 resolutions that will be required to be read in full. In addition,
26 the following procedures shall be observed:

27 (1) The chair shall recognize the reading clerk to

1 read the resolutions within each category on the calendar only by
2 number, type of resolution, author or sponsor, and name of the
3 person or persons designated in the resolutions, except for those
4 resolutions that have been withdrawn or that are required to be read
5 in full. The resolutions read by the clerk shall then be adopted in
6 one motion for each category.

7 (2) Subsequent to the adoption of the resolutions read
8 by the clerk, the chair shall proceed to lay before the house the
9 resolutions on the calendar that are required to be read in full.
10 Each such resolution shall be read and adopted individually.

11 (3) If it develops that any resolution on the
12 congratulatory and memorial calendar does not belong on that
13 calendar, the chair shall withdraw the resolution from further
14 consideration, remove it from the calendar, and refer it to the
15 appropriate calendars committee for placement on the proper
16 calendar.

17 Sec. 13. PERIODS FOR CONSIDERATION OF LOCAL, CONSENT, AND
18 RESOLUTIONS CALENDARS. (a) As the volume of legislation shall
19 warrant, the chair of the Committee on Local and Consent Calendars
20 shall move to designate periods for the consideration of local,
21 consent, and resolutions calendars. Each such motion shall require
22 a two-thirds vote for its adoption. In each instance, the Committee
23 on Local and Consent Calendars shall prepare and post on the
24 electronic legislative information system a calendar at least 48
25 hours in advance of the hour set for consideration. Once a calendar
26 is posted, no additional bills or resolutions will be added to it.
27 This requirement can be suspended only by unanimous consent. No

1 local, consent, and resolutions calendar may be considered by the
2 house if it is determined that the rules of the house were not
3 complied with by the Committee on Local and Consent Calendars in
4 preparing that calendar.

5 (b) The period designated for the consideration of a local,
6 consent, and resolutions calendar under this section or under a
7 special order under Section 2 of this rule may not exceed one
8 calendar day.

9 Sec. 14. PROCEDURE FOR CONSIDERATION OF LOCAL, CONSENT, AND
10 RESOLUTIONS CALENDARS. During the consideration of a local,
11 consent, and resolutions calendar set by the Committee on Local and
12 Consent Calendars the following procedures shall be observed:

13 (1) The chair shall allow the sponsor of each bill or
14 resolution three minutes to explain the measure, and the time shall
15 not be extended except by unanimous consent of the house. This rule
16 shall have precedence over all other rules limiting time for
17 debate.

18 (2) If it develops that any bill or resolution on a
19 local, consent, and resolutions calendar is to be contested on the
20 floor of the house, the chair shall withdraw the bill or resolution
21 from further consideration and remove it from the calendar.

22 (3) Any bill or resolution on a local, consent, and
23 resolutions calendar shall be considered contested if notice is
24 given by five or more members that they intend to oppose the bill or
25 resolution, either by a raising of hands or the delivery of written
26 notice to the chair.

27 (4) Any bill or resolution on a local, consent, and

1 resolutions calendar shall be considered contested if debate
2 exceeds 10 minutes. The chair shall strictly enforce this time
3 limit and automatically withdraw the bill from further
4 consideration if the time limit herein imposed is exceeded.

5 (5) Any bill or resolution on a local, consent, and
6 resolutions calendar that is not reached for floor consideration
7 because of the expiration of the calendar day period for
8 consideration established by Section 13 of this rule shall carry
9 over onto the next local, consent, and resolutions calendar. Bills
10 or resolutions that carry over must appear in the same relative
11 order as on the calendar on which the bills or resolutions initially
12 appeared, and bills or resolutions originally from older calendars
13 must appear before those originally from more recent calendars.

14 Sec. 15. ORDER OF CONSIDERATION OF CALENDARS. Except for
15 local, consent, and resolutions calendars and congratulatory and
16 memorial calendars, consideration of calendars shall be in the
17 order named in Section 7 of this rule, subject to any exceptions
18 ordered by the Committee on Calendars. Bills and resolutions on
19 third reading shall have precedence over bills and resolutions on
20 second reading.

21 Sec. 16. DAILY CALENDARS, SUPPLEMENTAL CALENDARS, AND LISTS
22 OF ITEMS ELIGIBLE FOR CONSIDERATION. (a) Calendars shall be
23 prepared daily when the house is in session. A calendar must be
24 posted on the electronic legislative information system at least 36
25 hours if convened in regular session and 24 hours if convened in
26 special session before the calendar may be considered by the house,
27 except as otherwise provided by these rules for the calendar on

1 which the general appropriations bill is first eligible for
2 consideration on second reading when convened in regular session.
3 A calendar that contains a bill extending an agency, commission, or
4 advisory committee under the Texas Sunset Act must be posted at
5 least 48 hours if convened in regular or special session before the
6 calendar may be considered by the house. Deviations from the
7 calendars as posted shall not be permitted except that the
8 Committee on Calendars shall be authorized to prepare and post, not
9 later than two hours before the house convenes, a supplemental
10 daily house calendar, on which shall appear:

11 (1) bills or resolutions which were passed to third
12 reading on the previous legislative day;

13 (2) bills or resolutions which appeared on the Daily
14 House Calendar for a previous calendar day which were not reached
15 for floor consideration;

16 (3) postponed business from a previous calendar day;
17 and

18 (4) notice to take from the table a bill or resolution
19 which was laid on the table subject to call on a previous
20 legislative day.

21 In addition to the items listed above, the bills and
22 resolutions from a daily house calendar that will be eligible for
23 consideration may be incorporated, in their proper order as
24 determined by these rules, into the supplemental daily house
25 calendar.

26 (a-1) If the house is convened in regular session, the
27 calendar on which the general appropriations bill is first eligible

1 for consideration on second reading must be posted on the
2 electronic legislative information system at least 144 hours before
3 the calendar may be considered by the house. The posted calendar
4 must indicate the date and time at which the calendar is scheduled
5 for consideration by the house, which date and time must be in
6 accordance with Rule 8, Section 14.

7 (b) In addition, when the volume of legislation shall
8 warrant, and upon request of the speaker, the chief clerk shall have
9 prepared a list of Items Eligible for Consideration, on which shall
10 appear only:

11 (1) house bills with senate amendments that are
12 eligible for consideration under Rule 13, Section 5, including the
13 number of senate amendments and the total number of pages of senate
14 amendments;

15 (2) senate bills for which the senate has requested
16 appointment of a conference committee; and

17 (3) conference committee reports that are eligible for
18 consideration under Rule 13, Section 10.

19 (c) The list of Items Eligible for Consideration must be
20 posted on the electronic legislative information system at least
21 six hours before the list may be considered by the house.

22 (d) The time at which a calendar or list is posted on the
23 electronic legislative information system shall be time-stamped on
24 the originals of the calendar or list.

25 (e) No house calendar shall be eligible for consideration if
26 it is determined that the rules of the house were not complied with
27 by the Committee on Calendars in preparing that calendar.

1 (f) If the Committee on Calendars has proposed a rule for
2 floor consideration of a bill or resolution that is eligible to be
3 placed on a calendar of the daily house calendar, the rule must be
4 printed and a copy distributed to each member. If the bill or
5 resolution to which the rule will apply has already been placed on a
6 calendar of the daily house calendar, a copy of the rule must also
7 be posted with the calendar on which the bill or resolution appears.
8 The speaker shall lay a proposed rule before the house prior to the
9 consideration of the bill or resolution to which the rule will
10 apply. The rule shall be laid before the house not earlier than six
11 hours after a copy of the rule has been distributed to each member
12 in accordance with this subsection. The rule shall not be subject
13 to amendment, but to be effective, the rule must be approved by the
14 house by an affirmative vote of two-thirds of those members present
15 and voting, except that the rule must be approved by an affirmative
16 vote of a majority of those members present and voting if the rule
17 applies to a tax bill, an appropriations bill, or a redistricting
18 bill. If approved by the house in accordance with this subsection,
19 the rule will be effective for the consideration of the bill or
20 resolution on both second and third readings.

21 Sec. 17. POSITION ON A CALENDAR. (a) Unless removed from
22 the calendar under Subsection (b) of this section, once a bill or
23 resolution is placed on its appropriate calendar under these rules,
24 and has appeared on a house calendar, as posted on the electronic
25 legislative information system, the bill shall retain its relative
26 position on the calendar until reached for floor consideration, and
27 the calendars committee with jurisdiction over the bill or

1 resolution shall have no authority to place other bills on the
2 calendar ahead of that bill, but all additions to the calendar shall
3 appear subsequent to the bill.

4 (b) If a bill or resolution that has been placed on a house
5 calendar, as posted on the electronic legislative information
6 system, is recommitted or withdrawn from further consideration, the
7 bill or resolution relinquishes its position on the calendar, and
8 the bill or resolution shall be removed from the calendar.

9 Sec. 18. REQUIREMENTS FOR PLACEMENT ON A CALENDAR. Except
10 as provided in Section 11 of this rule as it relates to
11 congratulatory and memorial resolutions, no bill or resolution
12 shall be placed on a calendar until:

13 (1) it has been referred to and reported from its
14 appropriate standing committee by favorable committee action; or

15 (2) it is ordered printed on minority report or after a
16 committee has reported its inability to recommend a course of
17 action.

18 Sec. 19. REFERRAL TO CALENDARS COMMITTEES. All bills and
19 resolutions, on being reported from committee, shall be referred
20 immediately to the committee coordinator for printing and then to
21 the appropriate calendars committee for placement on the
22 appropriate calendar.

23 Sec. 20. TIME LIMIT FOR VOTE TO PLACE ON A CALENDAR. Within
24 30 calendar days after a bill or resolution has been referred to the
25 appropriate calendars committee, the committee must vote on whether
26 to place the bill or resolution on one of the calendars of the daily
27 house calendar or the local, consent, and resolutions calendar, as

1 applicable. A vote against placement of the bill or resolution on a
2 calendar does not preclude a calendars committee from later voting
3 in favor of placement of the bill or resolution on a calendar.

4 Sec. 21. MOTION TO PLACE ON A CALENDAR. (a) When a bill or
5 resolution has been in the appropriate calendars committee for 30
6 calendar days, exclusive of the calendar day on which it was
7 referred, awaiting placement on one of the calendars of the daily
8 house calendar or on the local, consent, and resolutions calendar,
9 it shall be in order for a member to move that the bill or resolution
10 be placed on a specific calendar of the daily house calendar or on
11 the local, consent, and resolutions calendar without action by the
12 committee. This motion must be seconded by five members and shall
13 require a majority vote for adoption.

14 (b) A motion to place a bill or resolution on a specific
15 calendar of the daily house calendar or on the local, consent, and
16 resolutions calendar is not a privileged motion and must be made
17 during the routine motion period unless made under a suspension of
18 the rules.

19 Sec. 22. REQUEST FOR PLACEMENT ON LOCAL, CONSENT, AND
20 RESOLUTIONS CALENDAR. No bill or resolution shall be considered
21 for placement on the local, consent, and resolutions calendar by
22 the Committee on Local and Consent Calendars unless a request for
23 that placement has been made to the chair of the standing committee
24 from which the bill or resolution was reported and unless the
25 committee report of the standing committee recommends that the bill
26 or resolution be sent to the Committee on Local and Consent
27 Calendars for placement on the local, consent, and resolutions

1 calendar. The recommendation of the standing committee shall be
2 advisory only, and the Committee on Local and Consent Calendars
3 shall have final authority to determine whether or not a bill or
4 resolution shall be placed on the local, consent, and resolutions
5 calendar. If the Committee on Local and Consent Calendars
6 determines that the bill or resolution is not eligible for
7 placement on the local, consent, and resolutions calendar, the
8 measure shall be sent to the Committee on Calendars for further
9 action.

10 Sec. 23. QUALIFICATIONS FOR PLACEMENT ON THE LOCAL,
11 CONSENT, AND RESOLUTIONS CALENDAR. (a) No bill defined as a local
12 bill by Rule 8, Section 10(c), shall be placed on the local,
13 consent, and resolutions calendar unless:

14 (1) evidence of publication of notice in compliance
15 with the Texas Constitution and these rules is filed with the
16 Committee on Local and Consent Calendars; and

17 (2) it has been recommended unanimously by the present
18 and voting members of the committee from which it was reported that
19 the bill be sent to the Committee on Local and Consent Calendars for
20 placement on the local, consent, and resolutions calendar.

21 (b) No other bill or resolution shall be placed on the
22 local, consent, and resolutions calendar unless it has been
23 recommended unanimously by the present and voting members of the
24 committee from which it was reported that the bill be sent to the
25 Committee on Local and Consent Calendars for placement on the
26 local, consent, and resolutions calendar.

27 (c) No bill or resolution shall be placed on the local,

1 consent, and resolutions calendar that:

2 (1) directly or indirectly prevents from being
3 available for purposes of funding state government generally any
4 money that under existing law would otherwise be available for that
5 purpose, including a bill that transfers or diverts money in the
6 state treasury from the general revenue fund to another fund; or

7 (2) authorizes or requires the expenditure or
8 diversion of state funds for any purpose, as determined by a fiscal
9 note attached to the bill.

10 Sec. 24. REPLACEMENT OF CONTESTED BILLS AND RESOLUTIONS. A
11 bill or resolution once removed from the local, consent, and
12 resolutions calendar shall be returned to the Committee on Local
13 and Consent Calendars for further action. The Committee on Local
14 and Consent Calendars, if it feels such action is warranted, may
15 again place the bill or resolution on the local, consent, and
16 resolutions calendar, provided, however, that if the bill or
17 resolution is not placed on the next local, consent, and
18 resolutions calendar set by the Committee on Local and Consent
19 Calendars, the bill or resolution shall immediately be referred to
20 the Committee on Calendars for further action. If the bill or
21 resolution is then removed from the calendar a second time by being
22 contested on the floor of the house, the bill or resolution shall
23 not again be placed on the local, consent, and resolutions calendar
24 by the Committee on Local and Consent Calendars during that session
25 of the legislature but shall be returned to the Committee on
26 Calendars for further action.

27 Sec. 25. DISCRETION IN PLACEMENT ON CALENDARS. Subject to

1 the limitations contained in this rule, the Committee on Calendars
2 shall have full authority to make placements on calendars in
3 whatever order is necessary and desirable under the circumstances
4 then existing, except that bills on third reading shall have
5 precedence over bills on second reading. It is the intent of the
6 calendar system to give the Committee on Calendars wide discretion
7 to insure adequate consideration by the house of important
8 legislation.

- 1 (1) to suspend the regular order of business and take
2 up some measure out of its regular order;
- 3 (2) to instruct a committee to report a certain bill or
4 resolution;
- 5 (3) to rerefer a bill or resolution from one committee
6 to another;
- 7 (4) to place a bill or resolution on a specific
8 calendar without action by the appropriate calendars committee;
- 9 (5) to take up a bill or resolution laid on the table
10 subject to call;
- 11 (6) to set a special order;
- 12 (7) to suspend the rules;
- 13 (8) to suspend the constitutional rule requiring bills
14 to be read on three several days;
- 15 (9) to pass a resolution suspending the joint rules;
- 16 (10) to order the previous question;
- 17 (11) to order the limiting of amendments to a bill or
18 resolution;
- 19 (12) to print documents, reports, or other material in
20 the journal;
- 21 (13) to take any other action required or permitted
22 during the routine motion period by Rule 6, Section 1;
- 23 (14) to divide the question.

24 Sec. 3. MOTIONS ALLOWED DURING DEBATE. When a question is
25 under debate, the following motions, and none other, shall be in
26 order, and such motions shall have precedence in the following
27 order:

- 1 (1) to adjourn;
- 2 (2) to take recess;
- 3 (3) to lay on the table;
- 4 (4) to lay on the table subject to call;
- 5 (5) for the previous question;
- 6 (6) to postpone to a day certain;
- 7 (7) to commit, recommit, refer, or rerefer;
- 8 (8) to amend by striking out the enacting or resolving
9 clause, which, if carried, shall have the effect of defeating the
10 bill or resolution;
- 11 (9) to amend;
- 12 (10) to postpone indefinitely.

13 Sec. 4. STATEMENT OR READING OF A MOTION. When a motion has
14 been made, the speaker shall state it, or if it is in writing, order
15 it read by the clerk; and it shall then be in possession of the
16 house.

17 Sec. 5. ENTRY OF MOTIONS IN JOURNAL. Every motion made to
18 the house and entertained by the speaker shall be reduced to writing
19 on the demand of any member, and shall be entered on the journal
20 with the name of the member making it.

21 Sec. 6. WITHDRAWAL OF A MOTION. A motion may be withdrawn
22 by the mover at any time before a decision on the motion, even
23 though an amendment may have been offered and is pending. It cannot
24 be withdrawn, however, if the motion has been amended. After the
25 previous question has been ordered, a motion can be withdrawn only
26 by unanimous consent.

27 Sec. 7. MOTIONS TO ADJOURN OR RECESS. A motion to adjourn

1 or recess shall always be in order, except:

2 (1) when the house is voting on another motion;

3 (2) when the previous question has been ordered and
4 before the final vote on the main question, unless a roll call shows
5 the absence of a quorum;

6 (3) when a member entitled to the floor has not yielded
7 for that purpose; or

8 (4) when no business has been transacted since a
9 motion to adjourn or recess has been defeated.

10 Sec. 8. CONSIDERATION OF SEVERAL MOTIONS TO ADJOURN OR
11 RECESS. When several motions to recess or adjourn are made at the
12 same period, the motion to adjourn carrying the shortest time shall
13 be put first, then the next shortest time, and in that order until a
14 motion to adjourn has been adopted or until all have been voted on
15 and lost; and then the same procedure shall be followed for motions
16 to recess.

17 Sec. 9. WITHDRAWAL OR ADDITION OF A MOTION TO ADJOURN OR
18 RECESS. A motion to adjourn or recess may not be withdrawn when it
19 is one of a series upon which voting has commenced, nor may an
20 additional motion to adjourn or recess be made when voting has
21 commenced on a series of such motions.

22 Sec. 10. RECONSIDERATION OF VOTE TO ADJOURN OR RECESS. The
23 vote by which a motion to adjourn or recess is carried or lost shall
24 not be subject to a motion to reconsider.

25 Sec. 11. ADJOURNING WITH LESS THAN A QUORUM. A smaller
26 number of members than a quorum may adjourn from day to day, and may
27 compel the attendance of absent members.

1 Sec. 12. MOTION TO TABLE. A motion to lay on the table, if
2 carried, shall have the effect of killing the bill, resolution,
3 amendment, or other immediate proposition to which it was applied.
4 Such a motion shall not be debatable, but the mover of the
5 proposition to be tabled, or the member reporting it from
6 committee, shall be allowed to close the debate after the motion to
7 table is made and before it is put to a vote. When a motion to table
8 is made to a debatable main motion, the main motion mover shall be
9 allowed 20 minutes to close the debate, whereas the movers of other
10 debatable motions sought to be tabled shall be allowed only 10
11 minutes to close. The vote by which a motion to table is carried or
12 lost cannot be reconsidered. After the previous question has been
13 ordered, a motion to table is not in order. The provisions of this
14 section do not apply to motions to "lay on the table subject to
15 call"; however, a motion to lay on the table subject to call cannot
16 be made after the previous question has been ordered.

17 Sec. 13. MATTERS TABLED SUBJECT TO CALL. When a bill,
18 resolution, or other matter is pending before the house, it may be
19 laid on the table subject to call, and one legislative day's notice,
20 as provided on the Supplemental House Calendar, must be given
21 before the proposition can be taken from the table, unless it is on
22 the same legislative day, in which case it can be taken from the
23 table at any time except when there is another matter pending before
24 the house. A bill, resolution, or other matter can be taken from
25 the table only by a majority vote of the house. When a special order
26 is pending, a motion to take a proposition from the table cannot be
27 made unless the proposition is a privileged matter.

1 Sec. 14. MOTION TO POSTPONE. A motion to postpone to a day
2 certain may be amended and is debatable within narrow limits, but
3 the merits of the proposition sought to be postponed cannot be
4 debated. A motion to postpone indefinitely opens to debate the
5 entire proposition to which it applies.

6 Sec. 15. POSTPONED MATTERS. (a) A bill or proposition
7 postponed to a day certain shall be laid before the house at the
8 time on the calendar day to which it was postponed, provided it is
9 otherwise eligible under the rules and no other business is then
10 pending. If business is pending, the postponed matter shall be
11 deferred until the pending business is disposed of without
12 prejudice otherwise to its right of priority. When a privileged
13 matter is postponed to a particular time, and that time arrives, the
14 matter, still retaining its privileged nature, shall be taken up
15 even though another matter is pending.

16 (b) Consideration of a bill postponed to a day certain from
17 the local, consent, and resolutions calendar is governed on second
18 reading by the rules applicable to the calendar from which it was
19 postponed to the extent practicable.

20 Sec. 16. ORDER OF CONSIDERATION OF POSTPONED MATTERS. If
21 two or more bills, resolutions, or other propositions are postponed
22 to the same time, and are otherwise eligible for consideration at
23 that time, they shall be considered in the chronological order of
24 their setting.

25 Sec. 17. MOTION TO REFER. When motions are made to refer a
26 subject to a select or standing committee, the question on the
27 subject's referral to a standing committee shall be put first.

1 Sec. 18. MOTION TO RECOMMIT. A motion to recommit a bill,
2 after being defeated at the routine motion period, may again be made
3 when the bill itself is under consideration; however, a motion to
4 recommit a bill shall not be in order at the routine motion period
5 if the bill is then before the house as either pending business or
6 unfinished business.

7 A motion to recommit a bill or resolution can be made and
8 voted on even though the author, sponsor, or principal proponent is
9 not present.

10 Sec. 19. TERMS OF DEBATE ON MOTIONS TO REFER, REREFER,
11 COMMIT, OR RECOMMIT. A motion to refer, rerefer, commit, or
12 recommit is debatable within narrow limits, but the merits of the
13 proposition may not be brought into the debate. A motion to refer,
14 rerefer, commit, or recommit with instructions is fully debatable.

15 Sec. 20. RECOMMITTING TO COMMITTEE FOR A SECOND TIME.
16 Except as provided in Rule 4, Section 30, when a bill has been
17 recommitted once at any reading and has been reported adversely by
18 the committee to which it was referred, it shall be in order to
19 again recommit the bill only if a minority report has been filed in
20 the time required by the rules of the house. A two-thirds vote of
21 those present shall be required to recommit a second time.

22 CHAPTER B. MOTION FOR THE PREVIOUS QUESTION

23 Sec. 21. MOTION FOR THE PREVIOUS QUESTION. There shall be a
24 motion for the previous question, which shall be admitted only when
25 seconded by 25 members. It shall be put by the chair in this manner:
26 "The motion has been seconded. Three minutes pro and con debate
27 will be allowed on the motion for ordering the previous question."

1 As soon as the debate has ended, the chair shall continue: "As many
2 as are in favor of ordering the previous question on (here state on
3 which question or questions) will say 'Aye,'" and then, "As many as
4 are opposed say 'Nay.'" As in all other propositions, a motion for
5 the previous question may be taken by a record vote if demanded by
6 any member. If ordered by a majority of the members voting, a
7 quorum being present, it shall have the effect of cutting off all
8 debate, except as provided in Section 23 of this rule, and bringing
9 the house to a direct vote on the immediate question or questions on
10 which it has been asked and ordered.

11 Sec. 22. DEBATE ON MOTION FOR PREVIOUS QUESTION. On the
12 motion for the previous question, there shall be no debate except as
13 provided in Sections 2 and 21 of this rule. All incidental
14 questions of order made pending decision on such motion shall be
15 decided, whether on appeal or otherwise, without debate.

16 Sec. 23. LIMITATION OF DEBATE AFTER PREVIOUS QUESTION
17 ORDERED. After the previous question has been ordered, there shall
18 be no debate upon the questions on which it has been ordered, or
19 upon the incidental questions, except that the mover of the
20 proposition or any of the pending amendments or any other motions,
21 or the member making the report from the committee, or, in the case
22 of the absence of either of them, any other member designated by
23 such absentee, shall have the right to close the debate on the
24 particular proposition or amendment. Then a vote shall be taken
25 immediately on the amendments or other motions, if any, and then on
26 the main question.

27 Sec. 24. SPEAKING AND VOTING AFTER THE PREVIOUS QUESTION

1 ORDERED. All members having the right to speak after the previous
2 question has been ordered shall speak before the question is put on
3 the first proposition covered by the previous question. All votes
4 shall then be taken in the correct order, and no vote or votes shall
5 be deferred to allow any member to close on any one of the
6 propositions separately after the voting has commenced.

7 Sec. 25. SPEAKING ON AN AMENDMENT AS SUBSTITUTED. When an
8 amendment has been substituted and the previous question is then
9 moved on the adoption of the amendment as substituted, the author of
10 the amendment as substituted shall have the right to close the
11 debate on that amendment in lieu of the author of the original
12 amendment.

13 Sec. 26. SPEAKING ON A MOTION TO POSTPONE OR AMEND. When
14 the previous question is ordered on a motion to postpone
15 indefinitely or to amend by striking out the enacting clause of a
16 bill, the member moving to postpone or amend shall have the right to
17 close the debate on that motion or amendment, after which the mover
18 of the proposition or bill proposed to be so postponed or amended,
19 or the member reporting it from the committee, or, in the absence of
20 either of them, any other member designated by the absentee, shall
21 be allowed to close the debate on the original proposition.

22 Sec. 27. APPLICATION OF THE PREVIOUS QUESTION. The
23 previous question may be asked and ordered on any debatable single
24 motion or series of motions, or any amendment or amendments
25 pending, or it may be made to embrace all authorized debatable
26 motions or amendments pending and include the bill, resolution, or
27 proposition that is on second or third reading. The previous

1 question cannot be ordered, however, on the main proposition
2 without including other pending motions of lower rank as given in
3 Section 3 of this rule.

4 Sec. 28. LIMIT OF APPLICATION. The previous question shall
5 not extend beyond the final vote on a motion or sequence of motions
6 to which the previous question has been ordered.

7 Sec. 29. AMENDMENTS NOT YET LAID BEFORE THE HOUSE.
8 Amendments on the speaker's desk for consideration which have not
9 actually been laid before the house and read cannot be included
10 under a motion for the previous question.

11 Sec. 30. MOVING THE PREVIOUS QUESTION AFTER A MOTION TO
12 TABLE. If a motion to table is made directly to a main motion, the
13 motion for the previous question is not in order. In a case where an
14 amendment to a main motion is pending, and a motion to table the
15 amendment is made, it is in order to move the previous question on
16 the main motion, the pending amendment, and the motion to table the
17 amendment.

18 Sec. 31. NO SUBSTITUTE FOR MOTION FOR THE PREVIOUS
19 QUESTION. There is no acceptable substitute for a motion for the
20 previous question, nor can other motions be applied to it.

21 Sec. 32. MOTION FOR THE PREVIOUS QUESTION NOT SUBJECT TO
22 TABLING. The motion for the previous question is not subject to a
23 motion to table.

24 Sec. 33. MOTION TO ADJOURN AFTER MOTION FOR PREVIOUS
25 QUESTION ACCEPTED. The motion to adjourn is not in order after a
26 motion for the previous question is accepted by the chair, or after
27 the seconding of such motion and before a vote is taken.

1 Sec. 34. MOTIONS IN ORDER AFTER PREVIOUS QUESTION ORDERED.
2 After the previous question has been ordered, no motion shall be in
3 order until the question or questions on which it was ordered have
4 been voted on, without debate, except:

5 (1) a motion for a call of the house, and motions
6 incidental thereto;

7 (2) a motion to extend the time of a member closing on
8 a proposition;

9 (3) a motion to permit a member who has the right to
10 speak to yield the time or a part thereof to another member;

11 (4) a request for and a verification of a vote;

12 (5) a motion to reconsider the vote by which the
13 previous question was ordered. A motion to reconsider may be made
14 only once and that must be before any vote under the previous
15 question has been taken;

16 (6) a motion to table a motion to reconsider the vote
17 by which the previous question has been ordered;

18 (7) a double motion to reconsider and table the vote by
19 which the previous question was ordered.

20 Sec. 35. MOTION TO ADJOURN OR RECESS AFTER PREVIOUS
21 QUESTION ORDERED. No motion for an adjournment or a recess shall be
22 in order after the previous question is ordered until the final vote
23 under the previous question has been taken, unless the roll call
24 shows the absence of a quorum.

25 Sec. 36. ADJOURNING WITHOUT A QUORUM. When the house
26 adjourns without a quorum under the previous question, the previous
27 question shall remain in force and effect when the bill,

1 resolution, or other proposition is again laid before the house.

2 CHAPTER C. RECONSIDERATION

3 Sec. 37. MOTION TO RECONSIDER A VOTE. (a) When a question
4 has been decided by the house and the yeas and nays have been called
5 for and recorded, any member voting with the prevailing side may, on
6 the same legislative day, or on the next legislative day, move a
7 reconsideration; however, if a reconsideration is moved on the next
8 legislative day, it must be done before the order of the day, as
9 designated in the 10th item of Rule 6, Section 1(a), is taken up.
10 If the house refuses to reconsider, or on reconsideration, affirms
11 its decision, no further action to reconsider shall be in order.

12 (b) Where the yeas and nays have not been called for and
13 recorded, any member, regardless of whether he or she voted on the
14 prevailing side or not, may make the motion to reconsider; however,
15 even when the yeas and nays have not been recorded, the following
16 shall not be eligible to make a motion to reconsider:

- 17 (1) a member who was absent;
- 18 (2) a member who was paired and, therefore, did not
19 vote; and
- 20 (3) a member who was recorded in the journal as having
21 voted on the losing side.

22 (c) A motion to reconsider the vote by which a bill, joint
23 resolution, or concurrent resolution was defeated is not in order
24 unless a member has previously provided at least one hour's notice
25 of intent to make the motion by addressing the house when the house
26 is in session and stating that a member intends to make a motion to
27 reconsider the vote by which the bill or resolution was defeated.

1 It is not necessary for the member providing the notice to be
2 eligible to make or to be the member who subsequently makes the
3 motion to reconsider. If notice of intent to make a motion to
4 reconsider is given within the period that the motion to reconsider
5 may be made under Subsection (a) of this section and that period
6 expires during the one-hour period required by this subsection,
7 then the period within which the motion may be made under Subsection
8 (a) is extended by the amount of time, not to exceed one hour during
9 which the house is in session, necessary to satisfy the one-hour
10 notice required by this subsection. For purposes of this
11 subsection, a motion to reconsider includes a motion to reconsider
12 and table and a motion to reconsider and spread on the journal.

13 Sec. 38. DEBATE ON MOTION TO RECONSIDER. A motion to
14 reconsider shall be debatable only when the question to be
15 reconsidered is debatable. Even though the previous question was
16 in force before the vote on a debatable question was taken, debate
17 is permissible on the reconsideration of such debatable question.

18 Sec. 39. MAJORITY VOTE REQUIRED. Every motion to
19 reconsider shall be decided by a majority vote, even though the vote
20 on the original question requires a two-thirds vote for affirmative
21 action. If the motion to reconsider prevails, the question then
22 immediately recurs on the question reconsidered.

23 Sec. 40. WITHDRAWAL OF MOTION TO RECONSIDER. A motion to
24 reconsider cannot be withdrawn unless permission is given by a
25 majority vote of the house, and the motion may be called up by any
26 member.

27 Sec. 41. TABLING MOTION TO RECONSIDER. A motion to

1 reconsider shall be subject to a motion to table, which, if carried,
2 shall be a final disposition of the motion to reconsider.

3 Sec. 42. DOUBLE MOTION TO RECONSIDER AND TABLE. The double
4 motion to reconsider and table shall be in order. It shall be
5 undebatable. When carried, the motion to reconsider shall be
6 tabled. When it fails, the question shall then be on the motion to
7 reconsider, and the motion to reconsider shall, without further
8 action, be spread on the journal, but it may be called up by any
9 member, in accordance with the provisions of Section 43 of this
10 rule.

11 Sec. 43. DELAYED DISPOSITION OF MOTION TO RECONSIDER. (a)
12 If a motion to reconsider is not disposed of when made, it shall be
13 entered in the journal, and cannot, after that legislative day, be
14 called up and disposed of unless one legislative day's notice has
15 been given.

16 (b) Unless called up and disposed of prior to 72 hours
17 before final adjournment of the session, all motions to reconsider
18 shall be regarded as determined and lost.

19 (c) All motions to reconsider made during the last 72 hours
20 of the session shall be disposed of when made; otherwise, the motion
21 shall be considered as lost.

22 Sec. 44. MOTION TO RECONSIDER AND SPREAD ON JOURNAL. (a) A
23 member voting on the prevailing side may make a motion to reconsider
24 and spread on the journal, which does not require a vote, and on the
25 motion being made, it shall be entered on the journal. Any member,
26 regardless of whether he or she voted on the prevailing side or not,
27 who desires immediate action on a motion to reconsider which has

1 been spread on the journal, can call it up as soon as it is made, and
2 demand a vote on it, or can call it up and move to table it.

3 (b) If the motion to table the motion to reconsider is
4 defeated, the motion to reconsider remains spread on the journal
5 for future action; however, any member, regardless of whether he or
6 she voted on the prevailing side or not, can call the motion from
7 the journal for action by the house, and, once disposed of, no other
8 motion to reconsider can be made.

9 Sec. 45. MOTION TO REQUIRE COMMITTEE TO REPORT. (a) During
10 the first 76 calendar days of a regular session, when any bill,
11 resolution, or other paper has been in committee for 6 calendar
12 days, exclusive of the calendar day on which it was referred, it
13 shall be in order for a member to move that the committee be
14 required to report the same within 7 calendar days. This motion
15 shall require a two-thirds vote for passage.

16 (b) After the first 76 calendar days of a regular session,
17 when any bill, resolution, or other paper has been in committee for
18 6 calendar days, exclusive of the calendar day on which it was
19 referred, it shall be in order for a member to move that the
20 committee be required to report the same within 7 calendar days.
21 This motion shall require a majority vote for passage.

22 (c) A motion to instruct a committee to report is not a
23 privileged motion and must be made during the routine motion period
24 unless made under a suspension of the rules.

25 (d) The house shall have no authority to instruct a
26 subcommittee directly; however, instructions recognized under the
27 rules may be given to a committee and shall be binding on all

1 subcommittees.

2 Sec. 46. MOTION TO REREFER TO ANOTHER COMMITTEE. (a)
3 During the first 76 calendar days of a regular session, when any
4 bill, resolution, or other paper has been in committee for 7
5 calendar days after the committee was instructed by the house to
6 report that measure by a motion made under Section 45 of this rule,
7 it shall be in order for a member to move to rerefer the bill,
8 resolution, or other paper to a different committee. This motion
9 shall require a two-thirds vote for passage.

10 (b) After the first 76 calendar days of a regular session,
11 when any bill, resolution, or other paper has been in committee for
12 7 calendar days after the committee has been instructed to report
13 that measure by a motion made under Section 45 of this rule, it
14 shall be in order for a member to move to rerefer the bill,
15 resolution, or other paper to a different committee. This motion
16 shall require a majority vote for passage.

17 (c) A motion to rerefer a bill, resolution, or other paper
18 from one committee to another committee is not a privileged motion
19 and must be made during the routine motion period unless made under
20 a suspension of the rules.

RULE 8. BILLS

1
2 Sec. 1. CONTENTS OF BILLS. Proposed laws or changes in laws
3 must be incorporated in bills, which shall consist of:

4 (1) a title or caption, beginning with the words "A
5 Bill to be Entitled An Act" and a brief statement that gives the
6 legislature and the public reasonable notice of the subject of the
7 proposed measure;

8 (2) an enacting clause, "Be It Enacted by the
9 Legislature of the State of Texas"; and

10 (3) the bill proper.

11 Sec. 2. PUBLISHING ACTS IN THEIR ENTIRETY. No law shall be
12 revived or amended by reference to its title. The act revived, or
13 the section or sections amended, shall be reenacted and published
14 at length. This rule does not apply to revisions adopted under
15 Article III, Section 43, of the Texas Constitution.

16 Sec. 3. LIMITING A BILL TO A SINGLE SUBJECT. Each bill
17 (except a general appropriations bill, which may embrace the
18 various subjects and accounts for which money is appropriated or a
19 revision adopted under Article III, Section 43, of the Texas
20 Constitution) shall contain only one subject.

21 Sec. 4. CHANGING GENERAL LAW THROUGH AN APPROPRIATIONS
22 BILL. A general law may not be changed by the provisions in an
23 appropriations bill.

24 Sec. 5. COAUTHORSHIP, JOINT AUTHORSHIP, SPONSORSHIP,
25 COSPONSORSHIP, AND JOINT SPONSORSHIP. (a) A house bill or
26 resolution may have only one primary author. The signature of the
27 primary author shall be the only signature that appears on the

1 original measure and all copies filed with the chief clerk. The
2 signatures of all coauthors or joint authors shall appear on the
3 appropriate forms in the chief clerk's office.

4 (b) Any member may become the coauthor of a bill or
5 resolution by securing permission from the author. If permission
6 is secured from the author prior to the time the measure is filed
7 with the chief clerk, the primary author and the coauthor shall sign
8 the appropriate form, which shall be included with the measure when
9 it is filed with the chief clerk. If a member wishes to become the
10 coauthor of a measure after it has been filed, no action shall be
11 required by the house, but it shall be the duty of the member
12 seeking to be a coauthor to obtain written authorization on the
13 appropriate form from the author. This authorization shall be
14 filed with the chief clerk before the coauthor signs the form for
15 the bill or resolution. The chief clerk shall report daily to the
16 journal clerk the names of members filed as coauthors of bills or
17 resolutions. If a coauthor of a bill or resolution desires to
18 withdraw from such status, the member shall notify the chief clerk,
19 who in turn shall notify the journal clerk.

20 (c) The primary author of a measure may designate up to four
21 joint authors by providing written authorization on the appropriate
22 form to the chief clerk. If a member designated as a joint author
23 has not already signed on the measure as a coauthor, that member
24 must also sign the form before the records will reflect the joint
25 author status of that member. The names of all joint authors shall
26 be shown immediately following the primary author's name on all
27 official printings of the measure, on all house calendars, in the

1 house journal, and in the electronic legislative information
2 system.

3 (d) The determination of the house sponsor of a senate
4 measure is made at the time the measure is reported from committee.
5 In the case of multiple requests for house sponsorship, the house
6 sponsor of a senate measure shall be determined by the chair of the
7 committee, in consultation with the senate author of the measure.
8 The chair of the committee must designate a primary sponsor and may
9 designate up to four joint sponsors or an unlimited number of
10 cosponsors. The names of all joint sponsors shall be shown
11 immediately following the primary sponsor's name on all official
12 printings of the measure, on all house calendars, in the house
13 journal, and in the electronic legislative information system.

14 Sec. 6. FILING, FIRST READING, AND REFERRAL TO COMMITTEE.
15 Each bill shall be filed with the chief clerk when introduced and
16 shall be numbered in its regular order. Each bill shall be read
17 first time by caption and referred by the speaker to the appropriate
18 committee with jurisdiction.

19 Sec. 7. PREFILING. Beginning the first Monday after the
20 general election preceding the next regular legislative session, or
21 within 30 days prior to any special session, it shall be in order to
22 file with the chief clerk bills and resolutions for introduction in
23 that session. On receipt of the bills or resolutions, the chief
24 clerk shall number them and make them a matter of public record,
25 available for distribution. Once a bill or resolution has been so
26 filed, it may not be recalled. This shall apply only to
27 members-elect of the succeeding legislative session.

1 Sec. 8. DEADLINE FOR INTRODUCTION. (a) Bills and joint
2 resolutions introduced during the first 60 calendar days of the
3 regular session may be considered by the committees and in the house
4 and disposed of at any time during the session, in accordance with
5 the rules of the house. After the first 60 calendar days of a
6 regular session, any bill or joint resolution, except local bills,
7 emergency appropriations, and all emergency matters submitted by
8 the governor in special messages to the legislature, shall require
9 an affirmative vote of four-fifths of those members present and
10 voting to be introduced.

11 (b) In addition to a bill defined as a "local bill" under
12 Section 10(c) of this rule, a bill is considered local for purposes
13 of this section if it relates to a specified district created under
14 Article XVI, Section 59, of the Texas Constitution (water
15 districts, etc.), a specified hospital district, or another
16 specified special purpose district, even if neither these rules nor
17 the Texas Constitution require publication of notice for that bill.

18 Sec. 9. NUMBER OF COPIES FILED. (a) Nine copies of every
19 bill, except bills relating to conservation and reclamation
20 districts and governed by the provisions of Article XVI, Section
21 59, of the Texas Constitution, must be filed with the chief clerk at
22 the time that the bill is introduced.

23 (b) Eleven copies of every bill relating to conservation and
24 reclamation districts and governed by the provisions of Article
25 XVI, Section 59, of the Texas Constitution, with copies of the
26 notice to introduce the bill attached, must be filed with the chief
27 clerk at the time that the bill is introduced if the bill is

1 intended to:

2 (1) create a particular conservation and reclamation
3 district; or

4 (2) amend the act of a particular conservation and
5 reclamation district to:

6 (A) add additional land to the district;

7 (B) alter the taxing authority of the district;

8 (C) alter the authority of the district with
9 respect to issuing bonds; or

10 (D) alter the qualifications or terms of office
11 of the members of the governing body of the district.

12 (c) No bill may be laid before the house on first reading
13 until it is in compliance with the provisions of this section.

14 Sec. 10. LOCAL BILLS. (a) The house may not consider a
15 local bill unless notice of intention to apply for the passage of
16 the bill was published as provided by law and evidence of the
17 publication is attached to the bill. If not attached to the bill on
18 filing with the chief clerk or receipt of the bill from the senate,
19 copies of the evidence of timely publication shall be filed with the
20 chief clerk and must be distributed to the members of the committee
21 not later than the first time the bill is laid out in a committee
22 meeting. The evidence shall be attached to the bill on first
23 printing and shall remain with the measure throughout the entire
24 legislative process, including submission to the governor.

25 (b) Neither the house nor a committee of the house may
26 consider a bill whose application is limited to one or more
27 political subdivisions by means of population brackets or other

1 artificial devices in lieu of identifying the political subdivision
2 or subdivisions by name. However, this subsection does not prevent
3 consideration of a bill that classifies political subdivisions
4 according to a minimum or maximum population or other criterion
5 that bears a reasonable relation to the purpose of the proposed
6 legislation or a bill that updates laws based on population
7 classifications to conform to a federal decennial census.

8 (c) Except as provided by Subsection (d) of this section,
9 "local bill" for purposes of this section means:

10 (1) a bill for which publication of notice is required
11 under Article XVI, Section 59, of the Texas Constitution (water
12 districts, etc.);

13 (2) a bill for which publication of notice is required
14 under Article IX, Section 9, of the Texas Constitution (hospital
15 districts);

16 (3) a bill relating to hunting, fishing, or
17 conservation of wildlife resources of a specified locality;

18 (4) a bill creating or affecting a county court or
19 statutory court or courts of one or more specified counties or
20 municipalities;

21 (5) a bill creating or affecting the juvenile board or
22 boards of a specified county or counties; or

23 (6) a bill creating or affecting a road utility
24 district under the authority of Article III, Section 52, of the
25 Texas Constitution.

26 (d) A bill is not considered to be a local bill under
27 Subsection (c)(3), (4), or (5) if it affects a sufficient number of

1 localities, counties, or municipalities so as to be of general
2 application or of statewide importance.

3 Sec. 11. CONSIDERATION IN COMMITTEE. (a) No bill shall be
4 considered unless it first has been referred to a committee and
5 reported from it.

6 (b) After a bill has been recommitted, it shall be
7 considered by the committee as a new subject.

8 Sec. 12. ORDER OF CONSIDERATION. All bills and resolutions
9 before the house shall be taken up and acted on in the order in which
10 they appear on their respective calendars, and each calendar shall
11 have the priority accorded to it by the provisions of Rule 6,
12 Sections 7 and 8.

13 Sec. 13. DEADLINES FOR CONSIDERATION. (a) No house bill
14 that is local as defined by Section 10(c) of this rule and that
15 appears on a local, consent, and resolutions calendar shall be
16 considered for any purpose after the 130th day of a regular session,
17 except to:

- 18 (1) act on senate amendments;
19 (2) adopt a conference committee report;
20 (3) reconsider the bill to make corrections; or
21 (4) pass the bill notwithstanding the objections of
22 the governor.

23 (b) No other house bill or joint resolution shall be
24 considered on its second reading after the 122nd day of a regular
25 session if it appears on a daily or supplemental daily house
26 calendar, or for any purpose after the 123rd day of a regular
27 session, except to:

- 1 (1) act on senate amendments;
- 2 (2) adopt a conference committee report;
- 3 (3) reconsider the bill or resolution to make
- 4 corrections; or
- 5 (4) pass the bill notwithstanding the objections of
- 6 the governor.

7 (c) No senate bill or joint resolution shall be considered
8 on its second reading after the 134th day of a regular session if it
9 appears on a daily or supplemental daily house calendar, or for any
10 purpose after the 135th day of a regular session, except to:

- 11 (1) adopt a conference committee report;
- 12 (2) reconsider the bill or resolution to remove house
- 13 amendments;
- 14 (3) reconsider the bill or resolution to make
- 15 corrections; or
- 16 (4) pass the bill notwithstanding the objections of
- 17 the governor.

18 (d) The speaker shall not lay any bill or joint resolution
19 before the house or permit a vote to be taken on its passage on the
20 136th and 137th days of a regular session, except to:

- 21 (1) act on senate amendments;
- 22 (2) adopt a conference committee report;
- 23 (3) reconsider the bill or resolution to remove house
- 24 amendments;
- 25 (4) reconsider the bill or resolution to make
- 26 corrections; or
- 27 (5) pass the bill notwithstanding the objections of

1 the governor.

2 (e) The speaker shall not lay any bill or joint resolution
3 before the house or permit a vote to be taken on its passage on the
4 138th and 139th days of a regular session, except to:

5 (1) adopt a conference committee report;

6 (2) reconsider the bill or resolution to remove house
7 amendments;

8 (3) discharge house conferees and concur in senate
9 amendments;

10 (4) reconsider the bill or resolution to make
11 corrections; or

12 (5) pass the bill notwithstanding the objections of
13 the governor.

14 (f) No vote shall be taken upon the passage of any bill or
15 resolution within 24 hours of the final adjournment of a regular
16 session unless it be to reconsider the bill or resolution to make
17 corrections, or to adopt a corrective resolution.

18 Sec. 14. DELIVERY PRIOR TO CONSIDERATION. (a) Each bill or
19 resolution, except the general appropriations bill, shall be
20 delivered to each member by making a copy of the bill or resolution
21 available in an electronic format for viewing by the member and,
22 when the electronic format copy of the appropriate printing becomes
23 available, by sending notice of that fact to a Capitol e-mail
24 address designated by the member, at least 36 hours if convened in
25 regular session and 24 hours if convened in special session before
26 the bill can be considered by the house on second reading. If a
27 member informs the chief clerk in writing that the member desires to

1 receive paper copies of bills and resolutions under this section in
2 addition to delivery in an electronic format, the chief clerk shall
3 place a paper copy of the bill or resolution in the newspaper box of
4 the member as soon as practicable after the electronic copies of the
5 bill or resolution are made available for viewing.

6 (a-1) A printed copy of the general appropriations bill
7 shall be placed in the newspaper mailbox of each member at least 168
8 hours during a regular session and at least 72 hours during a
9 special session before the bill can be considered by the house on
10 second reading.

11 (b) By majority vote, the house may order both the original
12 bill or resolution and the complete committee substitute to be
13 printed. It shall not be necessary for the house to order complete
14 committee substitutes printed in lieu of original bills.

15 (c) A two-thirds vote of the house is necessary to order
16 that bills, other than local bills, be not printed. It shall not be
17 necessary for the house to order that local bills be not printed.

18 Sec. 15. REQUIREMENT FOR THREE READINGS. A bill shall not
19 have the force of law until it has been read on three several
20 legislative days in each house and free discussion allowed, unless
21 this provision is suspended by a vote of four-fifths of the members
22 present and voting, a quorum being present. The yeas and nays shall
23 be taken on the question of suspension and entered in the journal.

24 Sec. 16. CONSIDERATION SECTION BY SECTION. (a) During the
25 consideration of any bill or resolution, the house may, by a
26 majority vote, order the bill or resolution to be considered
27 section by section, or department by department, until each section

1 or department has been given separate consideration. If such a
2 procedure is ordered, only amendments to the section or department
3 under consideration at that time shall be in order. However, after
4 each section or department has been considered separately, the
5 entire bill or resolution shall be open for amendment, subject to
6 the provisions of Rule 11, Section 8(b). Once the consideration of
7 a bill section by section or department by department has been
8 ordered, it shall not be in order to move the previous question on
9 the entire bill, to recommit it, to lay it on the table, or to
10 postpone it, until each section or department has been given
11 separate consideration or until the vote by which section by
12 section consideration was ordered is reconsidered.

13 (b) A motion to consider a bill section by section is
14 debatable within narrow limits; that is, the pros and cons of the
15 proposed consideration can be debated but not the merits of the
16 bill.

17 Sec. 17. PASSAGE TO ENGROSSMENT OR THIRD READING. After a
18 bill or complete committee substitute for a bill has been taken up
19 and read, amendments shall be in order. If no amendment is made, or
20 if those proposed are disposed of, then the final question on its
21 second reading shall be, in the case of a house bill, whether it
22 shall be passed to engrossment, or, in the case of a senate bill,
23 whether it shall pass to its third reading. All bills ordered
24 passed to engrossment or passed to a third reading shall remain on
25 the calendar on which placed, but with future priority over bills
26 that have not passed second reading.

27 Sec. 18. CERTIFICATION OF FINAL PASSAGE. The chief clerk

1 shall certify the final passage of each bill, noting on the bill the
2 date of its passage, and the vote by which it passed, if by a yea and
3 nay vote.

4 Sec. 19. EFFECTIVE DATE. Every law passed by the
5 legislature, except the General Appropriations Act, shall take
6 effect or go into force on the 91st day after the adjournment of the
7 session at which it was enacted, unless the legislature provides
8 for an earlier effective date by a vote of two-thirds of all the
9 members elected to each house. The vote shall be taken by yeas and
10 nays and entered in the journals.

11 Sec. 20. BILLS CONTAINING SAME SUBSTANCE AS DEFEATED BILL.
12 After a bill or resolution has been considered and defeated by
13 either house of the legislature, no bill or resolution containing
14 the same substance shall be passed into law during the same session.

15 Sec. 21. CONSIDERATION OF BILLS INVOLVING STATE FUNDS. (a)
16 In order to assure the continuation of financial support of
17 existing state services through the passage of the general
18 appropriations bill, it shall not be in order during the first 118
19 days of the regular session for the speaker to lay before the house,
20 prior to the consideration, passage, and certification by the
21 comptroller of the general appropriations bill, any bill that
22 directly or indirectly prevents from being available for purposes
23 of funding state government generally any money that under existing
24 law would otherwise be available for that purpose, including a bill
25 that transfers or diverts money in the state treasury from the
26 general revenue fund to another fund.

27 (b) In order to assure compliance with the limitation on

1 appropriations of state tax revenue not dedicated by the
2 constitution as provided by Article VIII, Section 22, of the Texas
3 Constitution, it is not in order for the speaker to lay before the
4 house, prior to the time that the general appropriations bill has
5 been finally passed and sent to the comptroller, any bill that
6 appropriates funds from the state treasury that are not dedicated
7 by the constitution.

8 (c) When bills subject to the provisions of Subsection (a)
9 of this section become eligible for consideration, they shall be
10 considered for passage under the rules of the house and the joint
11 rules as any other bill but shall not be signed by the speaker as
12 required by the Constitution of Texas and the rules of the house
13 until the general appropriations bill has been signed by the
14 presiding officers of both houses of the legislature and
15 transmitted to the comptroller of public accounts for certification
16 as required by Article III, Section 49a, of the Constitution of
17 Texas.

18 (d) All bills subject to the provisions of Subsection (a) of
19 this section that have finally passed both houses shall be enrolled
20 as required by the rules and transmitted to the speaker. The
21 speaker shall note on each bill the date and hour of final
22 legislative action and shall withhold his or her signature and any
23 further action on all such bills until the general appropriations
24 bill has been signed by the presiding officers of both houses and
25 transmitted to the comptroller of public accounts for
26 certification. Immediately thereafter, the speaker shall sign in
27 the presence of the house all bills on which further action was

1 being withheld because the bills were subject to the provisions of
2 this section. After being signed by the speaker, the bills shall
3 then be transmitted to the comptroller of public accounts for
4 certification or to the governor, as the case may be, in the order
5 in which final legislative action was taken. "Final legislative
6 action," as that term is used in this subsection, shall mean the
7 last act of either house meeting in general session necessary to
8 place the bill in its final form preparatory to enrollment.

9 (e) Subsections (a)-(d) of this section shall not apply to
10 any bills providing for:

- 11 (1) the payment of expenses of the legislature;
- 12 (2) the payment of judgments against the state;
- 13 (3) any emergency matter when requested by the
14 governor in a formal message to the legislature; or
- 15 (4) the reduction of taxes.

16 (f) Unless within the authority of a resolution or
17 resolutions adopted pursuant to Article VIII, Section 22(b), of the
18 Texas Constitution, it is not in order for the house to consider for
19 final passage on third reading, on motion to concur in senate
20 amendments, or on motion to adopt a conference committee report, a
21 bill appropriating funds from the state treasury in an amount that,
22 when added to amounts previously appropriated by bills finally
23 passed and sent or due to be sent to the comptroller, would exceed
24 the limit on appropriations established under Chapter 316,
25 Government Code.

26 (g) The general appropriations bill shall be reported to the
27 house by the Committee on Appropriations not later than the 90th

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1 calendar day of the regular session. Should the Committee on
2 Appropriations fail to report by the deadline, Subsections (a)-(d)
3 of this section shall be suspended for the balance of that regular
4 session.

1 RULE 9. JOINT RESOLUTIONS

2 Sec. 1. AMENDMENTS TO THE TEXAS CONSTITUTION. (a) A
3 proposed amendment to the Texas Constitution shall take the form of
4 a joint resolution, which shall be subject to the rules that govern
5 the proceedings on bills, except as provided by this section.

6 (b) A joint resolution is not subject to the provisions of
7 Rule 8, Section 3, or Rule 11, Section 3.

8 (c) A joint resolution shall be adopted on any reading after
9 the first if it receives a two-thirds vote of the elected membership
10 of the house. If such a joint resolution receives only a majority
11 vote on second reading, it shall be passed to engrossment, and
12 subsequent proceedings shall be the same as those governing the
13 final passage of bills which have been passed to engrossment. If
14 such a joint resolution does not receive a two-thirds vote of the
15 elected membership of the house on third reading and final passage,
16 it shall fail of adoption.

17 Sec. 2. RATIFYING OR PROPOSING AMENDMENTS TO THE
18 CONSTITUTION OF THE UNITED STATES. Ratification by Texas of a
19 proposed amendment to or application to Congress for a convention
20 to amend the Constitution of the United States shall take the form
21 of a joint resolution, which shall be subject to the rules that
22 govern the proceedings on bills, except that it shall be adopted on
23 second reading if it receives a majority vote of the members present
24 and voting, a quorum being present. If such a joint resolution
25 fails to receive a majority vote, it shall fail of adoption and
26 shall not be considered again unless revived by a motion to
27 reconsider as otherwise provided in the rules.

1 Sec. 3. PLACEMENT OF JOINT RESOLUTIONS ON A CALENDAR. Joint
2 resolutions on committee report shall be referred to the Committee
3 on Calendars for placement on an appropriate calendar. The
4 Committee on Calendars shall maintain a separate calendar for house
5 joint resolutions and a separate calendar for senate joint
6 resolutions. Senate joint resolutions shall be considered on
7 calendar Wednesdays and calendar Thursdays along with senate bills.

1 RULE 10. HOUSE RESOLUTIONS AND CONCURRENT RESOLUTIONS

2 Sec. 1. FILING. Resolutions shall be introduced by the
3 filing of nine identical copies with the chief clerk, who shall
4 number and record house resolutions in one series and concurrent
5 resolutions in a separate series.

6 Sec. 2. REFERRAL TO COMMITTEE. (a) After numbering and
7 recording, all resolutions shall be sent to the speaker for
8 referral to the proper committee.

9 (b) Resolutions proposing the expenditure of money out of
10 the contingent expense fund of the legislature shall be referred to
11 the Committee on House Administration.

12 (c) All other resolutions shall be referred to the
13 appropriate committee with jurisdiction.

14 Sec. 3. REFERRAL TO CALENDARS COMMITTEES. All resolutions
15 on committee report, other than privileged resolutions, shall be
16 referred immediately to the appropriate calendars committee for
17 placement on the appropriate calendar.

18 Sec. 4. ORDER OF CONSIDERATION. Unless privileged,
19 resolutions shall be considered by the house only at the time
20 assigned for their consideration on the calendar, in accordance
21 with the provisions of Rule 6, Section 7.

22 Sec. 4A. RECORD VOTE REQUIRED BY TEXAS CONSTITUTION. A vote
23 on final passage of a resolution other than a resolution of a purely
24 ceremonial or honorary nature must be by record vote with the vote
25 of each member entered in the journal as required by Section 12(b),
26 Article III, Texas Constitution.

27 Sec. 5. SIGNING BY GOVERNOR. Concurrent resolutions shall

1 take the same course as house resolutions, except that they shall be
2 sent to the governor for signing when finally passed by both houses.

3 Sec. 6. MASCOT RESOLUTIONS. (a) All candidates for the
4 office of mascot shall be named in and elected by a single house
5 resolution.

6 (b) Only children of house members who are under the age of
7 12 years shall be eligible for election to the honorary office of
8 mascot. A child once named a mascot shall not be eligible for the
9 honor a second time.

10 (c) No separate classification or special title shall be
11 given to any mascot, but all shall receive the same title of
12 honorary mascot of the house of representatives.

13 (d) The speaker shall issue a certificate showing the
14 election of each mascot and deliver it to the parent member of the
15 child.

16 Pictures of mascots shall appear on the panel picture of the
17 house.

18 Sec. 7. CONSIDERATION OF RESOLUTIONS DURING CALLED
19 SESSIONS. The subject matter of house resolutions and concurrent
20 resolutions does not have to be submitted by the governor in a
21 called session before they can be considered.

22 Sec. 8. RESOLUTIONS AUTHORIZING TECHNICAL CORRECTIONS.
23 Resolutions authorizing the enrolling clerk of the house or senate
24 to make technical corrections to a measure that has been finally
25 acted upon by both houses of the legislature shall be privileged in
26 nature and need not be referred to committee. Such resolutions
27 shall be eligible for consideration by the house upon introduction

1 in the house or receipt from the senate.

2 Sec. 9. AUTHOR'S SIGNATURE ON CONGRATULATORY OR MEMORIAL
3 RESOLUTION. The enrolled printing of a house congratulatory or
4 memorial resolution shall include a place for the signature of the
5 primary author of the resolution. The chief clerk shall provide the
6 primary author with the opportunity to sign the resolution after
7 the resolution is enrolled. The absence of the primary author's
8 signature does not affect the validity of the resolution as adopted
9 by the house.

RULE 11. AMENDMENTS

1
2 Sec. 1. ACCEPTABLE MOTIONS TO AMEND. When a bill,
3 resolution, motion, or proposition is under consideration, a motion
4 to amend and a motion to amend that amendment shall be in order. It
5 shall also be in order to offer a further amendment by way of a
6 substitute. Such a substitute may not be amended. If the
7 substitute is adopted, the question shall then be on the amendment
8 as substituted, and under this condition an amendment is not in
9 order.

10 Sec. 2. MOTIONS ON A DIFFERENT SUBJECT OFFERED AS
11 AMENDMENTS. No motion or proposition on a subject different from
12 the subject under consideration shall be admitted as an amendment
13 or as a substitute for the motion or proposition under debate.
14 "Proposition" as used in this section shall include a bill,
15 resolution, joint resolution, or any other motion which is
16 amendable.

17 Amendments pertaining to the organization, powers,
18 regulation, and management of the agency, commission, or advisory
19 committee under consideration are germane to bills extending state
20 agencies, commissions, or advisory committees under the provisions
21 of the Texas Sunset Act (Chapter 325, Government Code).

22 An amendment to a committee substitute laid before the house
23 in lieu of an original bill is germane if each subject of the
24 amendment is a subject that is included in the committee substitute
25 or was included in the original bill.

26 Sec. 3. AMENDING A BILL TO CHANGE ITS ORIGINAL PURPOSE. No
27 bill shall be amended in its passage through either house so as to

1 change its original purpose.

2 Sec. 4. AMENDMENTS TO BILLS AND RESOLUTIONS ON LOCAL,
3 CONSENT, AND RESOLUTIONS CALENDARS. Amendments to a bill or
4 resolution shall not be in order during its consideration on a
5 local, consent, and resolutions calendar set by the Committee on
6 Local and Consent Calendars, unless the amendments have first been
7 submitted to and approved by the Committee on Local and Consent
8 Calendars, which shall be noted thereon by the chair of the
9 Committee on Local and Consent Calendars prior to the offering of
10 the amendments.

11 Sec. 5. AMENDMENTS ON THIRD READING. When a bill has been
12 taken up on its third reading, amendments shall be in order, but
13 shall require a two-thirds vote of the members present for their
14 adoption. A bill on third reading may be recommitted to a committee
15 and later reported to the house with amendments, in which case the
16 bill shall again take the course of a bill at its second reading.

17 Sec. 6. COPIES OF AN AMENDMENT. (a) Five copies of each
18 amendment shall be filed with the speaker. When the amendment is
19 read, two copies shall go to the chief clerk, one copy to the
20 journal clerk, one copy to the reading clerk, and one copy to the
21 speaker. No amendment offered from the floor shall be in order
22 unless the sponsoring member has complied with the provisions of
23 this section with respect to copies of the amendment. The chief
24 clerk shall retain one copy of each amendment filed with the speaker
25 under this section whether or not the amendment was offered by the
26 filing member.

27 (b) Prior to the time that an amendment is offered, if the

1 amendment exceeds one page in length, the sponsoring member must
2 provide to the chief clerk a minimum of five copies to be available
3 for distribution to those members requesting copies of the
4 amendment.

5 (c) If the amendment is only one page in length or less, the
6 sponsoring member must provide one additional copy of the amendment
7 to the chief clerk, who shall immediately proceed to have
8 additional copies made and available for those members requesting
9 copies of the amendment.

10 (d) The provisions of this section with respect to extra
11 copies shall not apply to committee amendments or to amendments
12 which do nothing more than delete material from the bill or
13 resolution.

14 (e) The speaker shall not recognize a member to offer an
15 original amendment that exceeds one page in length and that is in
16 the form of a complete substitute for the bill or resolution laid
17 before the house, or in the opinion of the speaker is a substantial
18 substitute, unless 10 copies of the amendment have been provided to
19 the chief clerk and were available in the chief clerk's office at
20 least 12 hours prior to the time the calendar on which the bill or
21 resolution to be amended is eligible for consideration.

22 (f) An amendment may be typed, hand-printed, or
23 handwritten, but must be legible in order to be offered.

24 (g) The speaker shall not recognize a member to offer an
25 original amendment to a bill extending an agency, commission, or
26 advisory committee under the Texas Sunset Act unless 10 copies of
27 the amendment have been provided to the chief clerk and were

1 available in the chief clerk's office at least 24 hours prior to the
2 time the calendar on which the bill or resolution to be amended is
3 eligible for consideration.

4 (h) If the house is convened in regular session, the speaker
5 shall not recognize a member to offer an original amendment to the
6 general appropriations bill on second reading unless 10 copies of
7 the amendment have been provided to the chief clerk and were
8 available in the chief clerk's office at least 72 hours prior to the
9 time the calendar on which the general appropriations bill appears
10 for second reading is first eligible for consideration.

11 (i) The Committee on House Administration shall ensure
12 that:

13 (1) the floor amendment system through which members
14 of the house may view an electronic image of current or past
15 amendments, or the system's successor in function, is available to
16 the public on the Internet; and

17 (2) members of the public using the system available
18 on the Internet may view the same information that members may view
19 at the same time that members may view the information.

20 Sec. 7. ORDER OF OFFERING MOTIONS TO AMEND. Classes of
21 motions to amend shall be offered in the following order:

22 (1) motions to amend by striking out the enacting
23 clause of a bill (or the resolving clause of a resolution), which
24 amendment cannot be amended or substituted;

25 (2) motions to amend an original bill, resolution,
26 motion, or proposition (other than substitute bills as provided for
27 in Subdivision (3) below), which shall have precedence as follows:

- 1 (A) original amendment;
2 (B) amendment to the amendment;
3 (C) substitute for the amendment to the
4 amendment.

5 Recognition for the offering of original amendments shall be
6 as follows: first, the main author; second, the member or members
7 offering the committee amendment; and third, members offering other
8 amendments from the floor;

9 (3) motions to amend an original bill by striking out
10 all after the enacting clause (substitute bills), which substitute
11 bills shall be subject to amendment as follows:

- 12 (A) amendment to the substitute bill;
13 (B) substitute for the amendment to the
14 substitute bill.

15 Recognition for offering such substitute bills shall be as
16 follows: first, the main author of the original bill, if the
17 member has not sought to perfect the bill by amendments as provided
18 for in Subdivision (2) above; second, the member or members
19 offering the committee amendment; and, third, members offering
20 amendments from the floor.

21 It shall be in order under the procedure described in this
22 subdivision to have as many as four complete measures pending
23 before the house at one time; that is, an original bill, an
24 amendment striking out all after the enacting clause of the bill and
25 inserting a new bill body, an amendment to the amendment striking
26 out all after the enacting clause of the bill and inserting a new
27 bill body, and a substitute for this amendment to the amendment to

1 the original bill which is also a new bill body. These "substitute
2 bills" shall be voted on in the reverse order of their offering;

3 (4) motions to amend the caption of a bill or joint
4 resolution, which may also be offered in accordance with Section
5 9(a) of this rule.

6 Sec. 8. STRIKE OUTS AND INSERTIONS. (a) A motion to strike
7 out and to insert new matter in lieu of that to be stricken out shall
8 be regarded as a substitute and shall be indivisible.

9 (b) Matter inserted or stricken out of an original bill by
10 way of amendment may not be taken out or reinserted at a later time
11 on the same reading except under the following conditions:

12 (1) reconsideration of the inserting or deleting
13 amendment;

14 (2) adoption of a "substitute bill" amendment;

15 (3) adoption of an amendment for a whole paragraph,
16 section or subdivision of a bill which so materially changes the
17 original text that the portion inserted or deleted is in fact of
18 minor importance.

19 Sec. 9. AMENDING CAPTIONS. (a) An amendment to the caption
20 of a bill or resolution shall not be in order until all other
21 proposed amendments have been acted on and the house is ready to
22 vote on the passage of the measure, and it shall then be decided
23 without debate.

24 (b) If the previous question has been ordered on a bill or
25 joint resolution at any reading, an amendment to the caption of that
26 bill or joint resolution may be offered and voted on immediately
27 preceding the final vote on the bill or joint resolution.

1 Sec. 10. MOTION TO LIMIT AMENDMENTS. (a) A motion to limit
2 amendments shall be admitted only when seconded by 25 members. The
3 motion may take either of two forms:

4 (1) to limit amendments to those pending before the
5 house; or

6 (2) to limit amendments to those pending on the
7 speaker's desk.

8 (b) The motion shall be put by the chair in this manner: "The
9 motion has been seconded. Three minutes pro and con debate will be
10 allowed on the motion to limit amendments." As soon as the debate
11 has ended, the chair shall continue: "As many as are in favor of
12 limiting amendments on (here state on which question or questions)
13 will say 'Aye,'" and then "As many as are opposed say 'Nay.'" As in
14 all other propositions, a motion to limit amendments shall be
15 decided by a record vote if demanded by any member. If ordered by a
16 majority of the members voting, a quorum being present, the motion
17 shall have the effect of confining further debate and consideration
18 to those amendments included within the motion, and thereafter the
19 chair will accept no more amendments to the proposition to which the
20 motion is applied.

21 (c) The motion to limit amendments, if adopted, shall not in
22 any way cut off or limit debate or other parliamentary maneuvers on
23 the pending proposition or propositions or amendment or amendments
24 included within the motion. The sole function of the motion is to
25 prevent the chair from accepting further amendments to the
26 proposition to which the motion is applied.

27 (d) Except as otherwise provided, the motion to limit

1 amendments shall have no effect on the parliamentary situation to
2 which the motion is applied, and the matter to which the motion is
3 applied shall continue to be considered by the house in all other
4 respects as though the motion had not been made.

5 (e) The amendments that are included within the motion to
6 limit amendments shall each be subject to amendment, if otherwise
7 permitted under the rules.

8 Sec. 11. MOTION TO TABLE A MOTION TO LIMIT AMENDMENTS. The
9 motion to limit amendments is not subject to a motion to table.

10 Sec. 12. ORDER OF VOTING ON AMENDMENTS. When an amendment
11 is offered, followed by an amendment to that amendment, and then a
12 substitute for the amendment to the amendment, these questions
13 shall be voted on in the reverse order of their offering.

14 Sec. 13. CERTIFICATION OF ADOPTION OF AMENDMENTS. When an
15 amendment is adopted, such action shall be certified by the chief
16 clerk on the amendment, and the official copy of the amendment shall
17 then be securely attached to the bill or resolution which it amends.

RULE 12. PRINTING

Sec. 1. PRINTINGS OF BILLS AND JOINT RESOLUTIONS. (a)

Except as otherwise provided in this rule, all bills and joint resolutions shall be printed and a copy provided to each member at each of the following stages in the parliamentary progress of the bill or joint resolution:

(1) at the time of the committee report on the bill or joint resolution, which shall be known as "First Printing" and which shall consist of:

(A) a complete text of the bill or joint resolution as reported from committee;

(B) a complete copy of the bill analysis, a complete copy of the summary of committee action, and a complete copy of the witness list;

(C) the text of the committee report;

(D) the record vote by which the measure was reported from committee, including the vote of individual members;

(E) a copy of the latest fiscal note; and

(F) a copy of each impact statement received by the committee;

(2) at the time the bill or joint resolution, if amended, finally passes the senate, senate amendments and house engrossment text will be printed, which shall be known as "Second Printing"; and

(3) at the time the conference committee, if any, makes its report on the bill or joint resolution, which shall be known as "Third Printing."

1 (b) In any section of the first printing of a bill or joint
2 resolution that proposes to amend an existing statute or
3 constitutional provision, language sought to be deleted must be
4 bracketed and stricken through, and language sought to be added
5 must be underlined. This requirement does not apply to:

- 6 (1) an appropriations bill;
- 7 (2) a local bill;
- 8 (3) a game bill;
- 9 (4) a recodification bill;
- 10 (5) a redistricting bill;
- 11 (6) a section of a bill or joint resolution not
12 purporting to amend an existing statute or constitutional
13 provision;
- 14 (7) a section of a bill or joint resolution that
15 revises the entire text of an existing statute or constitutional
16 provision, to the extent that it would confuse rather than clarify
17 to show deletions and additions; and
- 18 (8) a section of a bill or joint resolution providing
19 for severability, nonseverability, emergency, or repeal of an
20 existing statute or constitutional provision.

21 (c) The speaker may overrule a point of order raised as to a
22 violation of Subsection (b) of this section if the violation is
23 typographical or minor and does not tend to deceive or mislead.

24 (d) The requirement to provide a copy of a printing to each
25 member may be accomplished by making a copy of the printing
26 available in an electronic format for viewing by the member and,
27 when the electronic format copy of the appropriate printing becomes

1 available, sending notice of that fact to a Capitol e-mail address
2 designated by the member. If a member informs the chief clerk that
3 the member also desires to receive a paper copy of printings at
4 first, second, or third printing, the chief clerk shall place paper
5 copies of those printings designated by the member in the newspaper
6 box of the member as soon as practicable after the electronic copies
7 of the printings are made available for viewing.

8 (e) The provisions of Subsection (d) of this section
9 authorizing delivery of a printing by electronic means also apply
10 to any fiscal note, impact statement, analysis, or other item
11 required by these rules to be delivered or made available to each
12 member as an attachment to or in connection with the applicable
13 printing.

14 Sec. 2. LOCAL BILLS. Local bills shall not be reprinted
15 after the first printing except when ordered printed by a majority
16 vote of the house.

17 Sec. 3. CONCURRENT RESOLUTIONS. A concurrent resolution
18 shall be printed only if the resolution:

- 19 (1) grants permission to sue the state;
- 20 (2) memorializes Congress to take or to refrain from
21 taking certain action;
- 22 (3) sets legislative policy or declares legislative
23 intent;
- 24 (4) makes corrective changes in any bill, joint
25 resolution, or conference committee report;
- 26 (5) establishes or interprets policy for a state
27 agency, department, or political subdivision;

1 (6) establishes, modifies, or changes internal
2 procedures or administration of the legislature or any component
3 part thereof;

4 (7) proposes an amendment to the Joint Rules of the
5 Senate and the House of Representatives; or

6 (8) is ordered printed by a majority vote of the house.

7 Sec. 4. HOUSE RESOLUTIONS. A house resolution shall be
8 printed only if the resolution:

9 (1) proposes an amendment to the rules of the house;

10 (2) establishes, modifies, or changes the internal
11 procedures and administration of the house;

12 (3) establishes legislative policy or interprets
13 legislative intent; or

14 (4) is ordered printed by a majority of the house.

15 Sec. 5. ACCEPTABLE STANDARDS OF COMPLIANCE WITH PRINTING
16 REQUIREMENTS. Except for matter to be printed in the journal, all
17 requirements contained in the rules with respect to the printing of
18 bills, resolutions, reports, and other matters shall be considered
19 complied with if the material is adequately and properly reproduced
20 by any acceptable means of reproduction.

1 RULE 13. INTERACTIONS WITH THE GOVERNOR AND SENATE

2 CHAPTER A. MESSAGES

3 Sec. 1. MESSAGES FROM THE GOVERNOR. Messages and
4 communications from the governor shall be received when announced,
5 and shall be read on the calendar day received.

6 Sec. 2. MESSAGES FROM THE SENATE. (a) All messages from
7 the senate shall be received when announced. Senate bills
8 announced as passed shall be read for the first time and referred to
9 the appropriate committee as soon as practicable.

10 (b) Messages from the senate announcing amendments to house
11 bills and resolutions, nonconcurrence in house amendments to senate
12 bills and resolutions, requests for conference committees, reports
13 of conference committees, and all other matters of disagreement,
14 amendments, and requests between the two houses, shall go to the
15 speaker's desk in their regular order, but may be called up for
16 action by the house at any time as a privileged matter, yielding
17 only to a motion to adjourn.

18 CHAPTER B. SENATE AMENDMENTS

19 Sec. 3. HOUSE ACTION ON SENATE AMENDMENTS. When a bill,
20 resolution, or other matter is returned to the house with senate
21 amendments, the house may:

22 (1) agree to the amendments; or

23 (2) disagree to all of the amendments and ask for a
24 conference committee; or

25 (3) agree to one or more of the amendments and disagree
26 as to the remainder and request a conference committee to consider
27 those in disagreement; or

1 (4) agree to one or more and disagree as to the
2 remainder; or

3 (5) disagree to all amendments.

4 Sec. 4. ADOPTION OF SENATE AMENDMENTS FOR BILLS WITH
5 IMMEDIATE EFFECT. If a bill is to go into immediate effect, senate
6 amendments thereto must be adopted by a vote of two-thirds of the
7 elected membership of the house.

8 Sec. 5. PRINTING SENATE AMENDMENTS. (a) Senate amendments
9 to house bills and resolutions must be printed and copies provided
10 to the members at least 24 hours before any action can be taken
11 thereon by the house during a regular or special session.

12 (b) When a house bill or joint resolution, other than the
13 general appropriations bill, with senate amendments is returned to
14 the house, the chief clerk shall request the Legislative Budget
15 Board to prepare a fiscal note outlining the fiscal implications
16 and probable cost of the measure as impacted by the senate
17 amendments. A copy of the fiscal note shall be distributed with the
18 senate amendments on their printing before any action can be taken
19 on the senate amendments by the house.

20 (c) When a house bill or joint resolution, other than the
21 general appropriations bill, with senate amendments is returned to
22 the house, the chief clerk shall request the Texas Legislative
23 Council to prepare an analysis that describes the substantive
24 changes made to the house version of the bill by the senate
25 amendments. A copy of the council's analysis of senate amendments
26 shall be provided to the members electronically or as a printed copy
27 at least 12 hours before action is taken on the senate amendments by

1 the house. The Texas Legislative Council shall make all reasonable
2 efforts to timely provide the analysis in as accurate a form as time
3 allows. However, an unavoidable inability to provide the analysis
4 or an inadvertent error in the analysis is not a sustainable
5 question of order.

6 (d) When a house bill or joint resolution for which a tax
7 equity note was required under Rule 4, Section 34(b)(5), is
8 returned to the house with senate amendments, the chief clerk shall
9 request the Legislative Budget Board to prepare a tax equity note
10 estimating the general effects of the senate amendments on the
11 distribution of tax and fee burdens among individuals and
12 businesses. A copy of the updated tax equity note shall be made
13 available to each member, in some format, before any vote on the
14 floor can be taken on the senate amendments by the house.

15 Sec. 5A. RETURN OF NONGERMANE SENATE AMENDMENTS BY SPEAKER.
16 When a house bill or joint resolution, other than the general
17 appropriations bill, with senate amendments is returned to the
18 house, the speaker, with the permission of the primary author of the
19 bill or resolution, may return the bill or resolution to the senate
20 if the speaker determines that the senate amendments are not
21 germane to the house version of the bill or resolution. The speaker
22 may act under this section without regard to whether the bill or
23 resolution is eligible for consideration by the house. If the
24 speaker returns a bill or resolution to the senate under this
25 section, the speaker shall attach to the bill or resolution a
26 statement of the speaker's action that includes an explanation of
27 the speaker's determination, and shall enter the statement in the

1 journal as soon as practicable.

2 CHAPTER C. CONFERENCE COMMITTEES

3 Sec. 6. MEMBERSHIP AND OPERATION. (a) In all conferences
4 between the senate and the house by committee, the number of
5 committee members from each house shall be five. All votes on
6 matters of difference shall be taken by each committee separately.
7 A majority of each committee shall be required to determine the
8 matter in dispute. Reports by conference committees must be signed
9 by a majority of each committee of the conference.

10 (b) A copy of the report signed by a majority of each
11 committee of the conference must be furnished to each member of the
12 committee in person or if unable to deliver in person by placing a
13 copy in the member's newspaper mailbox at least one hour before the
14 report is furnished to each member of the house under Section 10(a)
15 of this rule. The paper copies of the report submitted to the chief
16 clerk under Section 10(b) of this rule must contain a certificate
17 that the requirement of this subsection has been satisfied, and
18 that certificate must be attached to the copy of the report
19 furnished to each member under Section 10(d) of this rule. Failure
20 to comply with this subsection is not a sustainable point of order
21 under this rule.

22 Sec. 7. MEETINGS. (a) House conferees when meeting with
23 senate conferees to adjust differences shall meet in public and
24 shall give a reasonable amount of notice of the meeting in the place
25 designated for giving notice of meetings of house standing
26 committees. Any such meeting shall be open to the news media. Any
27 conference committee report adopted in private shall not be

1 considered by the house.

2 (b) At a meeting of the conferees to adjust differences on
3 the general appropriations bill, the chair of the house conferees
4 may request the assistance of any house member who serves on the
5 appropriations committee.

6 Sec. 8. INSTRUCTIONS. Instructions to a conference
7 committee shall be made after the conference is ordered and before
8 the conferees are appointed by the speaker, and not thereafter.

9 Sec. 9. LIMITATIONS ON JURISDICTION. (a) Conference
10 committees shall limit their discussions and their actions solely
11 to the matters in disagreement between the two houses. A conference
12 committee shall have no authority with respect to any bill or
13 resolution:

14 (1) to change, alter, or amend text which is not in
15 disagreement;

16 (2) to omit text which is not in disagreement;

17 (3) to add text on any matter which is not in
18 disagreement;

19 (4) to add text on any matter which is not included in
20 either the house or senate version of the bill or resolution.

21 This rule shall be strictly construed by the presiding
22 officer in each house to achieve these purposes.

23 (b) Conference committees on appropriations bills, like
24 other conference committees, shall limit their discussions and
25 their actions solely to the matters in disagreement between the two
26 houses. In addition to the limitations contained elsewhere in the
27 rules, a conference committee on appropriations bills shall be

1 strictly limited in its authority as follows:

2 (1) If an item of appropriation appears in both house
3 and senate versions of the bill, the item must be included in the
4 conference committee report.

5 (2) If an item of appropriation appears in both house
6 and senate versions of the bill, and in identical amounts, no change
7 can be made in the item or the amount.

8 (3) If an item of appropriation appears in both house
9 and senate versions of the bill but in different amounts, no change
10 can be made in the item, but the amount shall be at the discretion of
11 the conference committee, provided that the amount shall not exceed
12 the larger version and shall not be less than the smaller version.

13 (4) If an item of appropriation appears in one version
14 of the bill and not in the other, the item can be included or omitted
15 at the discretion of the conference committee. If the item is
16 included, the amount shall not exceed the sum specified in the
17 version containing the item.

18 (5) If an item of appropriation appears in neither the
19 house nor the senate version of the bill, the item must not be
20 included in the conference committee report. However, the
21 conference committee report may include appropriations for
22 purposes or programs authorized by bills that have been passed and
23 sent to the governor and may include contingent appropriations for
24 purposes or programs authorized by bills that have been passed by at
25 least one house.

26 This rule shall be strictly construed by the presiding
27 officer in each house to achieve these purposes.

1 (c) Conference committees on tax bills, like other
2 conference committees, shall limit their discussions and their
3 actions solely to the matters in disagreement between the two
4 houses. In addition to the limitations contained elsewhere in the
5 rules, a conference committee on a tax bill shall be strictly
6 limited in its authority as follows:

7 (1) If a tax item appears in both house and senate
8 versions of the bill, the item must be included in the conference
9 committee report.

10 (2) If a tax item appears in both house and senate
11 versions of the bill, and in identical form and with identical
12 rates, no change can be made in the item or the rate provided.

13 (3) If a tax item appears in both house and senate
14 versions of the bill but at differing rates, no change can be made
15 in the item, but the rate shall be at the discretion of the
16 conference committee, provided that the rate shall not exceed the
17 higher version and shall not be less than the lower version.

18 (4) If a tax item appears in one version of the bill
19 and not in the other, the item can be included or omitted at the
20 discretion of the conference committee. If the item is included,
21 the rate shall not exceed the rate specified in the version
22 containing the item.

23 (5) If a tax item appears in neither the house nor the
24 senate version of the bill, the item must not be included in the
25 conference committee report.

26 This rule shall be strictly construed by the presiding
27 officer in each house to achieve these purposes.

1 (d) Conference committees on reapportionment bills, to the
2 extent possible, shall limit their discussions and their actions to
3 the matters in disagreement between the two houses. Since the
4 adjustment of one district in a reapportionment bill will
5 inevitably affect other districts, the strict rule of construction
6 imposed on other conference committees must be relaxed somewhat
7 when reapportionment bills are involved. Accordingly, the
8 following authority and limitations shall apply only to conference
9 committees on reapportionment bills:

10 (1) If the matters in disagreement affect only certain
11 districts, and other districts are identical in both house and
12 senate versions of the bill, the conference committee shall make
13 adjustments only in those districts whose rearrangement is
14 essential to the effective resolving of the matters in
15 disagreement. All other districts shall remain unchanged.

16 (2) If the matters in disagreement permeate the entire
17 bill and affect most, if not all, of the districts, the conference
18 committee shall have wide discretion in rearranging the districts
19 to the extent necessary to resolve all differences between the two
20 houses.

21 (3) Insofar as the actual structure of the districts
22 is concerned, and only to that extent, the provisions of Subsection
23 (a) of this section shall not apply to conference committees on
24 reapportionment bills.

25 (e) Conference committees on recodification bills, like
26 other conference committees, shall limit their discussions and
27 their actions solely to the matters in disagreement between the two

1 houses. The comprehensive and complicated nature of recodification
2 bills makes necessary the relaxing of the strict rule of
3 construction imposed on other conference committees only to the
4 following extent:

5 (1) If it develops in conference committee that
6 material has been inadvertently included in both house and senate
7 versions which properly has no place in the recodification, that
8 material may be omitted from the conference committee report, if by
9 that omission the existing statute is not repealed, altered, or
10 amended.

11 (2) If it develops in conference committee that
12 material has been inadvertently omitted from both the house and
13 senate versions which properly should be included if the
14 recodification is to achieve its purpose of being all-inclusive of
15 the statutes being recodified, that material may be added to the
16 conference committee report, if by the addition the existing
17 statute is merely restated without substantive change in existing
18 law.

19 (f) Limitations imposed on certain conference committees by
20 the provisions of this section may be suspended in part by
21 permission of the house to allow consideration of and action on a
22 specific matter or matters which otherwise would be prohibited.
23 Permission shall be granted only by resolution passed by majority
24 vote of the house. All such resolutions shall be privileged in
25 nature and need not be referred to a committee. The introduction of
26 such a resolution shall be announced from the house floor and the
27 resolution shall be eligible for consideration by the house:

1 (1) three hours after a copy of the resolution has been
2 distributed to each member; or

3 (2) for a resolution suspending limitations on a
4 conference committee considering the general appropriations bill,
5 48 hours in a regular session and 24 hours in a special session
6 after a copy of the resolution has been distributed to each member.

7 (g) The time at which the copies of such a resolution are
8 distributed to the members shall be time-stamped on the originals
9 of the resolution. The resolution shall specify in detail:

10 (1) the exact language of the matter or matters
11 proposed to be considered;

12 (2) the specific limitation or limitations to be
13 suspended;

14 (3) the specific action contemplated by the conference
15 committee;

16 (4) except for a resolution suspending the limitations
17 on the conferees for the general appropriations bill, the reasons
18 that suspension of the limitations is being requested; and

19 (5) a fiscal note distributed with the resolution
20 outlining the fiscal implications and probable cost of the items to
21 be included in the conference committee report that would otherwise
22 be prohibited but for the passage of the resolution.

23 (h) In the application of Subsection (g) of this section to
24 appropriations bills, the resolution:

25 (1) need not include changes in amounts resulting from
26 a proposed salary plan or changes in format that do not affect the
27 amount of an appropriation or the method of finance of an

1 appropriation, but shall include a general statement describing the
2 salary plan or format change;

3 (2) need not include differences in language which do
4 not affect the substance of the bill;

5 (3) if suspending a limitation imposed by Subsection
6 (b)(2), (3), (4), or (5) of this section, must specify the amount by
7 which the appropriation in the conference committee report is less
8 than or greater than the amount permitted for that item of
9 appropriation under Subsection (b) of this section; and

10 (4) shall be available in its entirety on the
11 electronic legislative information system that is accessible by the
12 general public.

13 (i) Permission granted by a resolution under Subsection (f)
14 of this section shall suspend the limitations only for the matter or
15 matters clearly specified in the resolution, and the action of the
16 conference committee shall be in conformity with the resolution.

17 Sec. 10. PRINTING AND DISTRIBUTION OF REPORTS. (a) All
18 conference committee reports must be printed and a copy furnished
19 to each member as provided by Rule 12, Section 1, at least 24 hours
20 before action can be taken on the report by the house during a
21 regular or special session.

22 (b) Three original copies of a conference committee report
23 shall be submitted to the chief clerk for printing. Each original
24 conference committee report shall contain the following:

25 (1) the signatures of the house conferees and senate
26 conferees who voted to adopt the conference committee report;

27 (2) the text of the bill or resolution as adopted by

1 the conference committee; and

2 (3) an analysis of the conference committee report as
3 required by Section 11 of this rule.

4 (c) Before action can be taken by the house on a conference
5 committee report on a bill or joint resolution, other than the
6 general appropriations bill, a fiscal note outlining the fiscal
7 implications and probable cost of the conference committee report
8 shall be submitted to the chief clerk, and a copy of the fiscal note
9 shall be distributed with the conference committee report on its
10 printing.

11 (d) Before a vote on the floor can be taken by the house on a
12 conference committee report on a bill or joint resolution for which
13 a tax equity note was required under Rule 4, Section 34(b)(5), a tax
14 equity note estimating the general effects of the conference
15 committee report on the distribution of tax and fee burdens among
16 individuals and businesses shall be submitted to the chief clerk,
17 and a copy of the tax equity note shall be made available to each
18 member.

19 Sec. 11. ANALYSIS OF REPORTS. (a) All reports of conference
20 committees shall include an analysis showing wherein the report
21 differs from the house and senate versions of the bill, resolution,
22 or other matter in disagreement. The analysis of appropriations
23 bills shall show in dollar amounts the differences between the
24 conference committee report and the house and senate versions. No
25 conference committee report shall be considered by the house unless
26 such an analysis has been prepared and distributed to each member.

27 (b) The analysis shall to the extent practical indicate any

1 instance wherein the conference committee in its report appears to
2 have exceeded the limitations imposed on its jurisdiction by
3 Section 9 of this rule. An analysis and the conference committee
4 report in which the analysis is included are not subject to a point
5 of order due to a failure to comply with this subsection or due to a
6 mistake made in complying with this subsection.

7 Sec. 12. CONSIDERATION OF REPORTS. A conference committee
8 report is not subject to amendment, but must be accepted or rejected
9 in its entirety. While a conference committee report is pending, a
10 motion to deal with individual amendments in disagreement is not in
11 order.

12 Sec. 13. WHEN REPORTS NOT ACCEPTABLE. When a conference
13 committee report is not acceptable to the house for any reason, it
14 may be recommitted to the same committee with the request for
15 further consideration, and the house may or may not give any
16 specific instructions on the report to the conference committee; or
17 the house may request the appointment by the senate of a new
18 conference committee and then proceed to empower the speaker to
19 name new conferees for the house.

1 RULE 14. GENERAL PROVISIONS

2 Sec. 1. WHEN RULES ARE SILENT. If the rules are silent or
3 inexplicit on any question of order or parliamentary practice, the
4 Rules of the House of Representatives of the United States
5 Congress, and its practice as reflected in published precedents,
6 and Mason's Manual of Legislative Procedure shall be considered as
7 authority.

8 Sec. 2. AMENDMENTS TO THE RULES. (a) Amendments to the
9 rules of the house shall be proposed by house resolutions which
10 shall be referred at once, without debate, to the Committee on Rules
11 and Resolutions for study and recommendation.

12 (b) A resolution proposing an amendment to the rules shall
13 not be considered by the house until a printed copy of the
14 resolution has been provided to each member of the house at least 48
15 hours before consideration.

16 (c) Amendments to the rules shall require a majority vote of
17 the house for adoption.

18 Sec. 3. MOTION TO SUSPEND THE RULES. A motion to suspend
19 the rules shall be in order at any time, except when motions to
20 adjourn or recess are pending, even when the house is operating
21 under the previous question. A motion to "suspend all rules" shall
22 be sufficient to suspend every rule under which the house is
23 operating for a particular purpose except the provisions of the
24 constitution and the joint rules of the two houses. If the rules
25 have been suspended on a main motion for a given purpose, no other
26 motion to suspend the rules on a main motion shall be in order until
27 the original purpose has been accomplished.

1 Sec. 4. NOTICE OF PENDING MOTION TO SUSPEND THE RULES. It
2 shall not be in order to move to suspend the rules or the regular
3 order of business to take up a measure out of its regular order, and
4 the speaker shall not recognize anyone for either purpose, unless
5 the speaker has announced to the house in session that the speaker
6 would recognize a member for that purpose at least one hour before
7 the member is so recognized to make the motion. In making the
8 announcement to the house, the speaker shall advise the house of the
9 member's name and the bill number, and this information, together
10 with the time that the announcement was made, shall be entered in
11 the journal. This rule may be suspended only by unanimous consent.

12 Sec. 5. VOTE REQUIREMENTS FOR SUSPENSION. A standing rule
13 of the house may be suspended by an affirmative vote of two-thirds
14 of the members present. However, if a rule contains a specific
15 provision showing the vote by which that rule may be suspended, that
16 vote shall be required for the suspension of the rule. The specific
17 provision may not be suspended under the provisions of this
18 section.

19 Sec. 6. DISPOSAL OF MEASURES TAKEN UP UNDER SUSPENSION. Any
20 measure taken up under suspension and not disposed of on the same
21 day shall go over as pending or unfinished business to the next day
22 that the house is in session, and shall be considered thereafter
23 from day to day (except the days used for the consideration of
24 senate bills) until disposed of.

25 Sec. 7. COMMITTEE GIFTS. A member of the house may not
26 offer, confer, or agree to confer to a committee member one or more
27 gifts with a total value of more than \$75 per year.