

By: Carona

S.J.R. No. 48

A JOINT RESOLUTION

1 proposing a constitutional amendment to require a member of the
2 legislature to obtain and file a report on the costs and benefits of
3 a bill or amendment to impose or increase an occupational
4 regulation.

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

6 SECTION 1. Article III, Texas Constitution, is amended by
7 adding Section 30a to read as follows:

8 Sec. 30a. (a) A member of the legislature may not introduce
9 a bill or offer an amendment to a bill, including an amendment in
10 the form of a complete substitute for the bill, that requires an
11 individual or entity to obtain a license or imposes a similar
12 prerequisite to practice or perform an occupation or profession
13 that applies statewide, increases the requirements to obtain a
14 license or satisfy a similar prerequisite to practice or perform an
15 occupation or profession that applies statewide, or imposes another
16 form of regulation on the practice or performance of an occupation
17 or profession that applies statewide unless the member:

18 (1) obtains an evaluation of and report on the costs
19 and benefits of the regulation proposed by the bill or amendment
20 from a state agency as provided by law; and

21 (2) files a copy of the report described by
22 Subdivision (1) of this subsection with the bill or amendment.

23 (b) Any member of the legislature may offer an amendment to
24 a bill or amendment introduced or offered under Subsection (a) of

1 this section, including an amendment in the form of a complete
2 substitute for the bill or amendment, if the amendment:

3 (1) does not substantially change the substance of the
4 regulation in the bill or amendment to which the amendment is
5 offered; or

6 (2) complies with the requirements of Subsection (a)
7 of this section.

8 (c) A law may not be held void on the basis that a member of
9 the legislature failed to comply with this section or that a bill or
10 amendment failed to meet the requirements of this section during
11 its passage through the legislature.

12 SECTION 2. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held November 5, 2013.
14 The ballot shall be printed to permit voting for or against the
15 proposition: "The constitutional amendment requiring a member of
16 the legislature to obtain and file a report on the costs and
17 benefits of a bill or amendment to impose or increase an
18 occupational regulation."