

By: Hancock

S.J.R. No. 57

SENATE JOINT RESOLUTION

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

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

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

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

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

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

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

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

26       SECTION 3. This proposed constitutional amendment shall be  
27 submitted to the voters at an election to be held November 5, 2013.

1 The ballot shall be printed to permit voting for or against the  
2 proposition: "The constitutional amendment to require the  
3 legislature to convene following each regular session of the  
4 legislature to consider the repeal of laws enacted during that  
5 regular session or during a special session immediately following  
6 that regular session."