

By: Hunter

H.R. No. 2

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, That, in accordance with Sections 9(b) and 11, Article III,
3 Texas Constitution, the House of Representatives of the 85th
4 Legislature shall elect a speaker of the house from its own
5 membership as follows:

6 SECTION 1. NOMINATIONS. (a) The secretary of state shall
7 call for nominations from the floor for the election of speaker of
8 the house of representatives and shall recognize every member who
9 desires to make a nomination. The order in which members desiring
10 to make a nomination shall proceed shall be determined by lot.

11 (b) Each member recognized for this purpose shall
12 immediately advance to the front microphone and make the nomination
13 in a nominating speech not to exceed five minutes in length.

14 (c) After all nominations have been made, the secretary of
15 state shall declare nominations to be closed.

16 SECTION 2. SECONDS. (a) A person is not considered a
17 nominee unless the nomination is seconded by at least one member.

18 (b) One seconding speech shall be allowed for each
19 nomination in the order in which nominations were made, then other
20 seconding speeches shall be allowed in rotation in the same order.

21 (c) No more than three seconding speeches shall be allowed
22 for each nominee.

23 (d) A seconding speech may not exceed four minutes in
24 length.

1 SECTION 3. VOTING PROCEDURES: VOTING MACHINE. (a) If
2 after the close of all seconding speeches only one nominee remains
3 for election to the speaker, the secretary of state shall recognize
4 a motion to elect that nominee by acclamation. If no motion is made
5 or five or more members make a written request for a record vote,
6 the members shall record their votes from their desks on the voting
7 machine with the yeas and nays taken as in other record votes of the
8 house.

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

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

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

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

1 SECTION 4. VOTING PROCEDURES: ROLL CALL VOTE. (a) If
2 there are more than three nominees for speaker, the election shall
3 be held in the manner provided for a roll call vote of the members
4 with the chief clerk calling the members' names in alphabetical
5 order. When the chief clerk reads aloud the name of a member, the
6 member shall vote by stating the name of one of the nominees or
7 state that the member is present, not voting. The chief clerk shall
8 repeat the member's vote aloud and record the vote on a tally sheet.

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

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

16 SECTION 5. RECORD VOTE. All votes taken shall be record
17 votes with the vote of each member entered in the House Journal.

18 SECTION 6. RESULTS; RUNOFF. (a) The secretary of state
19 shall announce the results of the election. If a nominee receives a
20 majority of the votes cast, the secretary of state shall declare
21 that nominee to be elected to the office of speaker of the house of
22 representatives.

23 (b) If no nominee receives a majority of the votes cast, the
24 two nominees receiving the largest number of votes in the initial
25 vote shall be in a runoff conducted by voting machine as provided by
26 Section 3 of this resolution. The secretary of state shall announce
27 the results of the runoff and declare the nominee receiving a

majority of the votes cast to be elected.

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

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

SECTION 8. OATH. After the election, the secretary of state shall direct the administration of the oath of office to the speaker-elect. The speaker shall take the chair immediately after taking the oath of office.