86R1696 CJC-D

By:  Swanson H.J.R. No. 88

A JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to provide for legislative review or approval of state agency rules.

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

SECTION 1.  Article II, Texas Constitution, is amended by adding Section 2 to read as follows:

Sec. 2.  (a) The legislature by general law may provide for legislative review or approval of rules adopted by agencies in the executive department.

(b)  The law may:

(1)  prescribe procedures regarding rules;

(2)  prescribe conditions for rules to take effect;

(3)  provide for suspension, repeal, or expiration of rules; or

(4)  delegate powers to either legislative house, including committees in those houses.

(c)  A general law enacted under this section must provide that only an elected member of the legislature may participate in the approval of rules adopted by agencies in the executive department.

SECTION 2.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 2019. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for legislative review or approval of state agency rules."