

By: Hinojosa

H.J.R. No. 57

A JOINT RESOLUTION

1 proposing a constitutional amendment to set the salaries of members  
2 of the legislature and the lieutenant governor based on the average  
3 public school teacher salary in this state.

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

5 SECTION 1. Sections 24(a) and (c), Article III, Texas  
6 Constitution, are amended to read as follows:

7 (a) Members of the Legislature shall receive from the Public  
8 Treasury a salary in an amount determined [~~of Six Hundred Dollars~~  
9 ~~(\$600) per month, unless a greater amount is recommended~~] by the  
10 Texas Ethics Commission under Section 24a(g) of this article [~~and~~  
11 ~~approved by the voters of this State in which case the salary is~~  
12 ~~that amount. Each member shall also receive a per diem set by the~~  
13 ~~Texas Ethics Commission for each day during each Regular and~~  
14 ~~Special Session of the Legislature~~].

15 (c) In addition to a salary [~~the per diem~~] the Members of  
16 each House shall be entitled to mileage at the same rate as  
17 prescribed by law for employees of the State of Texas.

18 SECTION 2. Section 24a, Article III, Texas Constitution, is  
19 amended by adding Subsection (g) to read as follows:

20 (g) The commission shall set the annual salary of the  
21 members of the legislature, including the speaker of the house of  
22 representatives, in an amount equal to the average salary paid to a  
23 full-time certified classroom teacher in the public free schools of  
24 this state for the preceding school year as determined by the

1 commission from available information and shall establish the date  
2 on which the annual change in salary takes effect each year.

3 SECTION 3. Section 28, Article III, Texas Constitution, is  
4 amended to read as follows:

5 Sec. 28. The Legislature shall, at its first regular  
6 session after the publication of each United States decennial  
7 census, apportion the state into senatorial and representative  
8 districts, agreeable to the provisions of Sections 25 and 26 of this  
9 Article. In the event the Legislature shall at any such first  
10 regular session following the publication of a United States  
11 decennial census, fail to make such apportionment, same shall be  
12 done by the Legislative Redistricting Board of Texas, which is  
13 hereby created, and shall be composed of five (5) members, as  
14 follows: The Lieutenant Governor, the Speaker of the House of  
15 Representatives, the Attorney General, the Comptroller of Public  
16 Accounts and the Commissioner of the General Land Office, a  
17 majority of whom shall constitute a quorum. Said Board shall  
18 assemble in the City of Austin within ninety (90) days after the  
19 final adjournment of such regular session. The Board shall, within  
20 sixty (60) days after assembling, apportion the state into  
21 senatorial and representative districts, or into senatorial or  
22 representative districts, as the failure of action of such  
23 Legislature may make necessary. Such apportionment shall be in  
24 writing and signed by three (3) or more of the members of the Board  
25 duly acknowledged as the act and deed of such Board, and, when so  
26 executed and filed with the Secretary of State, shall have force and  
27 effect of law. Such apportionment shall become effective at the

1 next succeeding statewide general election. The Supreme Court of  
2 Texas shall have jurisdiction to compel such Board to perform its  
3 duties in accordance with the provisions of this section by writ of  
4 mandamus or other extraordinary writs conformable to the usages of  
5 law. The Legislature shall provide necessary funds for clerical  
6 and technical aid and for other expenses incidental to the work of  
7 the Board, and the Lieutenant Governor and the Speaker of the House  
8 of Representatives shall be entitled to receive [~~per diem and~~  
9 travel expense during the Board's session in the same manner and  
10 amount as they would receive while attending a special session of  
11 the Legislature.

12 SECTION 4. Section 17(b), Article IV, Texas Constitution,  
13 is amended to read as follows:

14 (b) The Lieutenant Governor shall, while acting as  
15 President of the Senate, receive for his or her services the same  
16 compensation and mileage which shall be allowed to the members of  
17 the Senate[~~, and no more unless the Texas Ethics Commission~~  
18 ~~recommends and the voters approve a higher salary, in which case the~~  
19 ~~salary is that amount~~]; and during the time the Lieutenant Governor  
20 exercises the powers and authority appertaining to the office of  
21 Governor, the Lieutenant Governor shall receive in like manner the  
22 same compensation which the Governor would have received had the  
23 Governor been employed in the duties of that office, and no more.  
24 An increase in the emoluments of the office of Lieutenant Governor  
25 does not make a member of the Legislature ineligible to serve in the  
26 office of Lieutenant Governor.

27 SECTION 5. Sections 24a(e) and (f), Article III, Texas

1 Constitution, are repealed.

2 SECTION 6. The following temporary provision is added to  
3 the Texas Constitution:

4 TEMPORARY PROVISION. (a) This temporary provision applies to  
5 the constitutional amendment proposed by the 86th Legislature,  
6 Regular Session, 2019, setting the salaries of members of the  
7 legislature and the lieutenant governor based on the average public  
8 school teacher salary in this state.

9 (b) Except as otherwise provided by Subsections (c) and (d)  
10 of this temporary provision, the amendments to Sections 24, 24a,  
11 and 28, Article III, and Section 17, Article IV, of this  
12 constitution take effect September 1, 2020, and apply to salaries  
13 on and after that date.

14 (c) Except as otherwise provided by Subsection (d) of this  
15 temporary provision, Section 24a(g), Article III, of this  
16 constitution takes effect January 1, 2020, and applies to salaries  
17 on and after September 1, 2020.

18 (d) The constitutional amendment described by Subsection  
19 (a) of this temporary provision does not apply to an individual who  
20 was a member of the legislature, including the speaker of the house  
21 of representatives, or the lieutenant governor during all or part  
22 of the 86th Legislature, Regular Session, 2019. The salary and per  
23 diem for any future service as a member of the legislature, as the  
24 speaker of the house of representatives, or as the lieutenant  
25 governor, including service on the Legislative Redistricting Board  
26 of Texas, by an individual to whom this subsection applies shall be  
27 determined in accordance with Sections 24, 24a, and 28, Article

1 III, and Section 17, Article IV, of this constitution, as those  
2 provisions existed on November 4, 2019.

3 SECTION 7. This proposed constitutional amendment shall be  
4 submitted to the voters at an election to be held November 5, 2019.  
5 The ballot shall be printed to permit voting for or against the  
6 proposition: "The constitutional amendment setting the salaries of  
7 members of the legislature and the lieutenant governor based on the  
8 average public school teacher salary in this state."