BILL ANALYSIS

BACKGROUND AND PURPOSE

The legislature is one of the three coequal branches of state government and is the branch closest to the people. Legal commentators have observed that it occupies the most fundamental and important position under the Texas Constitution by virtue of its responsibility to formulate state policy through its lawmaking power. Texas courts have recognized that the allocation of the state's financial resources through the appropriations process is initially and primarily the responsibility of the legislative branch of government.

Senate Bill 1, Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act) as presented to the governor included Article X, which made appropriations to the legislature and legislative agencies to ensure the faithful execution of these constitutional duties for the 2022-2023 biennium. The governor vetoed the appropriations in Article X and current appropriations for the legislative branch lapse at the end of the fiscal year on September 1, 2021. There is a need to ensure that the legislative branch of government is fully funded for the coming biennium, and passage of H.B. 1 is the most efficient method of resolving this need. Consideration of H.B. 1 does not represent a decision by the House on any open constitutional questions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1 amends Senate Bill 1, Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to restore Article X of that act, which provides roughly $410 million in funding for, and includes other provisions related to, the legislative branch of the state government, which is composed of the following entities:
- the Texas Senate;
- the Texas House of Representatives;
- the Commission on Uniform State Laws;
- the Legislative Budget Board;
- the State Auditor's Office;
- the Sunset Advisory Commission;
- the Legislative Reference Library; and
- the Texas Legislative Council.

EFFECTIVE DATE

On passage.

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