

BILL ANALYSIS

Senate Research Center
87S20175 BEF-D

S.J.R. 1
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Constitutional Issues, Special
8/7/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

While nearly all states' constitutions require simple majorities to establish a quorum, Texas is one of only four states that require a supermajority of legislators (i.e., two-thirds) to conduct business. The Founding Fathers understood the virtue of a simple-majority quorum when they enshrined it in the United States Constitution. James Madison even went as far as warning against raising quorum requirements beyond a majority for fear that this would lead to a tyranny of the minority.

The intentional breaking of legislative quorums is relatively rare across the country; however, it frequently occurs in the four states that maintain a supermajority quorum standard. In keeping with our nation's founding principles, it is imperative that Texas adopt a quorum standard that will prevent a minority from wielding a disproportionate power so as to render the Texas Legislature incapable of responding to the will of the majority of Texans.

S.J.R. 1 lowers Texas' quorum threshold from two-thirds to a simple majority. S.J.R. 1 will put Texas in line with 46 other states by making it more difficult for a few to dictate to the many.

S.J.R. 1 proposes a constitutional amendment relating to the determination of a quorum of the senate or house of representatives.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 10, Article III, Texas Constitution, as follows:

Sec. 10. Requires that a majority, rather than two-thirds, of the members of each House of the Legislature constitute a quorum to do business, but authorizes a smaller number to adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each House may provide.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 8, 2022. Sets forth the required language of the ballot.