By:  Vasut H.R. No. 8

R E S O L U T I O N

BE IT RESOLVED by the House of Representatives of the 87th Legislature, that Rule 1, Section 15, of the permanent rules of the House of Representatives of the 87th Legislature is amended to read as follows:

Sec. 15.  Standing Committee Appointments – (a) The speaker shall designate the chair and vice-chair of each standing substantive committee and shall also appoint membership of the committee, subject to the provisions of Rule 4, Section 2.

(b)  If members of equal seniority request the same committee, the speaker shall decide which among them shall be assigned to that committee.

(c)  In announcing the membership of the standing substantive committees, the speaker shall designate which are appointees and which acquire membership by seniority.

(d)  The speaker shall appoint the chair and vice-chair of each standing procedural committee and the remaining membership of the committee.

(e)  If a new speaker is elected to fill a vacancy in the office after the appointment of standing committees, the new speaker may not alter the composition of any standing committee before the end of the session, except that the new speaker may:

(1)  vacate the new speaker's membership on any committee;

(2)  make committee appointments for the member who was removed as speaker;

(3)  designate a different member of a standing committee as committee chair; and

(4)  fill vacancies that occur on a committee.

(f) (1)  A member shall be removed as chair and vice-chair of all standing and procedural committees the member serves on, but shall retain his or her membership on the committee, if a majority of the house adopts a motion to remove a committee chair or vice-chair for any of the following reasons:

(A)  the member is absent from the sessions of the house without leave under Rule 5, Section 3, for more than seven (7) cumulative days during any regular session;

(B)  the member is absent from the sessions of the house without leave under Rule 5, Section 3, for more than three (3) cumulative days during any special session;

(C)  the member is absent from the sessions of the house without leave under Rule 5, Section 3, for more than fourteen (14) cumulative days, with the intent to cause a lack of quorum under Rule 5, Section 1, during the past six (6) months.

(2)  A motion under Subdivision (1) must be seconded by twenty-five (25) members, of whom the speaker may be one, and shall be recognized as a privileged motion if otherwise in order.

(3)  A motion under Subdivision (1) is not in order unless a member has previously provided at least twenty-four hour's notice of intent to make the motion by addressing the house when the house is in session and stating that a member intends to make a motion for the removal of a member(s) as chair or vice-chair of a standing or procedural committee.

(4)  A member that is subject to a motion under Subdivision (1) is permitted, but not obligated, to address the house for not more than 10 minutes on a motion being considered by the full house under Subdivision (1). The time limits established by this rule shall include time consumed in yielding to questions from the floor. The time limit established by this rule shall not be extended.

(5)  No member may be subject to a motion under Subdivision (1) more than once during any regular or special session.

(6)  A motion under Subdivision (1) is incidental to a call of the house, under Rule 5, Section 7.

(g)  The speaker may not appoint a member as a chair or vice-chair of any committee if the member was removed as a chair or vice-chair of any committee during the previous twelve (12) months pursuant to Subsection (f).

BE IT FURTHER RESOLVED by the House of Representatives of the 87th Legislature, that Rule 5, Section 8, of the permanent rules of the House of Representatives of the 87th Legislature is amended to read as follows:

Sec. 8.  Securing a Quorum. (a) When a call of the house is moved for one of the above purposes and seconded by 15 members (of whom the speaker may be one) and ordered by a majority vote, the main entrance to the hall and all other doors leading out of the hall shall be locked and no member permitted to leave the house without the written permission of the speaker. The names of members present shall be recorded. All absentees for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by the sergeant-at-arms or an officer appointed by the sergeant-at-arms for that purpose, and their attendance shall be secured and retained. The house shall determine on what conditions they shall be discharged. Members who voluntarily appear shall, unless the house otherwise directs, be immediately admitted to the hall of the house and shall report their names to the clerk to be entered in the journal as present.

(b)  Until a quorum appears, should the roll call fail to show one present, no business shall be transacted, except to compel the attendance of absent members or to adjourn. It shall not be in order to recess under a call of the house.

(c)  Any member without sufficient excuse who fails to appear in the hall within twenty-four (24) hours of a call of the house, or within twenty-four (24) hours of the appointed time for the member to appear pursuant to any written permission of the speaker, shall be fined a sum equal to two times the member's per diem per day the member is absent without excuse during a call of the house. Such fine shall be remitted to the sergeant-at-arms and made payable to the Texas House of Representatives.

(d)  Any member without sufficient excuse who fails to appear in the hall within forty-eight (48) hours of a call of the house, or within forty-eight (48) hours of the appointed time for the member to appear pursuant to any written permission of the speaker, shall be re-designated as having zero years and zero days of cumulative service as a member of the house of representatives for purposes of seniority under these Rules and any privileges appurtenant thereto. There shall be no method by which to reinstate the seniority of a member that has been re-designated as having zero years and zero days of cumulative service as a member of the house of representatives for purposes of seniority under this subsection.

(e)  Any member without sufficient excuse who fails to appear in the hall within seventy-two (72) hours of a call of the house, or within seventy-two (72) hours of the appointed time for the member to appear pursuant to any written permission of the speaker, shall be removed as chair and vice-chair of all standing and procedural committees the member serves on, but shall retain his or her membership on the committee.