

By: Biedermann

H.B. No. 1359

A BILL TO BE ENTITLED

1 AN ACT
2 relating to proposing a referendum to the people of the State of
3 Texas on the question of whether this state should leave the United
4 States of America and establish an independent republic.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. (a) At the general election to be held November
7 2, 2021, the voters shall be permitted to vote in a referendum on
8 the question of whether this state should leave the United States of
9 America and establish an independent republic.

10 (b) Notice of the election shall be given by inclusion of
11 the proposition in the proclamation by the governor ordering an
12 election on any proposed constitutional amendment to the state
13 constitution and in the notice of that election given by each county
14 judge, or, if no constitutional amendment is proposed, the governor
15 shall order and each county judge shall give notice for an election
16 proposing the referendum required by this section.

17 (c) The proposition shall be printed on the ballot above any
18 proposed constitutional amendment under the heading: "Referendum
19 Proposition."

20 (d) The ballot shall be printed to permit voting for or
21 against the proposition: "Should the legislature of the State of
22 Texas submit a plan for leaving the United States of America and
23 establishing an independent republic?"

24 (e) Returns of the votes cast on the proposition shall be

1 prepared and canvassed in the same manner as the returns on a
2 proposed constitutional amendment.

3 (f) Immediately after the results of the election are
4 certified by the governor, the secretary of state shall transmit a
5 copy of the certification to the lieutenant governor, the speaker
6 of the house of representatives, and each member of the
7 legislature.

8 (g) The referendum proposed under this section is
9 nonbinding on any decision of the legislature following the
10 submission of the report required by Section 2(h) of this Act.

11 SECTION 2. (a) The secretary of state shall immediately
12 transmit a copy of the governor's certification of the result of the
13 referendum required under Section 1 of this Act to:

14 (1) the president of the United States;

15 (2) the speaker of the House of Representatives and
16 the president of the Senate of the Congress of the United States;
17 and

18 (3) the members of the Texas delegation to the
19 Congress of the United States.

20 (b) The Texas Independence Committee is a joint interim
21 committee established to study and make recommendations regarding
22 the most effective and expeditious method by which Texas may be
23 returned to its status as an independent republic.

24 (c) The committee shall consider:

25 (1) recommendations for amending the Constitution of
26 Texas to accommodate the needs of an independent nation, including:

27 (A) the creation of new elected and appointed

1 offices;

2 (B) the modification of the powers, functions,
3 and titles of existing offices;

4 (C) the renaming of the State of Texas to the
5 Republic of Texas;

6 (D) the removal of unnecessary or undesirable
7 provisions that exist solely as a consequence of Texas' status as a
8 state within the United States of America; and

9 (E) the identification of fundamental rights
10 enumerated by the Constitution of the United States of America that
11 may not be adequately preserved in the Constitution of Texas;

12 (2) recommendations for amending Texas statutes to
13 accommodate the needs of an independent nation, including:

14 (A) the creation of new agencies;

15 (B) the modification of the powers, functions,
16 and names of existing agencies; and

17 (C) the identification of necessary and
18 desirable functions of government that are provided for under the
19 statutory law of the United States of America but not adequately
20 described in Texas statute;

21 (3) recommendations regarding transitional issues
22 which must be negotiated with the government of the United States of
23 America, including:

24 (A) any necessary or desirable changes in federal
25 law;

26 (B) the determination of citizenship of
27 residents of Texas;

1 (C) the disposition of the property and assets of
2 the United States of America currently in Texas;

3 (D) a temporary currency union;

4 (E) a free trade agreement;

5 (F) a common travel agreement;

6 (G) the status of Texans currently serving in the
7 armed forces of the United States of America;

8 (H) any necessary disposition of the Texas
9 portion of the national debt of the United States of America;

10 (I) a collective defense arrangement;

11 (J) a postal agreement;

12 (K) the payment of pensions to Texans who have
13 vested in the pension programs of the United States of America and
14 its subnational governments;

15 (L) a social security totalization agreement;

16 and

17 (M) any other transitional issues that the
18 committee may identify; and

19 (4) recommendations regarding any international
20 convention or multilateral agreement to which an independent Texas
21 may become a party in order to benefit the people of Texas or ensure
22 minimal disruption during a transition period.

23 (c) In addition to considering the issues described under
24 Subsection (b) of this section, the committee shall include within
25 its report required under Subsection (h) of this section a strategy
26 for achieving Texas independence not later than 60 months after the
27 date the results of the referendum election required under Section

1 1 of this Act are certified by the governor.

2 (d) The committee is composed of:

3 (1) the lieutenant governor;

4 (2) the speaker of the house of representatives;

5 (3) four senators appointed by the lieutenant
6 governor, one of whom must be the chair of the senate committee on
7 state affairs; and

8 (4) four members of the house of representatives
9 appointed by the speaker of the house of representatives, one of
10 whom must be the chair of the house committee on state affairs.

11 (e) The lieutenant governor and speaker of the house of
12 representatives shall serve as co-chairs of the committee.

13 (f) The committee shall convene at the call of the
14 co-chairs.

15 (g) The committee has all other powers and duties provided
16 to a special or select committee by the rules of the senate and
17 house of representatives, by Subchapter B, Chapter 301, Government
18 Code, and by policies of the senate and house committees on
19 administration.

20 (h) Not later than December 31, 2022, the committee shall
21 report the committee's findings and recommendations to the
22 legislature.

23 (i) The committee is abolished and this Act expires January
24 1, 2023.

25 SECTION 3. (a) Section 2 of this Act takes effect on
26 December 2, 2021, but only if the referendum proposed by the 87th
27 Legislature, Regular Session, 2021, on the question of whether this

1 state should plan to leave the United States of America and
2 establish an independent republic is approved by the voters. If
3 that referendum is not approved by the voters, Section 2 has no
4 effect.

5 (b) Except as provided by Subsection (a) of this section,
6 this Act takes effect September 1, 2021.