

By: Landgraf

H.J.R. No. 153

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature
2 to provide for legislative review or approval of certain state
3 agency rules adopted in response to a threat to public health,
4 safety, or welfare.

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

6 SECTION 1. Article II, Texas Constitution, is amended by
7 adding Section 2 to read as follows:

8 Sec. 2. (a) The legislature by general law may provide for
9 legislative review or approval of a rule that is adopted by an
10 agency in the executive department:

11 (1) without prior notice or hearing, or after an
12 abbreviated period for notice and hearing; and

13 (2) in response to a threat of imminent peril to public
14 health, safety, or welfare.

15 (b) A general law enacted under this section may:

16 (1) prescribe procedures regarding the renewal of a
17 rule by a state agency; and

18 (2) delegate powers to either legislative house,
19 including committees in those houses.

20 (c) A general law enacted under this section may not
21 authorize a person who is not an elected member of the legislature
22 to participate in the review or approval of rules adopted by
23 agencies in the executive department.

24 SECTION 2. This proposed constitutional amendment shall be

1 submitted to the voters at an election to be held November 2, 2021.
2 The ballot shall be printed to permit voting for or against the
3 proposition: "The constitutional amendment authorizing the
4 legislature to provide for legislative review or approval of
5 certain state agency rules adopted in response to a threat to public
6 health, safety, or welfare."