

By: Slawson

H.J.R. No. 160

A JOINT RESOLUTION

1 proposing a constitutional amendment requiring the governor to call
2 the legislature into special session following certain disaster or
3 emergency declarations and specifying the powers of the legislature
4 in those special sessions.

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

6 SECTION 1. Section 8, Article IV, Texas Constitution, is
7 amended by adding Subsections (c) and (d) to read as follows:

8 (c) The Governor shall convene the Legislature in special
9 session for the purposes described by Subsection (d):

10 (1) if a state of disaster or emergency declared by the
11 Governor continues for more than 21 days; or

12 (2) on receipt of a petition from any member of the
13 Legislature requesting legislative review of a state of disaster or
14 emergency declared by the Governor if the petition is signed by at
15 least two-thirds of the members of the house of representatives and
16 at least two-thirds of the members of the senate.

17 (d) In a special session convened under Subsection (c), the
18 Legislature may:

19 (1) review an order, proclamation, or other instrument
20 issued by the Governor during the 90 days before the special session
21 begins:

22 (A) declaring a state of disaster or emergency in
23 this state; or

24 (B) in response to a state of disaster or

1 emergency in this state declared by any federal, state, or local
2 official or entity;

3 (2) terminate or modify an order, proclamation, or
4 other instrument described by Subdivision (1) by passage of a
5 resolution approved by majority vote of the members present in each
6 house of the Legislature, which is not subject to Section 15,
7 Article IV;

8 (3) respond to the state of disaster or emergency,
9 including by:

10 (A) passing laws and resolutions the Legislature
11 determines are related to the state of disaster or emergency; and

12 (B) exercising the powers reserved to the
13 Legislature under Section 28, Article I; and

14 (4) consider any other subjects stated in the
15 Governor's proclamation convening the Legislature.

16 SECTION 2. This proposed constitutional amendment shall be
17 submitted to the voters at an election to be held November 2, 2021.
18 The ballot shall be printed to provide for voting for or against the
19 proposition: "The constitutional amendment requiring the governor
20 to call the legislature into special session following certain
21 disaster or emergency declarations and specifying the powers of the
22 legislature in those special sessions."