

By: Hughes

S.R. No. 2

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, That the Rules of the Senate of the 86th Legislature, as amended, are adopted as the Temporary Rules of the Senate of the 87th Legislature with the following modifications:

SECTION 1. (a) Amend Rule 7.12(a) to read as follows:

(a) Every favorable committee report on a general or local bill made by a Senate committee shall be printed, unless the Senate on the same day it is reported or on the next legislative day shall order it not printed. Each committee report on a recodification [~~local~~] bill shall be printed, unless the committee making the report recommends that it not be printed, in which case the committee's recommendations shall be effective as an order of the Senate that the report be not printed. A list of all bills on committee report ordered not printed by the Senate or ordered not printed by committee recommendation shall be listed by number, author, and caption and distributed to each member at the close of each day's business. Copies of all committee reports printed shall be made available [~~furnished~~] to each member of the Senate on the same day the printed copies are delivered by the printer. No bill except [~~local bills and~~] bills ordered not printed by the Senate shall be considered by the Senate until a printed committee report has been available to each member of the Senate for at least 24 hours

~~[and is on the desk of each Senator].~~

(b) Amend Rule 11.06 to read as follows:

RECOMMENDATIONS OF COMMITTEES

Rule 11.06. All reports of standing committees shall be advisory only, except that a recommendation in a report that a recodification bill ~~[which is a local bill]~~ be not printed shall be effective as an order of the Senate that the bill be not printed. A recommendation in a report that a general or local bill ~~[which is a general bill]~~ be not printed shall be advisory only, and the bill shall nevertheless be printed unless the Senate on the same day or the next legislative day orders the bill not printed, as provided in Rule 7.12.

SECTION 2. (a) Amend Rule 2.02(b) to read as follows:

(b) While the Senate is in session, the following persons shall be admitted to the floor of the Senate but are required to remain behind the brass rail:

(1) employees of the Senate and the House of Representatives when on official business;

(2) the Governor's executive staff;

(3) the President and Vice-President of the United States;

(4) United States Senators and members of Congress;

(5) Governors of other states;

(6) Justices of the Supreme Court and Judges of the Court of Criminal Appeals; and

(7) the Secretary of State~~[, and~~

~~[(8) duly accredited newspaper reporters and~~

~~correspondents, radio commentators, and television camera operators and commentators who have complied with Rule 2.04].~~

(b) Amend Rule 2.03(a) to read as follows:

(a) No person [~~newspaper reporter, or other person~~ ~~whosoever~~], whether a State officer or not, who is lobbying or working for or against any pending or prospective legislative measure, shall in any event be permitted upon the floor of the Senate when the Senate is in session.

(c) Amend Rule 2.04 to read as follows:

PRESS CORRESPONDENTS

Rule 2.04. While the Senate is in session, no person shall be admitted to the designated press area [~~floor of the Senate~~] or allowed its privileges as a press correspondent or radio commentator or television camera operator and commentator, unless said person is a regularly employed, salaried staff correspondent or reporter in the employ of a newspaper publishing general news, a press association serving newspapers, or a publication requiring telegraphic coverage or the person is a regularly employed, salaried employee of a duly licensed radio or television station.

Every newspaper reporter and correspondent and radio commentator and television camera operator and commentator, before being admitted to the Senate during its session, shall file with the Committee on Administration a written statement showing the paper or papers represented and certifying that no part of the person's salary or compensation is paid by any person, firm, corporation, or association except the paper or

papers or radio station or television station represented.

SECTION 3. Amend Rule 11.02 to read as follows:

LIST OF STANDING COMMITTEES AND SUBCOMMITTEES

Rule 11.02. At the beginning of each regular session, the President shall appoint the following standing committees with the number of members indicated:

STANDING COMMITTEES

- (1) Committee on Administration (7 members)
- (2) [~~Committee on Agriculture (5 members)~~
- [~~(3)~~] Committee on Business and Commerce (9 members)
- (3) [~~(4)~~] Committee on Criminal Justice (7 members)
- (4) [~~(5)~~] Committee on Education (11 members)
- (5) [~~(6)~~] Committee on Finance (15 members)
- (6) [~~(7)~~] Committee on Health and Human Services (9 members)
- (7) [~~(8)~~] Committee on Higher Education (9 members)
- (8) Committee on Jurisprudence (5 members)
- (9) Committee on Local Government (9 members)
- [~~Intergovernmental Relations (7 members)~~]
- (10) Committee on Natural Resources and Economic Development (9 members) [~~(11 members)~~]
- (11) Committee on Nominations (9 members) [~~(7 members)~~]
- (12) [~~Committee on Property Tax (5 members)~~
- [~~(13)~~] Committee on State Affairs (9 members)
- (13) [~~(14)~~] Committee on Transportation (9 members)

(14) [~~(15)~~] Committee on Veteran Affairs and Border Security (7 members)

(15) [~~(16)~~] Committee on Water, Agriculture, and Rural Affairs (9 members) [~~(7 members)~~].

SECTION 4. (a) Amend Rule 4.07 to read as follows:

REFUSAL OF MEMBER CALLED TO ORDER TO BE SEATED

Rule 4.07. Whenever a member is called to order by the President of the Senate or by the presiding officer then in the chair in accordance with Rule 4.06 and such member fails to sit down and be in order but continues disorderly, it shall be the duty of the Sergeant-at-Arms and/or the Sergeant's assistants upon the direction of the presiding officer to require such recalcitrant member to take his or her seat and be in order. Any member who persists in disorderly conduct after being warned by the presiding officer may, by motion duly made and carried by five-ninths [~~three-fifths~~] vote of the members present, be required to purge himself or herself of such misconduct. Until such member has purged himself or herself of such misconduct, the member shall not be entitled to the privileges of the floor.

(b) Amend Rules 5.11(a) and (b) to read as follows:

(a) Any bill, resolution, or other measure may on any day be made a special order for a future time of the session by an affirmative vote of five-ninths [~~three-fifths~~] of the members present.

(b) A special order shall be considered at the time for which it is set and considered from day to day until disposed of, unless at the time so fixed there is pending business under a

special order, but such pending business may be suspended by a five-ninths [~~three-fifths~~] vote of all the members present. If a special order is not reached or considered at the time fixed, it shall not lose its place as a special order. All special orders shall be subject to any Joint Rules and Rule 5.10.

(c) Amend Rule 5.13 to read as follows:

SUSPENSION OF THE REGULAR ORDER OF BUSINESS

Rule 5.13. No bill, joint resolution, or resolution affecting state policy may be considered out of its regular calendar order unless the regular order is suspended by a vote of five-ninths [~~three-fifths~~] of the members present.

(d) Amend Rule 6.08 to read as follows:

MOTIONS TO REFER OR COMMIT

Rule 6.08. Any bill, petition, or resolution may be referred from one committee or subcommittee to another committee or subcommittee if the motion is approved by the chairs of both committees involved and by a five-ninths [~~three-fifths~~] vote of the members present and voting. Any bill, petition, or resolution may be committed to any committee or subcommittee at any stage of the proceedings on such bill, petition, or resolution by a majority vote of the elected members of the Senate. A bill or joint resolution committed to a committee or subcommittee while on third reading shall be considered as on its second reading if reported favorably back to the Senate.

When several motions shall be made for reference of a subject to a committee, they shall have preference in the following order:

First: To a Committee of the Whole Senate

Second: To a standing committee

Third: To a standing subcommittee

Fourth: To a special committee.

(e) Amend Rule 8.02 to read as follows:

REFERRAL TO COMMITTEE

Rule 8.02. Petitions, concurrent and joint resolutions, and resolutions setting or defining legislative or state policy or amending the Senate Rules shall be referred to an appropriate standing committee when introduced and shall not be considered immediately unless the Senate so directs by a five-ninths [~~three-fifths~~] vote of the members present. The motion to consider such petition or resolution immediately is not debatable.

(f) Amend Rule 11.17(c) to read as follows:

(c) The sponsor of a bill or resolution for which a minority report is filed or a member signing the minority report must move to have the bill or resolution placed on the calendar within 10 calendar days after the date on which the committee's vote was taken. An affirmative vote of five-ninths [~~three-fifths~~] of the members present is required for the motion to carry. If the motion fails or is not made within the time allowed, the bill or resolution is dead and may not be considered again during the session.

(g) Amend Rule 12.10 to read as follows:

SECTION-BY-SECTION ANALYSIS

Rule 12.10. Each conference committee report, regardless

of its subject matter, must have attached thereto a section-by-section analysis showing the disagreements which have been resolved by the conference committee. This analysis must show for each and every disagreement in parallel columns: (1) the substance of the House version; (2) the substance of the Senate version; and (3) the substance of the recommendation by the conference committee. No action shall be taken on any conference committee report in the absence of such analysis, except by an affirmative vote of five-ninths [~~three-fifths~~] of the members present, with the yeas and nays thereon to be recorded in the journal.

(h) Amend Rule 16.01 to read as follows:

DEFINITIONS

Rule 16.01. The terms "unanimous consent," "four-fifths of the members of the Senate," "four-fifths of the members present," "two-thirds of the members of the Senate," "two-thirds of the members present," "five-ninths [~~three-fifths~~] of the members present," "a majority of the members of the Senate," and "a majority of the members present" are defined as follows:

(1) "Unanimous consent" means the consent of all of the members of the Senate who are present and voting on the issue at the time the vote is recorded.

(2) "Four-fifths of the members of the Senate" means four-fifths of the 31 elected members of the Senate.

(3) "Four-fifths of the members present" means four-fifths of the members of the Senate who are present and voting on the issue at the time the vote is recorded.



(4) "Two-thirds of the members of the Senate" means two-thirds of the 31 elected members of the Senate.

(5) "Two-thirds of the members present" means two-thirds of the members of the Senate who are present and voting on the issue at the time the vote is recorded.

(6) "Five-ninths [~~Three-fifths~~] of the members present" means five-ninths [~~three-fifths~~] of the members of the Senate who are present and voting on the issue at the time the vote is recorded.

(7) "A majority of the members of the Senate" means a majority of the 31 elected members of the Senate.

(8) "A majority of the members present" means a majority of the members of the Senate who are present and voting on the issue at the time the vote is recorded.

(i) Amend Rule 16.07 to read as follows:

MATTERS REQUIRING VOTE OF

FIVE-NINTHS [~~THREE-FIFTHS~~] OF MEMBERS PRESENT

Rule 16.07. A vote of five-ninths [~~three-fifths~~] of the members present shall be required to:

(1) suspend the floor privileges of a member of the Senate; Rule 4.07

(2) excuse absentees; Rule 5.03

(3) set a matter for special order; Rule 5.11

(4) suspend the regular order of business; Rule 5.13

(5) rerefer a bill to another committee; Rule 6.08

(6) consider immediately petitions, concurrent and joint resolutions, or resolutions setting or defining

legislative or state policy; Rule 8.02

(7) place a minority report on the calendar; Rule 11.17

(8) suspend the section-by-section analysis on conference committee reports; Rule 12.10

(9) suspend or rescind any rule of the Senate unless the rules specify a different majority. Rule 22.01.

(j) Amend Rule 22.01 to read as follows:

SENATE RULES

Rule 22.01. It shall require a vote of five-ninths [~~three-fifths~~] of the members present to suspend any rule of the Senate, unless the rules specify a different majority. A majority of the members of the Senate may amend the Rules of the Senate by adoption of a Senate Resolution amending the rules, which resolution has been referred to and reported from a committee as otherwise required by these rules. Rules 16.07 and 16.08.

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President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on January 13, 2021, by the following vote: for the resolving clause and Sections 1, 2, and 3: Yeas 31, Nays 0; for Section 4: Yeas 18, Nays 13.

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Secretary of the Senate