

By: Cain

H.B. No. 298

A BILL TO BE ENTITLED

AN ACT

relating to a vacancy in the office of senator or representative due to excessive absence.

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

SECTION 1. Subchapter B, Chapter 201, Election Code, is amended by adding Section 201.031 to read as follows:

Sec. 201.031. FORFEITURE RESULTING FROM EXCESSIVE ABSENCE.

If a member of the legislature fails to attend legislative floor sessions called to transact business, without a leave granted by a majority the of the house of which the legislator is a member, a vacancy occurs on:

(a) the date of the member's fourteenth such failure to attend, during a Regular Session; or

(b) the date of the member's third such failure to attend, during a Special Session.

SECTION 2. Section 201.031, Election Code, as added by this Act, applies only to a failure to attend that occurs on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.