

By: Hunter

H.R. No. 1

#### R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, that, in accordance with Sections 9(b) and 11, Article III,  
3 Texas Constitution, the House of Representatives of the 89th  
4 Legislature shall elect a speaker of the house from its own  
5 membership as follows:

6 SECTION 1. NOMINATIONS. (a) The secretary of state shall  
7 call for nominations from the floor for the election of speaker of  
8 the house of representatives and shall recognize every member who  
9 desires to make a nomination. The order in which members shall  
10 proceed to make a nomination shall be determined by lot.

11 (b) Each member recognized for this purpose shall  
12 immediately advance to the front microphone and make the nomination  
13 in a nominating speech not to exceed five minutes in length.

14 (c) After all nominations have been made, the secretary of  
15 state shall declare nominations to be closed.

16 (d) The secretary of state shall recognize at any time a  
17 member whose name has been placed in nomination for the purpose of  
18 withdrawing as a nominee. A member who withdraws is not considered  
19 a nominee.

20 SECTION 2. SECONDS. (a) A person is not considered a  
21 nominee unless the nomination is seconded by at least one member.

22 (b) One seconding speech shall be allowed for each  
23 nomination in the order in which nominations were made, then other  
24 seconding speeches shall be allowed in rotation in the same order.

1 (c) No more than three seconding speeches shall be allowed  
2 for each nominee.

3 (d) A seconding speech may not exceed four minutes in  
4 length.

5 SECTION 3. VOTING PROCEDURES: VOTING MACHINE. (a) If after  
6 the close of all seconding speeches only one nominee remains for  
7 election to the speaker, the secretary of state shall recognize a  
8 motion to elect that nominee by acclamation. If no motion is made  
9 or five or more members make a written request for a record vote,  
10 the members shall record their votes from their desks on the voting  
11 machine with the yeas and nays taken as in other record votes of the  
12 house.

13 (b) If there are two or three nominees for speaker, the  
14 members shall record their votes from their desks on the voting  
15 machine with a different colored light on the machine indicating a  
16 vote for each nominee. The presiding officer shall draw lots to  
17 determine the color for each nominee.

18 (c) Before the close of voting on the voting machine, the  
19 presiding officer shall provide several warnings to the members  
20 that the voting period is about to close.

21 (d) A verification of a vote taken by voting machine shall  
22 be by roll call vote, with the members seated and the house at  
23 order, beginning with the members recorded as voting for the  
24 nominee with the most votes. During verification, a member may not  
25 change a vote unless it was erroneously recorded, and any member not  
26 having voted for a nominee may not cast a vote.

27 (e) If there are three nominees for speaker, a member who

1 does not cast a vote for a nominee but who was recorded as present at  
2 the initial roll call taken under Section 301.004, Government Code,  
3 shall be recorded as "present, not voting" in the record of the  
4 vote.

5 SECTION 4. VOTING PROCEDURES: ROLL CALL VOTE. (a) If there  
6 are more than three nominees for speaker, the election shall be held  
7 in the manner provided for a roll call vote of the members with the  
8 chief clerk calling the members' names in alphabetical order. When  
9 the chief clerk reads aloud the name of a member, the member shall  
10 vote by stating the name of one of the nominees or state that the  
11 member is present, not voting. The chief clerk shall repeat the  
12 member's vote aloud and record the vote on a tally sheet.

13 (b) After all members have announced their votes, the chief  
14 clerk shall prepare a report containing the total votes received by  
15 each nominee and the total number of members who are present, not  
16 voting. The chief clerk shall provide a copy of the report to the  
17 secretary of state.

18 (c) A verification of a vote taken by roll call consists  
19 solely of ensuring that an announced vote was tallied correctly.

20 SECTION 5. RECORD VOTE. All votes taken shall be record  
21 votes with the vote of each member entered in the House Journal.

22 SECTION 6. RESULTS; RUNOFF. (a) The secretary of state  
23 shall announce the results of the election. If a nominee receives  
24 76 or more of the votes cast, the secretary of state shall declare  
25 that nominee to be elected to the office of speaker of the house of  
26 representatives.

27 (b) If no nominee receives 76 or more of the votes cast, the

1 two nominees receiving the largest number of votes in the initial  
2 vote shall be in a runoff conducted by voting machine as provided by  
3 Section 3 of this resolution. The secretary of state shall announce  
4 the results of the runoff and declare the nominee receiving 76 or  
5 more of the votes cast to be elected.

6 (c) If in a runoff between two nominees no nominee receives  
7 76 or more of the votes cast, additional rounds of runoff voting  
8 shall occur between the same two nominees until one of the nominees  
9 in the runoff receives 76 or more of the votes cast.

10 SECTION 7. TIE VOTES. If in the initial vote no nominee  
11 receives 76 or more of the votes cast and it is not possible to  
12 determine the two nominees receiving the largest number of votes  
13 cast because of a tie vote, additional rounds of voting shall occur  
14 among the same nominees, other than a nominee who withdraws, until a  
15 nominee receives 76 or more of the votes cast, or if no nominee  
16 receives 76 or more of the votes cast, until it is possible to  
17 determine the two nominees who receive the largest number of votes  
18 cast.

19 SECTION 8. OATH. After the election, the secretary of state  
20 shall:

21 (1) direct the speaker-elect to proceed to the  
22 speaker's rostrum for the purpose of taking the constitutional oath  
23 of office; and

24 (2) proceed to the administration of the oath of  
25 office to the speaker-elect. The speaker shall take the chair  
26 immediately after taking the oath of office.