

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**April 24, 2025**

**TO:** Honorable Ken King, Chair, House Committee on State Affairs

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SJR40** by Birdwell (proposing a constitutional amendment regarding the powers of the governor, the legislature, and the supreme court following certain disaster or emergency declarations.), **Committee Report 2nd House, Substituted**

The provisions of the proposed Constitutional amendment requiring the Governor to convene the Legislature in a special session would result in an indeterminate cost to the state. The cost would be dependent upon whether the state of disaster is declared and a proposal from the Governor to renew an order or proclamation declaring a state of disaster or emergency.

The cost to the state for publication of the resolution is \$191,689.

The bill would amend the Texas Constitution to require the Governor to convene the Legislature in a special session in the event that the Governor proposes to renew an order or proclamation declaring a state of disaster or emergency or issue a new order regarding the same state of disaster or emergency that meets certain criteria.

The bill would amend the Texas Constitution to allow a member of the Legislature standing to participate as a party in a suit against the Governor for a violation of a duty imposed by Texas Constitution, Article IV, Section 8(c).

**Local Government Impact**

The fiscal implications of the bill cannot be determined at this time.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 300 Trusteed Programs Within the Office of the Governor, 537 State Health Services, Department of

**LBB Staff:** JMc, WP, LCO, KCu, NV