



THE LEGISLATURE OF THE STATE OF TEXAS

In Texas, all legislative power is vested by the state's Constitution in a bicameral body styled "The Legislature of the State of Texas." The Legislature is required by the Constitution to meet every two years for a regular session that may not exceed 140 days. By statute, (Article 5422), the Legislature convenes in regular session on the second Tuesday of each odd-numbered year. The Constitution also establishes the general order of business for the regular session; however, the Legislature is allowed, by affirmative vote of four-fifths of the membership of each house, to establish its own order of business. Special legislative sessions (30 day limit) may only be called by the Governor and may only consider matters submitted by him.

Both the Senate and the House of Representatives operate their day-to-day business through committee systems. The rules of each house govern the organization and membership of committees. Both houses are required to have a quorum of two-thirds of its membership present to conduct business. However, each house may, with less than a quorum, compel absent members to attend. Each house is also required to publish a journal of its proceedings and votes.

SENATE

The Texas Senate is composed of thirty-one members, each elected for a four-year term. One-half of the Senate is elected every two years. A member of the Senate must be a citizen of the United States, a qualified elector of the state, and have attained the age of twenty-six. He must have been a resident of Texas for five years immediately preceding his election, and the last year thereof a resident of the district from which he was chosen.

Except for the Lieutenant Governor who is designated by the Constitution as President of the Senate, the Senate elects its own officers, creates and enforces its own rules, and judges the qualifications and election of its own members.

The Senate is required to advise and consent on virtually all of the Governor's appointments to state commissions, boards, and offices. It is only during such nomination proceedings that the Senate is allowed to conduct a closed or executive session. All other business of the Legislature must be conducted in open session. The Senate also sits as a court of impeachment to try persons impeached by the House of Representatives; two-thirds vote of the Senators present are required for conviction.

The Lieutenant Governor presides over the Senate and makes Committee assignments. He is not a member of the Senate and votes only in case of a tie.

HOUSE OF REPRESENTATIVES

The House of Representatives is composed of 150 members, each elected for a two-year term. A member of the House must be a citizen of the United States, a qualified elector of the state, and have attained the age of twenty-one. He must have been a resident of the state for two years immediately preceding election, the last year thereof a resident of the district from which he was chosen.

The House of Representatives elects its own presiding officer, the Speaker of the House, and all other officers. Like the Senate, the House creates and enforces its own rules and judges the qualifications and elections of its members. The House has maintained traditionally a larger number of standing committees than the Senate due to the larger number of members involved.

All revenue bills considered by the Legislature must originate in the House of Representatives. Although the Senate may not consider revenue measures until they have been passed on the by House, the Senate may accept, amend, or reject in total such



measures as it sees fit. Also, the House alone can bring impeachment charges which must be tried by the Senate.

The Speaker presides over the House and makes Committee assignments. He is a member of the House and may vote at any time.

FORMS OF LEGISLATION

There are two major classes of measures considered by the legislature resolutions and bills. Bills are “introduced” and may be “passed.” Resolutions are “proposed” and “adopted.”

While bills comprise by far the greater portion of the legislative work load, resolutions can sometimes be of equal or greater importance. The three types of resolutions are joint resolutions, concurrent resolutions and simple resolutions.

Joint Resolutions—These measures are reserved for matters of great importance to the legislature or the state. They are used primarily for proposing amendments to the state constitution. Other uses are: to memorialize Congress, to ratify amendments to the United States Constitution, to authorize the expenditure of legislative funds and to form joint legislative committees. They must be passed by both houses. If it is an amendment to the state constitution, it requires a two-thirds vote of each house and must be approved by the voters before it becomes law.

Concurrent Resolutions—This type of resolution is used for matters of concurrent interest to the two houses: fixing the time of final adjournment of a session, requesting information from state agencies or action by Congress, adopting or changing joint rules and for calling joint sessions of the legislature. Concurrent resolutions must be adopted by both houses and enrolled. They are then sent to committee. Other than in matters of adjournment they are submitted to the Governor.

Simple Resolutions—House simple or Senate resolutions are measures comprising independent action of the house of origin and pertain to matters involving that house only. They are used for such purposes as adoption of rules, appointment of officers and employees, requesting opinions from the attorney general and house organization, including assignment of desks to members at the beginning of a session. These measures may be referred to committee or acted on without such consideration. Adoption requires a simple majority vote.

Bills and resolutions are numbered consecutively in separate series.

S.B. 1 means Senate Bill 1

H.B. 1 means House Bill 1

S.J.R. 1 means Senate Joint Resolution 1

H.J.R. 1 means House Joint Resolution 1

S.C.R. 1 means Senate Concurrent Resolution 1

H.C.R. 1 means House Concurrent Resolution 1

S.R. 1 means Senate Resolution 1

H.S.R. 1 means House Simple Resolution 1



BASIC STEPS IN THE LEGISLATIVE PROCESS

This diagram displays the sequential flow of a bill from the time it is introduced in the House of Representatives to final passage and transmittal to the Governor. A bill introduced in the Senate would follow the same procedure in reverse.

