

## Research Assessment #9

**Date:** 1/29/2021

**Subject:** "The Legislative Process in Texas"

### **MLA Citation:**

*Tlc.Texas.Gov*, 2021, <https://tlc.texas.gov/docs/legref/legislativeprocess.pdf>. Accessed 29 Jan 2021.

### **Assessment:**

For this week's assessment, I decided that I wanted to do a little bit of a review from my Texas legislative studies unit from my political science class last semester. During our last visit my mentor, Mr. Lee, showed me the official Texas Legislative Council website. This website had all sorts of documents like data and demographics of Texas, legislative procedures, Interim Study Reports, calendars for this year's legislative session, and much more. I had found a document that had a basic summary of the majority of the legislative processes between the Texas House of Representatives and Senate and while much of it I had a basic understanding of it helped give me a deeper insight into how the two chambers operate with each other.

Firstly the document outlines how bills originate within their respective chambers and the path it takes to either die or pass as law. Bills can be drafted by an actual legislator, a special interest group, or a legislator's staff but must be introduced into that legislator's official chamber. In the House, the bill is filed with the chief clerk of the house and in the Senate, it is filed with the Senate secretary. Legislative rules restrict the introduction of bills to only the first sixty days of the regular session but if an emergency bill must be introduced it requires at least a four-fifths majority of whichever chamber the bill originates.

From then on the bill is given to its respective committee. Committees are formed in the earlier portion of a regular session and they handle the bills that pertain to their topics of specialty, like a bill concerning public school curriculums would be handled by the committee of education. House Reps. tend to be a part of an average of 2-3 committees and are appointed to those committees by the House Speaker, Dade Phelan. In the Senate, the average is 2-3 and are appointed by the Lieutenant Governor, Dan Patrick. These committees review the bill and either throw it out, gives recommendations, or makes amendments to the bill. Many bills that are filed don't make it past the committee stage, but those that do are then filed with a committee report. These reports include any changes or updates made to the bill, committee recommendations, the official bill text, the analysis of the bill, and if it is needed, a fiscal note. It is then moved to the calendar committees in which they are scheduled and placed on their respective calendars for the originating chamber. When the day the bill is scheduled comes it is presented to the floor of the originating chamber and is voted on by all members of that chamber. The bill is to be read three times and the committee review is considered the first reading, the second reading is floor consideration and the bill can be amended by all members of the chamber, and the third reading is when the

members vote to pass the bill. If a simple majority votes in favor of the bill it moves onto the other chamber to repeat the process. While the Texas Constitution requires all bills to be read on three separate days there is a provision that allows the chambers to vote to expedite the process and pass the bill before the third reading.

After the bill is finished the process in the opposite chamber goes back to the originating chamber to review any changes or amendments made to the bill. If little to no changes are made it then is signed by presiding officers and travels to the desk of the Governor. If changes are made that the originating chamber does not agree with the two chambers can call a conference committee in which each chamber selects five representatives to meet and they work together to compromise on the changes of the bill. If both groups can compromise the needed documentation is updated and it then goes to the Governor but if an agreement is not met the bill will die and no longer be eligible to pass as law.

Once sent to the Governor, they have ten days to veto, sign, or allow to pass without a signature. If the bill is vetoed it will travel back to the original chamber and a two-thirds majority is needed in both chambers to override the veto. If the governor signs it becomes law and if the governor does not sign it has ten days of inaction to become law. It is not uncommon for a Governor to not sign a bill if they would like the bill to pass but they don't want their names tied directly to that bill's contents.

Most of the time a bill will contain an "effective by date" which dictates when it becomes a fully functioning law but if no date is specified it goes into effect on the 91st day of the regular session. Once a bill is filed it is required of the Secretary of State to physically and electronically publish the bill's contents for the public to view. These can be found on the Secretary of State website, The Texas State Library, and Archives Commission.

The document outlined a lot more information that I will cover in another assessment but this was regarded as the basics and bare bones of the legislative process. I found that a lot of the legislative rules and regulations were much stricter for the House than in the Senate but were still relatively rigorous. I'm very surprised the Texas Legislature is able to handle so much work on a bi-annual meeting schedule and only working 144 days of that year.