# The Texas Legislature

Structure and Organization

#### Functions of Legislative Bodies

- Articulate the general demands of society
- Represent the needs of special segments of the society- whether organized or unorganized
- Frame and give approval to the laws
- Allocate the resources of society (tax and spend)

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#### Basis of Representation Selection Criteria

- Types of Districts
  - Multi-member- used in House prior to the 1970's for urban areas only
     Single-member- Prior to 1970's rural districts only. All Senate/ House after 1970's
- Types of Constituencies
  - Racial/ethnic
  - Economic
  - Religious
  - Geographical- sole method for legal drafting of districts today (although the way the districts are drawn can create homogenous districts of a particular nature)

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### Roles of a Representative

- Delegate- votes as s/he believes the district wants
- Trustee- votes consistent with personal beliefs
- Advocate- votes wishes of major supporters/contributors
- Politico- combination of the three roles

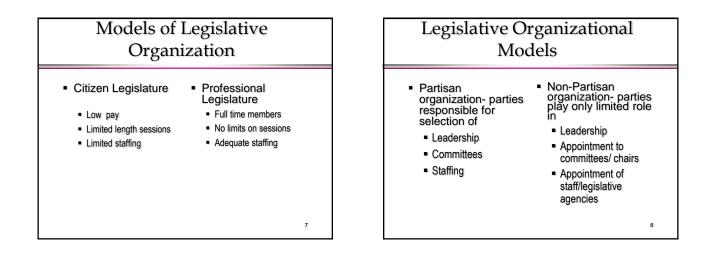
# Structure of the TX Legislature

- Bicameral-
  - Senate -31 members elected for 4 year terms (overlapping terms for Senators)
  - House- 150 members elected for 2 year term (all members run at the same time)
- Sessions
  - Regular sessions- 140 days every two years in odd year
  - Special sessions- 30 days when called by Governor

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# Organizational Issues for Legislative Bodies

- Level of professionalism
- Citizen Legislature vs. Professional Legislature
- Degree of partisan organization
   Partisan vs. Non-partisan

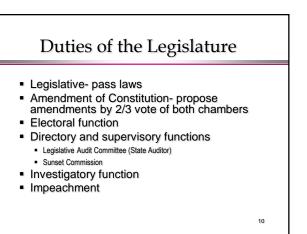


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## Texas Legislature Compensation

- Salary- set by Texas Constitution at \$7200/ year
- Per diem- governed by IRS allowable. Set annually by the Texas Ethics Commission.
- Travel- same mileage rates as state employees when on Legislative business
- Retirement- must have 12 years service. Calculated on 2.3% x years service x salary of district judge (A form of deferred compensation)



## Non-Constitutional Duties of Members

- Services for constituents
- Oversight- through staff and committees
- Research- through staff and committees

#### Presiding Officers of the Texas Legislature

#### House

- Speaker- elected by the members
- Speaker pro-tem- appointed by Speaker
- Officers- appointed by Speaker
- Senate
  - . Lt. Governor- elected by voters
  - President pro-tem- elected by Senate (seniority is a major factor)
  - Senate officers- elected by the Senate

### Powers of Presiding Officers

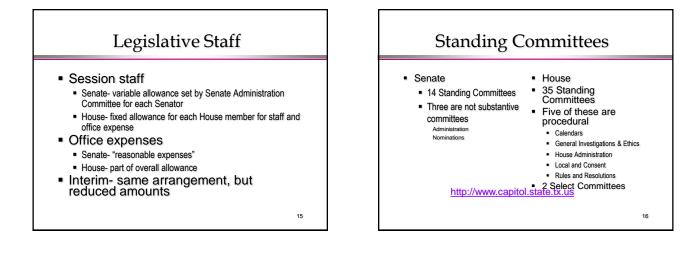
- Appoints all committees (standing, special, interim)
- Refers bills to committee
- Approves appointment of employees
- Organizes calendars for legislative action
- Recognizes speakers (persons who may speak on issues)
- Rules on points of order

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# Types of Committees in the TX Legislature

- Standing- membership established at beginning of session
- Special (investigatory)- created with a special mandate
- Interim (study)- operates during interim only
- Statutory- established by law
  - Legislative Budget Board
  - Legislative Council
  - Legislative Audit Committee

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# Statutory Committees

- Legislative Budget Board
- http://www.lbb.state.tx.us/
- Legislative Council
   <u>http://www.tlc.state.tx.us/</u>
- Legislative Audit Committee http://www.sao.state.tx.us/lac.html

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## Staffing for Legislative Committees

#### Staff of the Statutory Committees

- Legislative Budget Board
- Legislative Council
- Legislative Reference Library
- Staffing for selected standing committees
  - All committees during sessions
  - Reduced staffing during interims except for committees with special mandates

#### Legislative Role of Governor

- Declare legislative emergencies
- Address legislature
- Call special sessions
- Veto legislation

#### Legislative Reform-Proposals generally proposed by "experts"

- Full-time legislators
- Better informational services
- Improved mechanics- rules, role of presiding officers, limits on local and special legislation, lobby control

# Main Steps of the Legislative Process in Texas

- Drafting the proposals
- Introduction and referral
- Committee actions
- Floor consideration
- Conference committee\*
- Governor's action
- Override of veto\*
   \*these actions do not occur on every bill

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# Types of Legislative Instruments

- Bills- (HB- House Bill, SB-Senate Bill)
   established or amends law, appropriates money
  - passed by both houses in same form, signed by Gov
- Joint Resolutions (HJR/SJR)
   proposes constitutional amendments
  - proposes constitutional amendment
    2/3 of both houses, vote by people
- Concurrent Resolutions (HCR/SCR)
- Simple Resolutions (HR/SR)

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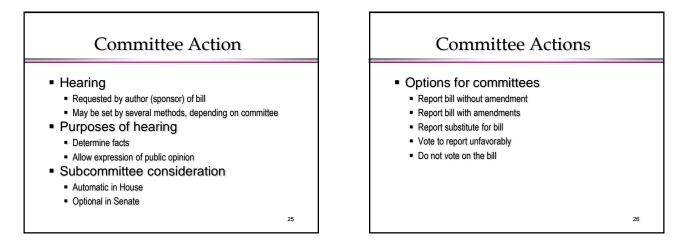
# Drafting of Bills

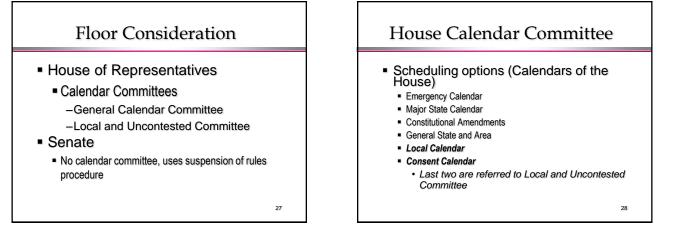
- Major sources of legislative proposals
  - Interest Groups
  - Agencies of the executive branch
  - Legislative staff and committees- Legislative Budget Board, Legislative Council, standing committees, interim committees
  - Individual members

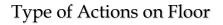
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# Introduction and Referral

- Introduced by members only
  - filed with the Secretary of Senate or Clerk of House
- Referred to committee
  - referred by presiding officer on recommendation of parliamentarian.
  - Each house can override presiding officer by majority vote

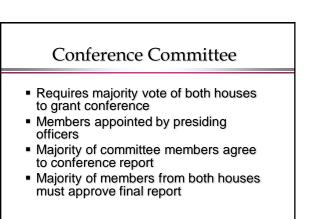






- Second Reading
  - Bill debated
  - Amendment by a majority vote
- Third Reading
  - Separate legislative day except on 4/5 vote
  - Amendments require 2/3 vote

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### Governor's Action

- Governor has 10 days to
  - Sign bill
  - Veto bill
- After 10 days it becomes law without Governor's signature
  - If bill is received during last 10 days of session, Governor has 20 days to decide what to do

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# Override of Veto

- Extremely rare- only twice in last 50 years
- Requires 2/3 vote of both houses