

Citizen Handbook

How the Texas Legislature Works

*Citizen
Handbook*
How the Texas Legislature Works



Welcome to The Texas Legislature

*"The People of Texas
do now constitute a
free, sovereign, and
independent republic.*

*And—we fearlessly
and confidently
commit the issue
to the decision of the
supreme Arbiter
of the destinies
of nations."*

*Declaration of
Independence
Republic of Texas
1836*

The 31 members of the Texas Senate and the 150 members of the Texas House of Representatives welcome you to the State Capitol. We hope you have an opportunity to observe the two chambers in session or to sit in during a committee hearing. The regular legislative sessions begin in January every odd-numbered year and convene for not more than 140 days. The governor may call the legislature into special session as deemed appropriate. Special sessions are limited to issues specifically stated in the governor's call and may meet up to the 30-day maximum.

This handbook is for anyone who wants to learn about the Texas Legislature and how it works. Perhaps you are visiting the Capitol for the first time and want additional information. Or, you may have a message to get across to the legislature and want to participate in the legislative process.

We encourage you to read the information and follow the guidelines in this handbook. Be sure to meet with your senator, representative, or their staffs. The legislative process focuses on you, the constituent. We encourage your involvement—you are vital to making this democracy a continuing success.

A Short History of the Capitol

The history of Texas government spans over 150 years. The first Congress of the Republic of Texas met in October 1836, in a large dog-trot house located in Columbia-on-the-Brazos (today's West Columbia). After Texas achieved statehood in 1845, the 20 senators and 66 representatives of the Texas Legislature convened the first regular session February 16 to May 13, 1846, in a single-story wood structure that stood at Eighth and Colorado, three blocks south of the current Capitol site in Austin. The state's first Capitol was completed in 1853, a plain limestone structure in a Greek Revival style, three stories tall and capped by a small dome.

The current Texas State Capitol sits majestically on the 25.96 acres of parkland originally selected for the Capitol of the Republic of Texas in 1839.



After a fire destroyed the old Capitol, advertisements placed in six Texas newspapers and newspapers in St. Louis, Chicago, and New York solicited plans for a new Capitol. Detroit architect E.E. Myers won the bid. The new structure was to house all of state government.

The building is modeled after the National Capitol in Washington, D.C. It is shaped in the form of a Greek cross with the east to west corridors and the north to south wings intersecting at the rotunda on the first floor. It stands three stories above the basement, with a fourth, central story running north to south. Standing approximately 311 feet from ground level to the toes of the Goddess of Liberty atop the cast-iron and granite dome, the building measures 566 feet, six inches long by 288 feet, ten inches wide at its largest dimension.

Specifications for the Capitol required the building to be constructed of native Texas stone. Originally, limestone was to be used. Limestone's instability, however, forced builders to opt for the more durable red granite transported from Marble Falls in Burnet County.

The State of Texas traded three million acres of public land in the Panhandle, later known as the famous XIT Ranch, in exchange for materials and the building of the Capitol. It took 4,000 train carloads of Texas red granite, 11,000 carloads of limestone, and seven miles of oak, pine, cherry, cedar, walnut, ash, and mahogany to build the Capitol. The roof is constructed of 85,000 square feet of copper.

Ground-breaking ceremonies were held March 2, 1882. The cornerstone of the building was laid on March 2, 1885, and weighed 12,000 pounds. The dedication ceremony was held May 16, 1888, at which point the Capitol was opened to the public.

After over a century of use, the Capitol underwent an extensive restoration and preservation process between 1990 and 1995. Today, the Capitol has been restored to its original 19th century beauty and brought to modern fire and safety standards. In addition, a new four-story underground extension to the north of the Capitol was completed in January 1993. It provides much needed office and parking space for Senate and House members, and a legislative and support staff that has outgrown the space limitations of the original building.

Excavators removed 680,000 tons of rock from the ground to make room for the extension which houses 215,000 square feet of usable office space in the top two floors. The lower two floors house a parking garage. There are 15,740 square feet of granite, 316,000 square feet of concrete surfaces, and 56,760 square feet of terrazzo in the Capitol Extension.

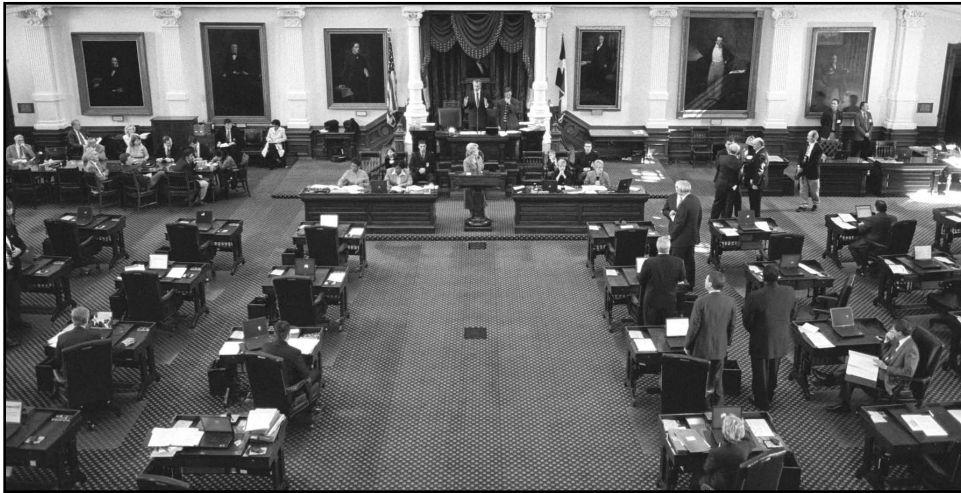
The Texas Capitol was designated a National Historic Landmark in 1986.

For more information about the Capitol, contact the State Preservation Board at (512) 463-5495, or write to the SPB at P.O. Box 13286, Austin, Texas 78711.

The Texas Senate

The Senate Chamber, located in the east wing of the Capitol, is the setting for negotiation, debate and legislative action by 31 senators. As established by the Texas Constitution, a senator must be at least 26 years of age, a citizen of Texas five years prior to election, and a resident of the district from which elected one year prior to election. Each senator serves a four-year term—one-half of the Senate membership is elected every two years.

As presiding officer of the Senate, the lieutenant governor is officially called the President of the Senate. The lieutenant governor is elected by a statewide popular vote to serve a four-year term of office. The lieutenant governor is not a member of the Senate, and votes only in case of a tie. The lieutenant governor appoints all chairs and members of Senate committees, and



refers all bills to committee. The lieutenant governor also schedules most bills for consideration on the Senate floor. Bills which are local or uncontested are scheduled by the Senate Administration Committee. The Senate holds the power of advice and consent on gubernatorial appointments to state boards and commissions.

There are several rules a senator must follow when speaking for or against a bill. A senator must rise and be recognized by the presiding officer before addressing members of the Senate. After being recognized by the presiding officer, the senator (1) must remain standing at his or her desk; (2) must speak on relevant topics to the issue or bill at hand; and (3) may yield the floor to another member for questions. In some instances, such as when the Senate has resolved into a Committee of the Whole Senate, the lieutenant governor may “step down” from the podium to participate in the debate of a topic. When this occurs, a senator is asked to “step up” and preside over the Senate.

The Senate elects officers, who are not members of the Senate, to carry out various duties necessary to the legislative process. The Senate parliamentarian assists the presiding officer in matters of procedure and Senate rules. The secretary of the senate reads all bills before the Senate and calls roll for attendance and voting. The calendar clerk and journal clerk act as assistants to the secretary of the senate and record bills and Senate actions, each sitting at a large desk on either side in front of the podium. The sergeant-at-arms maintains decorum in the chamber, and the doorkeeper stands at the main entrance doors to the Senate Chamber to announce messengers or delegations from the House, or the arrival of the governor.

The House of Representatives

There are 150 members of the Texas House of Representatives elected for two-year terms, running for reelection in even-numbered years. As established by the Texas Constitution, members must be at least 21 years of age, a citizen of Texas for two years prior to election, and a resident of the district from which elected one year prior to election.

The speaker of the House is the presiding officer, elected by a majority of House members. The speaker appoints chairs and members of all House committees, and refers all bills to a committee. Bills are scheduled for consideration on the House floor by the Calendars Committee. All legislation raising revenue must originate in the House.



A House member who is sponsoring a bill for debate on the floor goes to the front podium just below the speaker's desk to explain the bill. Other House members who wish to ask questions or make points pertaining to the measure go to the podium at the rear of the chamber.

Only the House may originate charges of impeachment, which must be tried by the Senate. Also, all joint sessions of the Senate and House are held in the House Chamber.

The speaker must rise to put a question before the House prior to a vote. The speaker has the same right as other House members to vote, but may withhold action in order to cast the deciding vote to make or break a tie. The speaker decides on all questions of order; however, such decisions are subject to an appeal to the House made by any 10 members. No member may speak more than once on an appeal unless given leave by a majority of the House.

Advocacy: "There Oughta Be a Law..."

How do legislators get ideas for changing the laws or creating new ones? From you. There are several ways to get involved in the legislative process in order to make known your ideas, needs, support and nonsupport of the issues.

Before Elections:

1. Meet the candidates in your district and ask them about issues of importance to you.
2. If the candidate merits your support, contribute your time and resources.

Before Legislative Session:

1. Phone the district office of your legislator(s) or write and express your opinion on issues or specific bills to be proposed.
2. Meet with the legislative staff.



During Legislative Session:

1. Meet with legislators in their offices and talk about a certain bill you either support or do not support.
2. Attend hearings on specific bills and register and/or testify for or against the bills.
3. Telephone, write and send telegrams to your legislator, when necessary, regarding legislation.
4. Keep the issue before the public with speeches and media coverage, if possible.
5. Meet or telephone the staff of the legislator or committee regarding legislation.
6. Check often on the progress of the bills of interest to you.

Between Legislative Sessions:

1. Invite the legislator to a local program in your area.
2. Form a coalition of persons in your area and support issues of mutual concern.
3. If necessary, discuss with your legislator the possibility of the legislator sponsoring a bill reflecting an issue of importance to you.



Basic Steps in the Texas Legislative Process

The procedures by which laws are adopted are governed by the Texas Constitution and by rules adopted by each house (the Senate and the House of Representatives) of the legislature at the beginning of each session.

The Texas Constitution requires that a bill must be read on three separate days in each house before it can become effective.

The first reading of a bill occurs when the bill is introduced and referred to a committee. Many bills are not reported by a committee and are considered “dead” for the session. Second reading occurs when the bill has been heard by a committee, favorably reported, the author has moved that all necessary rules be suspended to consider the bill on the floor and the members of the body have approved the motion by the requisite vote. In order for a bill to be read the third time on the same calendar day, an affirmative vote of four-fifths of the members present is required.

If a House bill is amended by the Senate, or a Senate bill is amended by the House, the bill is returned to the house of origin for concurrence on the amendments or the appointment of a conference committee to adjust the differences between the House and Senate versions of the bill.

When a bill is finally approved by both houses, it is enrolled in final form, signed by the presiding officers of both houses, and sent to the governor. Within 10 days after receiving the bill, the governor may approve the bill by signing it or may veto the bill and return it to the house of origin with a statement of objections. If the governor fails to either sign or veto a bill within 10 days, the bill becomes law. However, if the bill is passed within the last 10 days of a session, the governor has 20 days after the end of the session to sign or veto the bill. A vetoed bill may be passed over the governor's objection by an affirmative two-thirds vote of both houses.



How to be More Effective in the Advocacy Process . . .

DO make sure your legislator knows people who are affected by the bill or issue.

DO be honest, direct, positive and brief—be specific, and know your facts.

DO write out a one-page statement for your legislator or the press to use in getting out the facts on an issue. Provide facts that tell “who, what, where, when and why.”

DO write letters to the editor or submit an article to the opinion column of your newspaper.

DO have reasonable priorities; compromise, it’s a long process.

DO meet and talk with legislators’ staff—they are there to keep their bosses informed on the issues.

DO remember to write your legislator after a visit or action on a piece of legislation.

DON’T neglect the fact that there are other issues or problems your legislator is working on.

DON’T hesitate to admit it when you don’t know all the facts, but indicate you will find out.

DON’T press for results on the first visit.

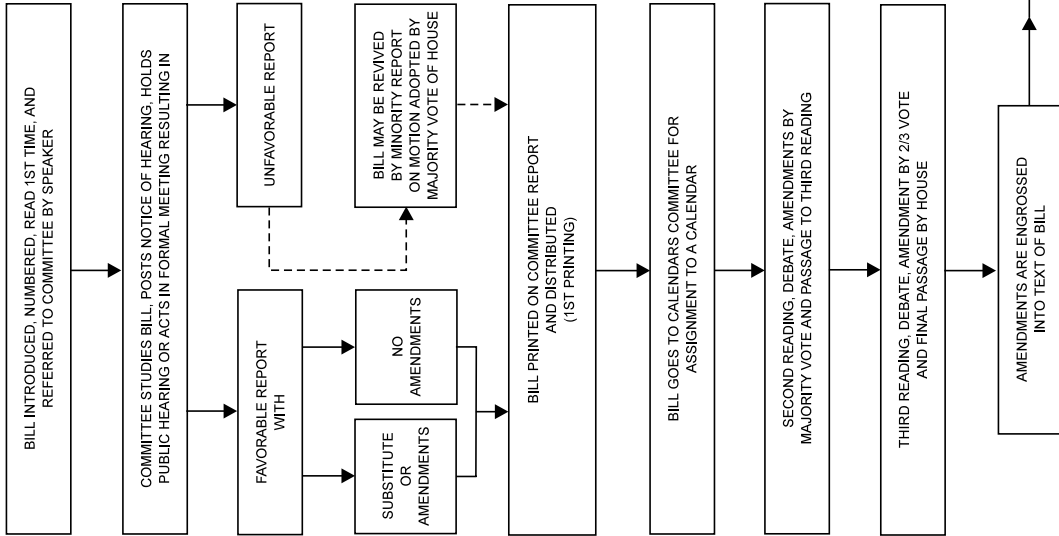
DON’T be offended in the event of a cancelled appointment with a legislator—things are unpredictable and hectic during session.



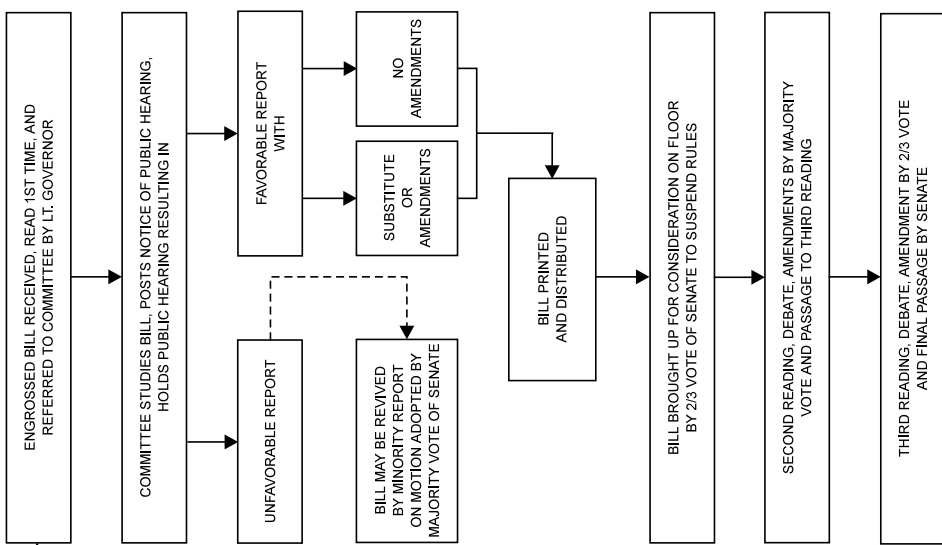
BASIC STEPS IN THE TEXAS LEGISLATIVE PROCESS

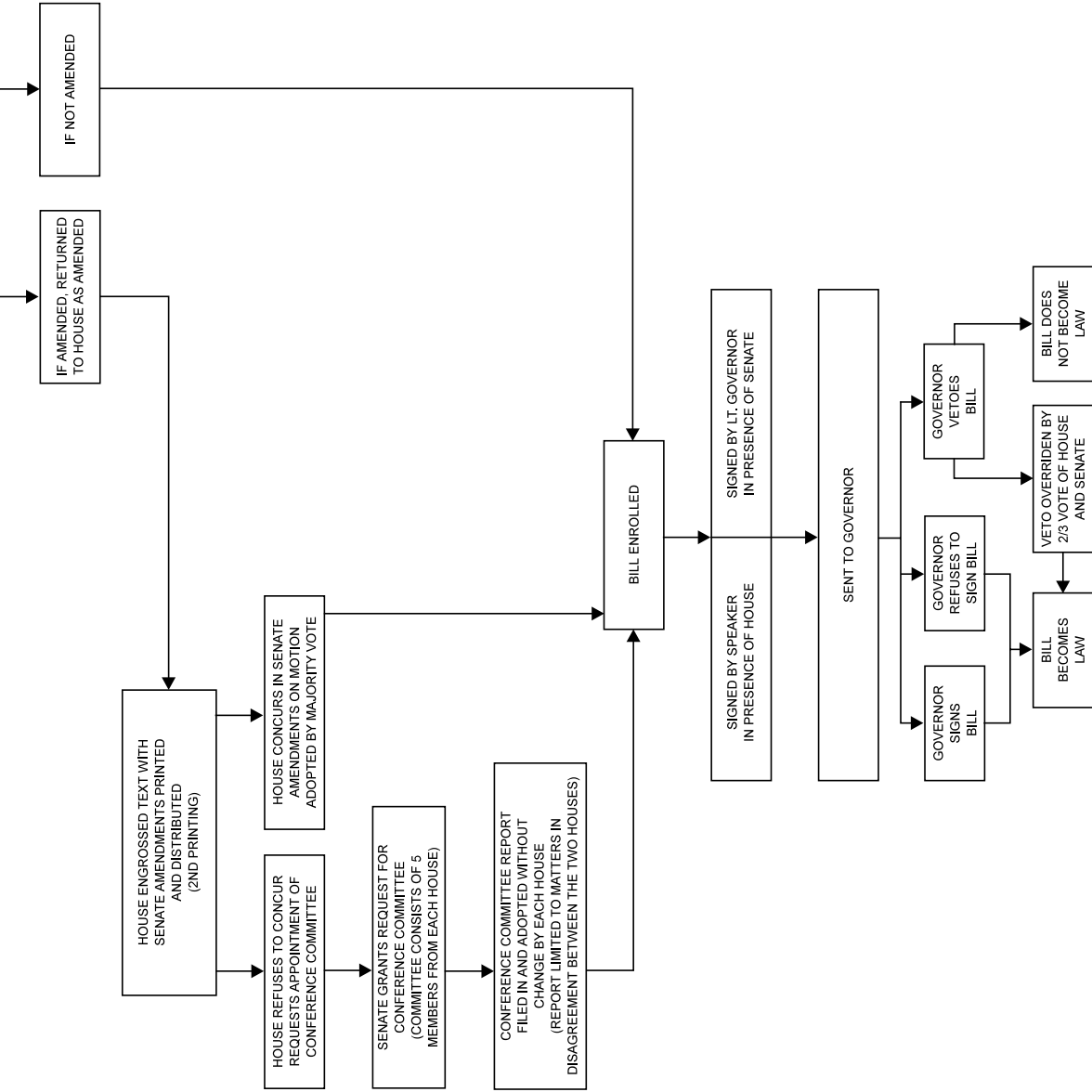
This diagram displays the sequential flow of a bill from the time it is introduced in the House of Representatives to final passage and transmittal to the Governor. A bill introduced in the Senate would follow the same procedures in reverse.

HOUSE



SENATE





*Legislative Committees**

Senate Standing Committees

Administration

Business and Commerce

Subcommittee On Emerging Technologies and Economic Development

Criminal Justice

Education

Subcommittee on Higher Education

Finance

Government Organization

Health and Human Services

Intergovernmental Relations

Subcommittee on Flooding and Evacuations

International Relations and Trade

Jurisprudence

Natural Resources

Subcommittee on Agriculture, Rural Affairs and Coastal Resources

Nominations

State Affairs

Transportation and Homeland Security

Veteran Affairs and Military Installations

Subcommittee on Base Realignment and Closure

**Additional committee information is available:*

<http://www.senate.state.tx.us/> or

<http://www.house.state.tx.us/>

Legislative Committees (Continued)

House Committees

Agriculture and Livestock

Appropriations

Subcommittee: Criminal Justice

Subcommittee: Education

Subcommittee: General Government

Subcommittee: Health and Human
Services

Subcommittee: Regulatory

Subcommittee: Special Issues

Border and International Affairs

Business and Industry

Calendars

Civil Practices

Corrections

County Affairs

Criminal Jurisprudence

Culture, Recreation and Tourism

Defense Affairs and State-Federal
Relations

Economic Development

Elections

Energy Resources

Environmental Regulation

Financial Institutions

General Investigating and Ethics

Government Reform

Higher Education

House Administration

Human Services

Insurance

Judiciary

Juvenile Justice and Family Issues

Land and Resource Management

Law Enforcement

Licensing and Administrative
Procedures

Local and Consent Calendars

Local Government Ways and Means

Natural Resources

Pensions and Investments

Public Education

Public Health

Redistricting

Regulated Industries

Rules and Resolutions

State Affairs

Transportation

Urban Affairs

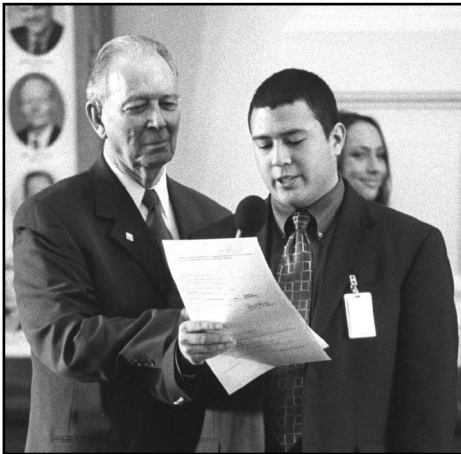
Ways and Means

A Glossary of Common Terms Used in the Legislature

ADVOCACY: Working for change in order to improve the quality of life on behalf of one's self or others.

Legislative Advocacy: Through persuasive reasoning, working to enact or change laws which will improve the quality of life for either a specific group or the general population.

BILL: A proposed law during session for consideration by the legislature.



HB	House Bill
SB	Senate Bill
HCR	House Concurrent Resolution
SCR	Senate Concurrent Resolution
HJR	House Joint Resolution
SJR	Senate Joint Resolution
CSHB	Committee Substitute House Bill
CSSB	Committee Substitute Senate Bill

Types of Bills

- Local Bills** Bills limited to a specific geographical area of the state, e.g., local government units such as cities, counties, school districts, precincts, etc.
- Special Bills** Bills directed toward a select, special individual or entity, e.g., for blind but not other disabled persons.
- General Bills** All other bills are “general” bills.

CALENDARS COMMITTEE: Schedules bills for floor debate in the House of Representatives. All favorably and unfavorably reported bills automatically go to the Calendars Committee. Many bills are not set for floor debate and do not go beyond this point.

CAPTION: The introductory sentence of a bill which may be general or specific in describing the scope and/or limits of a bill.

CAUCUS: (1) A closed meeting of a group of persons belonging to the same political party or faction to decide policy, choose candidates or promote certain causes. (2) To meet or hold caucus.

CHUBBING: Discussion or debate for stalling purposes on House or Senate floor.

COMMITTEES: Groups of senators or representatives, who are appointed by their respective presiding officers, hear testimony and/or deliberate on pending legislation in specific areas, e.g., finance.

COMMITTEE SUBSTITUTE BILL (CSSB or CSHB): A way of amending a bill in committee which provides for total replacement of a bill with new language, but which is relevant to and within the constraints of the caption of a bill.



CONCURRENCE VOTES: If a bill passes one house and is sent over to the other house where it is amended, the sponsor in the originating house may opt to seek “concurrence.” On a vote of concurrence, requiring a majority, the originating house may simply agree to accept the other house’s amendments.

CONFERENCE COMMITTEE: Five senators (appointed by the Lt. governor) and five representatives (appointed by the speaker) form a committee to resolve differences between the two house versions of a bill. No new provisions are allowed to be added during conference committee proceedings without the express written instruction of both houses.

CONFIRMATION: Gubernatorial appointees must receive a two-thirds vote of the Senate to be confirmed.

CONGRESS: The body of elected members in the U.S. Senate and House of Representatives in Washington, D.C.

CONSTITUENTS: The people represented by an elected lawmaker. (We are all “constituents” of our elected officials, whether they serve in Washington, Austin or in our local communities.)

ENACTING CLAUSE: The Texas Constitution requires each bill, in order to become effective, to contain an “enacting clause” which includes the statement: “Be it enacted by the Legislature of the State of Texas.”

FILIBUSTER: In Texas, a filibuster is allowed only in the Senate. A filibuster occurs when one senator holds the floor through talking or long speeches, without sitting down or leaving the vicinity of the senator’s desk. Although the primary purpose of a filibuster is usually to kill a bill, sometimes this is also done to reach a compromise or to delay a vote as long as possible.

FISCAL NOTES: One or more pages attached to a bill stating the estimated cost to the state and/or at the local level (city, school district, etc.) if the various provisions of the bill are enacted.

FORUMS: Public meetings for open discussion of issues.

FY: Fiscal Year, the annual state budget cycle beginning September 1 and ending August 31 of the following year.

HEARINGS: Legislative committees or agency boards/committees schedule meetings to hear public comment “testimony” on announced topics, and generally relating to filed or planned legislation, or for agency rulemaking purposes.

INTENT CALENDAR: The Senate calendar, a schedule of bills to be heard during a daily session.

INTERIM STUDY: During the months between regular sessions, members from both the House and Senate hold meetings and public hearings to study and make recommendations to the next legislature on a specific issue.



LEGISLATIVE BUDGET BOARD (LBB): A board of 10 members (five each from the Senate and House, including the Lt. governor, speaker, and chairmen of designated committees) which recommends legislative appropriations for all state agencies.

LEGISLATIVE COUNCIL: A support agency for both the Senate and House whose main responsibility is to draft and review bills before they are filed in order to provide accuracy and congruity with existing law.

LEGISLATIVE DAY: From opening to adjournment. This period may cover one, several or part of a calendar day—which permits another “day” to be opened on the same calendar day.

LINE ITEMS: The state budget appears as a series of listed items and the amount appropriated for each, line by line. Each project or state-funded program and its funding level is listed, therefore, on its own “line,” and is referred to as a “line item.”

LOBBYIST: A person who meets with legislators with the intent of influencing legislation. (Originally the term referred to persons who frequented lobbies or corridors outside legislative chambers waiting to speak with lawmakers.)

MARKUPS: The Senate Finance Committee and the House Appropriations Committee each evaluate budget requests, line item by line item. Shifting of available funds occurs during “markup” sessions.

RESOLUTION: A formal expression of the opinion or the will of members of the House or Senate, not a statutory expression.

REGULATION: A rule or order which has the force of law, and is issued by a state agency or commission which has been given statutory authority to do so in implementing laws.

SINE DIE: Latin for “without another day.” Final adjournment of a regular or special session of the legislature.

STATUTES: The compilation of all enacted laws.

TESTIMONY: Comments made by individuals during a public hearing such as before a committee or board, and which becomes public record.

VETO: A governor's act which officially negates a piece of legislation, preventing the enactment of law. A veto may be overturned by a two-thirds vote of the membership in both the Senate and the House of Representatives.



Facts About Texas

CAPITAL CITY:	Austin. Established as capital of the Republic of Texas in 1839.
POPULATION:	As of July 2004, the population of Texas was estimated at 22,490,022.
STATE FLOWER:	Bluebonnet
STATE BIRD:	Mockingbird
STATE TREE:	Pecan
STATE MOTTO:	"Friendship"
STATE SONG:	"Texas, Our Texas"
STATE SEAL:	The Seal of the State of Texas consists of a star of five points encircled by olive and live oak branches, and the words "THE STATE OF TEXAS."
STATE NICKNAME:	Texas is known as the Lone Star State because of the single star in its flag.
STATE HISTORY:	Texas was first claimed by Spain in 1519 and opened for Anglo-American settlement in 1821. During that time, Texas was under French rule from 1685 to 1690. In 1821 Mexico gained independence from Spain, beginning a series of politically turbulent years. Under the Mexican Constitution of 1824, Texas was joined politically to the state of Coahuila, giving Texas a minority voice in its government. On March 2, 1836, 41 delegates to the first Constitutional Convention adopted Texas' Declaration of Independence, beginning the transition to becoming an independent republic. The period ended 50 days later, on April 21, 1836, at the Battle of San Jacinto, where the Texas Army defeated the Mexican Army led by General Santa Anna. Texas remained a republic for almost a decade until annexation by the United States in 1845. Texas remained a state until 1861 when it seceded from the Union to become part of the Confederacy. Texas was readmitted to the United States in 1870.
AREA:	267,339 square miles, of which 263,644 are land and 3,695 are water. It is the second largest state of the United States.
BOUNDARIES AND SHORELINE:	The boundaries measure 4,137 miles, of which 624 are tidewater coastline.
DIVISION OF STATE:	254 counties; Brewster County, with 6,208 square miles, is larger than both Connecticut and Rhode Island combined.

Texas, Our Texas

*Texas, our Texas! All hail the mighty state!
Texas, our Texas! So wonderful, so great!
Boldest and grandest, withstanding every test;
O empire wide and glorious, you stand supremely blest.*

CHORUS

*God bless you, Texas! And keep you brave and strong.
That you may grow in power and worth, throughout the ages long.*

*Texas, O Texas! Your freeborn single star.
Sends out its radiance to nations near and far.
Emblem of freedom! It sets our hearts aglow.
With thoughts of San Jacinto and glorious Alamo.*

*Texas, dear Texas! From tyrant grip now free,
Shines forth in splendor your star of destiny!
Mother of heroes! We come your children true.
Proclaiming our allegiance, our faith, our love for you.*

—Words by Gladys Yoakum Wright and William J. Marsh

—Music by William J. Marsh



You may write to your legislator at the following address:

The Honorable (INSERT NAME OF SENATOR)

Texas Senate

P.O. Box 12068

Austin, Texas 78711

The Honorable (INSERT NAME OF REPRESENTATIVE)

Texas House of Representatives

P.O. Box 2910

Austin, Texas 78768

Access the Texas Legislature via the internet by visiting:

<http://www.capitol.state.tx.us>

Acknowledgements

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For additional copies of this handbook please contact:

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TDD 1-800-735-2989

