



FOCUS *report*

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How a bill becomes law: 88th Legislature

The movement of bills through the Legislature is governed by the Texas Constitution and the rules of the House and of the Senate. This report summarizes the key constitutional provisions and rules governing this process, with emphasis on the Texas House Rules. HR 4 by Hunter, adopted by the House on January 11, 2023, contains the [House Rules](#) for the 88th Legislature.

References to bills in this report also apply to joint resolutions unless otherwise noted.

Introducing legislation

Before bills are considered by the Legislature, they must be filed and referred to committees. The House rules, Senate rules, and Texas Constitution determine the form and content of bills, the types of bills that may be introduced, and the referral of bills to committee.

Form and content. Each bill filed in the Legislature must have three parts:

- a title or caption beginning with “A Bill to be Entitled an Act,” along with a brief subject statement of the bill;
- an enacting clause, “Be it Enacted by the Legislature of the State of Texas”; and
- the body of the bill (House Rule 8, sec. 1).

Each bill must pertain to only one subject, except for the general appropriations bill and joint resolutions (Tex. Const. Art. 3, sec. 35; House Rule 8, sec. 3; House Rule 9, sec. 1(b)).

All revenue-raising bills must originate in the House (Tex. Const. Art. 3, sec. 33). A House bill that would impose or change a tax or fee must include a short statement at

the end of its caption indicating the effect of the bill, such as “imposing a tax” (House Rule 8, sec. 1(b)). Similarly, a House bill’s caption must reflect the creation of a criminal offense, an increase in a punishment, or a change in the eligibility of a person for parole or supervision and must indicate if a bill would create or expand the applicability of a license, permit, or other occupational authorization (House Rule 8, sec. 1(c); House Rule 8, sec. 1(d)).

Filing of bills. Beginning the first Monday after the general election preceding the regular session, or within 30 days before any special session, members and members-elect may prefile bills and resolutions (House Rule 8, sec. 7). Bills must be filed with the chief clerk in the manner and format specified by the chief clerk, which may be in an electronic format (House Rule 8, sec. 9). A member may introduce any type of bill or joint resolution during the first 60 days of the regular session. The 60th day of the 2023 regular session was March 10th. After the 60th day, a four-fifths vote of the members present and voting is required to introduce bills or joint resolutions, other than certain emergency matters submitted by the governor, emergency appropriations, and local bills (House Rule 8, sec. 8).

Authorship. A bill or resolution has one primary author, who may designate up to four joint authors. Names of joint authors appear on official printings of the measure, on calendars, in the House Journal, and in the electronic legislative information system. A bill or resolution also may have an unlimited number of coauthors, for whom written authorization from the primary author must be filed with the chief clerk (House Rule 8, sec. 5).

Prohibited bills. Certain local and special bills are banned from passage, examples of which include bills that would grant individual divorces, change venue in civil or criminal cases, or change a person’s name (Tex. Const. Art. 3, sec. 56).

The House rules also prohibit consideration of population “bracket” bills, which use population ranges to limit a bill’s application to a particular city or county without naming the locality. An example of a bill in this category might be one that applied to cities with populations of more than 2,999 but less than 3,001. However, bills may use a population minimum or maximum that “bears a reasonable relation” to the bill’s purpose (House Rule 8, sec. 10(b)).

Local bills. The six types of local bills are bills:

- creating or affecting water districts;
- creating or affecting hospital districts;
- creating or affecting road utility districts;
- relating to hunting, fishing, or wildlife conservation in a specified locality;
- creating or affecting a county court or statutory court or courts for one or more specified counties or municipalities; and
- creating or affecting a juvenile board or boards of a specified county or counties.

If bills of the last three types affect “a sufficient number” of localities, counties, or municipalities to apply generally or have statewide importance, they are not considered local bills (House Rule 8, sec. 10(d)).

Notice of a legislator’s intention to file a local bill must be published in a newspaper in the affected location at least 30 days before the bill is introduced (Texas Constitution Art. 3, sec. 57; Government Code sec. 313.002; House Rule 8, sec. 10).

First reading and referral to committee. A bill must be read in the House and in the Senate on three separate days to become a law. This requirement may be suspended by a four-fifths vote of the members present and voting (Texas Constitution Art. 3, sec. 32; House Rule 8, sec. 15).

First reading occurs while the House is in session when the reading clerk reads the bill caption and announces the committee to which the speaker has referred the bill. The speaker’s referral also may be changed by a majority vote of the House (House Rule 1, sec. 4; House Rule 8, sec. 6).

The bill in committee

No bill may become law unless it is referred to and “reported,” or acted on, by a committee (Texas Constitution Art. 3, sec. 37; House Rule 8, sec. 11). Much of the Legislature’s work occurs in committees, which serve as the preliminary screeners for legislation and give the public the opportunity to testify on their views.

A significant number of filed bills die in committee. During the 2021 regular session, for example, 4,834 House bills and joint resolutions were introduced, and 1,926 or about 40 percent, were reported favorably from House committees. Of the 672 bills and joint resolutions

the House received from the Senate during the 87th regular session, 576, or 86 percent were reported favorably from House committees. Senate committees favorably reported 780 of 1261, or 62 percent, House-passed bills and joint resolutions.

Standing and select committees. The House rules of the 88th Legislature establish 34 standing committees and their jurisdictions (House Rule 3). Twenty-eight are substantive committees, while six — Calendars, Local and Consent Calendars, Resolutions Calendars, General Investigating, House Administration, and Redistricting — are procedural committees.

Committee chairs. The speaker appoints a chair and vice chair for each committee (House Rule 4, sec. 2(7)). The chairs of committees determine if and when a bill will be considered in consultation with committee members. The chair also appoints all subcommittee chairs and members. (House Rule 4, secs. 6).

If at least three members object to a chair's ruling, they may appeal the ruling to the committee. The procedures for appeal of a chair's ruling are the same as the procedures followed in the House in a similar situation (House Rule 4, sec. 14).

Analysis before committee action. By the time a committee first considers a House bill, committee staff must have provided a bill analysis to committee members and the author of the bill (House Rule 4, sec. 7). More specific analyses of fiscal and other potential implications also may accompany the bill.

Fiscal notes. The committee chair determines whether to ask the Legislative Budget Board (LBB) to prepare a fiscal note for a bill referred to the committee. Bills that would authorize the spending of state funds, spend local funds, propose new fees or licenses, change a local tax, or otherwise have a statewide impact on units of local government often require a fiscal note. Fiscal notes must be distributed to committee members by the time a bill is first considered in committee. If the bill is amended to alter its fiscal implications, the chair must obtain an updated fiscal note. Fiscal notes remain with the bill throughout the legislative process (House Rule 4, sec. 33).

Impact statements. As with fiscal notes, the chair determines if a bill requires an impact statement, which is also prepared by LBB. Certain impact statements

are required for bills that propose certain changes. For example:

- a criminal justice policy impact statement is included for bills proposing a change in penalties for felonies committed by adults;
- an equalized education funding impact statement is included for legislation proposing a change in the public school finance system; and
- a water development policy impact statement is included for legislation proposing to create certain water districts.

For legislation that would create or affect a state tax or fee, a tax equity note that estimates how the proposal would change the distribution of tax and fee burdens among individuals and businesses is required. For legislation affecting a public retirement system, an actuarial impact statement is required, which is prepared by the LBB in cooperation with the State Pension Review Board.

A dynamic economic impact statement, which must be prepared for the general appropriations bill, estimates the number of state employees affected and the impact on private sector and local government employment due to any spending change from one fiscal biennium to the next (House Rule 4, sec. 34).

Unlike fiscal notes, impact statements need not be completed before a bill is considered in committee. If committee amendments change the potential impact of a measure, the chair must request a new impact statement, which accompanies the bill throughout the legislative process (House Rule 4, sec. 34).

Committee consideration. Committees may consider bills in public hearings, formal meetings, or work sessions. Notice of public hearings must be posted at least five days in advance of the hearing during a regular session and 24 hours in advance during special sessions. Formal meetings and work sessions require that written notice be posted and transmitted to each committee member at least two hours prior to the meeting or an announcement filed with the journal clerk and read by the reading clerk while the House is in session (House Rule 4, sec. 11).

House committees typically hold a public hearing before reporting a bill during a regular session. When Senate-passed legislation is referred to a House committee

and that committee has already held a hearing on the House companion to the Senate legislation, the committee often does not hold another public hearing before acting on the bill.

Committee meetings begin with a call to order by the chair, who instructs the clerk to call the roll to determine if a majority of committee members is present. All committee meetings must be open to the public. Certain hearings and meetings, such as those to consider an impeachment or other quasi-judicial matter, may meet in executive session for the limited purpose of examining a witness or deliberating, considering, or debating a decision. All votes must be taken in open meetings (House Rule 4, sec. 12).

House members are afforded the opportunity to testify at a hearing on bills they introduce or sponsor and may open and close testimony on their bills. No bill may be acted on adversely unless its author has had an opportunity

to testify before the committee (House Rule 4, sec. 30).

Anyone may testify at a public hearing, subject to certain restrictions, although hearings can be limited to invited testimony. Those who wish to be recognized to address the committee must fill out and swear to a statement showing their name, address, telephone number, and the organization, if any, they represent. If representing themselves, witnesses must provide their business, profession, or occupation. Witnesses also must indicate whether they favor, oppose, or are neutral on the bill being considered (House Rule 4, sec. 20).

Invited witnesses who are not physically present at a hearing may testify via the internet or other videoconferencing system. Those testifying in this manner must complete and file the required sworn statement. Witnesses and committee members must be clearly visible and audible to each other during such testimony (House Rule 4, sec. 20(g)).

Highlights of recent changes to House rules

At the beginning of each legislative session, members adopt by majority vote rules governing the operation and procedure of the Texas House of Representatives. The 88th Legislature adopted changes to the House rules in HR 4 by Hunter. Highlights of the changes are summarized below:

- Members who are deemed to be absent for the purpose of impeding action of the House could be subject to fines, reprimand, censure, payment of costs incurred by the Sergeant-at-Arms to secure their attendance, or, following an investigation by the Committee on House Administration, expulsion.
- Fines would include a \$500 fee per calendar day that the member is absent. The Committee on House Administration is required to notify members of the total fines accrued, after which the member would have one month and three days to make payment to the House Business Office. Members may not pay their fines using their operating accounts or political contributions. If the fines are not paid within the designated time allowed, the member's monthly operating account will decrease by 30% until such time as the fines have been paid in full. The Committee on House Administration must send its investigative report to all members no less than 24 hours before a member can be considered by the House for expulsion, and expulsion cannot occur without a two-thirds vote (House Rule 5, sec. 3D).
- Rule 16, a special rule adopted in 2021 to ensure the House is able to carry out its legislative responsibilities in the event of an emergency, including a pandemic, is not immediately effective by the passing of HR 4, but activation may occur within a session through a disaster declaration by the U.S. president, the Texas governor, or the governing body of a political subdivision, along with various other methods previously established for reactivation of the rule.
- HR 4 updates the jurisdiction of the House Committee on Agriculture and Livestock by eliminating reference to the Food and Fibers Research Council, which was abolished in 2021 by the 87th Legislature (House Rule 3, sec. 1(5)).

A person serving as a translator, including an interpreter, for a witness before a committee must complete a form prescribed by the committee coordinator that includes the name of the translator and the witness whom the translator is serving (House Rule 4, sec. 20).

Committees may issue subpoenas to compel the attendance of witnesses or to require production of information by record vote of at least two-thirds of the members present and voting (House Rule 4, sec. 21(a)). Anyone disobeying a lawfully issued committee subpoena may be prosecuted for contempt of Legislature, a misdemeanor offense punishable by a fine of \$100 to \$1,000 and a jail term of 30 days to 12 months (Government Code secs. 301.024-.027).

The chair may summon the governing board or other representatives of a state agency to appear and testify without issuing a subpoena (House Rule 4, sec. 21(b)). House employees may appear as witnesses when the committee grants permission by a majority vote (see the housekeeping resolution [HR 3](#) by Metcalf, 88th Legislature, sec. 4.09). State agencies may not use appropriated money to influence the outcome of legislation, other than to provide information at a legislator's request (Government Code sec. 556.006). When state agency employees appear before committees as witnesses in an official capacity, they testify "on" legislation, rather than for or against it.

No committee or subcommittee may meet while the House is in session unless permitted by a majority vote of the House. If permitted to meet while the House is in session, a committee may not meet in the House chamber (House Rule 4, sec. 9).

Committee action. Committees may take formal action on legislation in public hearings or formal meetings. Though they also may meet in work sessions to discuss legislation, they can take no formal action in these sessions (House Rule 4, sec. 10). A committee also may not take formal action unless a majority of the members is present. Voting by proxy is not allowed (House Rule 4, sec. 16).

Certain motions that would prevent action on a bill are not permitted. A committee may not adopt a rule that would automatically send all bills to subcommittee or otherwise have the effect of thwarting the will of a majority of a committee or subcommittee to act on a bill. A bill may not be laid on the table subject to call in committee except by majority vote. No committee motion

that would prevent a committee from reporting a bill is in order (Rule 4, secs. 13, 25).

Committee amendments. A committee may adopt amendments to legislation. However, committee amendments only serve as recommendations to the House, which must vote separately on each amendment (House Rule 4, sec. 39). Amendments that alter the original purpose of a bill are not permitted, although this restriction does not apply to joint resolutions (Tex. Const. Art. 3, sec. 30; House Rule 11, sec. 3; House Rule 9, sec. 1(b)).

Committee members can submit amendments or substitutes in advance to the chair or seek recognition and offer amendments during committee consideration of the legislation. Amendments may be adopted by unanimous consent or by record vote (House Rule 4, secs. 39-40).

Committee substitutes. Rather than adopt individual amendments, a committee may adopt a complete substitute to the original legislation, which must be "germane" to — i.e., address the same subject as — the original bill. If a committee substitute is adopted, the substitute, not the original bill, is reported to the House (House Rule 4, secs. 40, 41). The committee's work on a bill is considered final only if the committee reports favorably or unfavorably on the bill or reports an inability to act (House Rule 4, sec. 26).

Reporting a bill. A majority vote of the committee is required to approve a motion to report a bill favorably or unfavorably. A tie vote or inability to act is reported to the House, which, by majority vote, may leave the bill in committee for further consideration, refer it to another committee, or order it printed, in which case it is sent to the Calendars Committee (House Rule 4, sec. 27). A motion to report legislation favorably rarely fails, as the chair often will not recognize a member to make a motion unless the motion has majority support.

If a committee reports unfavorably on a bill, thus "killing" it, committee members who wish to report the bill favorably may file a minority report and seek the House's permission to "print the bill on minority report," which would send the legislation to the Calendars Committee (House Rule 4, secs. 28-29). This procedure is rarely used.

If a bill has been in committee for at least six calendar days, any House member may move to instruct the committee to report the bill. Approval of such a motion

requires a two-thirds vote during the first 76 days of the session and a majority vote thereafter. If instructed to report by the House, a committee must report within seven days. If the committee fails to meet this deadline, any member may move to re-refer the bill to another committee with the same voting requirements as those required for a motion to instruct a committee to report on a bill (House Rule 7, secs. 45, 46).

Subcommittees. Committee chairs may refer legislation to a subcommittee. The size and jurisdiction of each subcommittee is determined by the committee chair. The subcommittee chair decides whether legislation will receive a subcommittee hearing. Subcommittee hearings are governed by the same rules as committee hearings, but subcommittees cannot issue subpoenas. A subcommittee report, if issued, must be distributed to committee members at least 24 hours before action on the report can be taken by the full committee. Any amendment or substitute previously adopted by the full committee is void when a bill is sent to subcommittee (House Rule 4, secs. 43-50).

Committee reports. If legislation is reported favorably, a committee report is printed. Committee reports contain certain information, such as the record vote by which the report was adopted and the committee's recommendations (House Rule 4, sec. 32). Committee reports must be signed by the committee chair, an acting chair, or by a majority of committee members (House Rule 4, sec. 32(b)(1)). The committee may request that the Texas Legislative Council prepare a committee report analysis (House Rule 4, sec. 32(d)). The bill's author may also request that the analysis contain a statement by the author with information the author considers relevant (House Rule 4, sec. 32(f)).

Recommitment to committee. The House may recommit legislation to committee, either by a routine motion or during floor consideration of the legislation. During consideration of a motion to recommit, the merits of the legislation are not debatable unless the motion is to recommit "with instructions," such as requirements for the committee to report by a particular time or date (House Rule 7, secs. 18-20).

Procedural issues. On the House floor, points of order may be raised on committee actions taken after legislation is reported. The speaker may overrule a point of order regarding the violation of a rule on committee reports, committee minutes, or accompanying documentation if the purpose of the rule was substantially fulfilled and the violation did not deceive or mislead

(House Rule 1, sec. 9(d)). A committee report that omits someone who submitted a sworn statement but was not recognized by the chair to address the committee from the list of hearing witnesses is not a sustainable point of order (House Rule 4, sec. 32(b)(10)).

If a point of order is raised and sustained on the House floor that a committee substitute is not germane wholly or partially to the original version of a bill, the bill is returned to the Calendars Committee. The Calendars Committee may have the bill's original version printed and placed on the calendar or may return the legislation to committee for further action (House Rule 4, sec. 41).

The calendars system

The House may consider a bill on second reading only if it is placed on a calendar for floor consideration. When a bill is reported from committee, the committee report is referred to the committee coordinator. After the committee report is printed, the chief clerk delivers it either to the Calendars Committee or to the Local and Consent Calendars Committee (House Rule 4, secs. 37, 38; House Rule 6, sec. 19). The chief clerk must notify House members electronically when a committee report for a Sunset bill is delivered to a calendars committee (House Rule 4, sec. 38A).

A standing committee may recommend by unanimous consent that a measure considered noncontroversial be sent to the Local and Consent Calendars Committee for possible placement on a Local, Consent, and Resolutions Calendar (House Rule 3, sec. 24; House Rule 6, secs. 22, 23). Other bills and resolutions go to the Calendars Committee (House Rule 3, sec. 4). Congratulatory and memorial resolutions go to the Resolutions Calendars Committee (House Rule 3, sec. 30).

Placement on a calendar. Bills may be placed on a calendar by either the Calendars Committee or the Local and Consent Calendars Committee or through a motion adopted by majority vote of the House (House Rule 6, sec. 21).

Within 30 days of receiving a bill, the appropriate calendars committee must vote on whether to place the bill on a calendar for floor consideration. If a calendars committee votes not to place a bill on the calendar, it may vote later to do so. Each calendars committee must follow the requirements for substantive committees, including

giving advance notice of meetings; opening all meetings to the public, press, and other members; and requiring a quorum and a record vote to take action (House Rule 4, ch. B). No motion is in order that would prevent a calendars committee from placing a bill on a calendar (House Rule 4, sec. 25).

If the Local and Consent Calendars Committee decides that a bill or resolution does not belong on the Local, Consent, and Resolutions Calendar, the committee must forward the bill to the Calendars Committee (House Rule 6, sec. 22). Bills with fiscal implications may not be placed on the Local, Consent, and Resolutions Calendar (House Rule 6, sec. 23(c)).

The Calendars Committee may put a bill on one of three daily calendars for floor consideration: Emergency, Major State, or General State. Joint resolutions on amendments to the Texas Constitution or ratification of proposed amendments to the U.S. Constitution are put on the Constitutional Amendments Calendar (House Rule 6, sec. 7).

The House first considers bills on the Emergency Calendar (including tax bills and the general appropriations bill) in the order they appear on the daily calendar. Considered next are measures on the Major State Calendar, the Constitutional Amendments Calendar, the General State Calendar, and the Resolutions Calendar. The Calendars Committee may make exceptions to the order in which calendars are considered (House Rule 6, sec. 15). Bills on third reading take precedence over bills on second reading, regardless of the calendar on which they appear (House Rule 6, secs. 15, 25; House Rule 8, sec. 17).

Daily calendars. The House may consider only bills and resolutions that appear on a daily calendar posted electronically with e-mail notice to the House members. A measure may not be considered unless it appears on a daily calendar that was posted electronically at least 36 hours in advance — 24 hours during special sessions — of the scheduled consideration of that calendar (House Rule 8, sec. 14(a)). A Sunset bill, which addresses continuation of and potential changes to a specific agency, may not be considered unless it has appeared on a daily calendar at least 48 hours in advance in either a regular or a special session (House Rule 6, sec. 16). A calendar on which the general appropriations bill appears must have been posted electronically at least 144 hours before the House may consider that calendar (House Rule 6, sec. 16(a-1)). A

printed copy of the general appropriations bill also must be placed in the members' mailboxes at least 168 hours before second-reading consideration and at least 72 hours prior during a special session (House Rule 8, sec. 14(a-1)).

Once a measure appears on a posted daily calendar, it retains its place in the order of measures set for consideration and cannot be displaced by another measure (House Rule 6, sec. 17(a)). However, the Calendars Committee may move up consideration of a bill by placing it on a different calendar with a higher priority, such as by moving a bill from the General State Calendar to the Major State Calendar. A bill or resolution that is recommitted or withdrawn from further consideration relinquishes its position on the calendar (House Rule 6, sec. 17(b)).

Supplemental calendars include bills passed to third reading the previous legislative day, bills that were on a previous calendar but not considered, bills that were on an earlier day's calendar but were postponed, and bills previously laid on the table subject to call for which notice of consideration was filed. Bills that are eligible for consideration on that day's calendar also are incorporated into the supplemental calendar (House Rule 6, sec. 16). Supplemental daily calendars may be posted electronically up to two hours before that day's session.

Rules for floor consideration. The Calendars Committee may propose special rules for floor consideration of bills on the daily calendar. This provision has been used to require that any amendment to the budget not increase overall expenditures. A proposed rule may not be amended and must be approved by a two-thirds majority vote of the members present and voting. However, a rule applying to a tax bill, appropriations bill, or redistricting bill requires approval by a majority vote of the members present and voting (House Rule 6, sec. 16(f)).

Placing bills on a calendar by floor motion. When a bill has been in a calendars committee for 30 calendar days, not counting the day it was referred, any member may move to place the bill on an applicable calendar without action by the associated calendars committee. The motion must be seconded by at least five members of the House and adopted by majority vote. The motion is debatable, with one proponent and one opponent each given three minutes to debate only the motion, not the merits of the bill (House Rule 6, sec. 21; House Rule 7, sec. 2).

Order of business

Constitutional order of business. The Texas Constitution and rules passed by each chamber at the beginning of the regular legislative session provide for the Legislature's order of business (Tex. Const. Art. 3, sec. 5). The Constitution allows each chamber to determine its order of business upon approval by four-fifths of its membership (120 votes in the House, 25 in the Senate).

Daily order of business. The rules specify the following order for daily conduct of House business (House Rule 6, sec. 1):

- call to order by the speaker;
- registration of members (two-thirds, or 100, needed for a quorum);
- invocation;
- pledge of allegiance to U.S. flag;
- pledge of allegiance to Texas flag;
- excuses for absent members (must be made by another member);
- first readings and referrals of bills to committee;
- routine motions;
- unfinished business;
- consideration of third-reading calendars in their order of priority;
- bills postponed until that specific day; and
- consideration of second-reading calendars in their order of priority.

This order may be modified by a House vote to suspend the rule for a particular day.

Senate bill days. Wednesday and Thursday are Senate bill days in the House. All Senate bills and resolutions on the daily House calendar for those days must be considered before any House bills and resolutions unless the Senate gives its consent. Senate bills also may be considered on other days if the rules are suspended (House Rule 6, secs. 8, 9).

Floor consideration

Once a bill is placed on a calendar, it may be debated and voted upon on the House floor. House rules, established and voted on by the House at the start of session, govern the consideration of bills on the floor.

Debate on the House floor. The author of legislation or a member making a motion has the right

to open and close debate. Each speech is limited to 20 minutes (House Rule 5, sec. 27). Other speakers may take up to 10 minutes. By majority vote, the House may extend this limit for another 10 minutes, but further extensions require unanimous consent. No extensions are permitted during the last 10 days of a regular session or the last five days of a special session, excepting Sundays (House Rule 5, sec. 28). Debate on certain motions not pertaining to the merits of a bill (such as a motion to suspend the rules) is limited to three minutes "pro" and three minutes "con." House Rule 7, sec. 2 contains a complete list of these motions.

A member recognized as having the floor may not lose the floor by the introduction of any motion, even one to adjourn. A member wishing to interrupt a person who has the floor must address the chair, be recognized, and ask if the person speaking will yield. After the chair transmits the request, the person who has the floor decides whether to yield. The chair must announce the decision to yield before the other member may speak. Any time consumed by yielding for a question is charged against the person who has the floor. If a member yields to allow another member to make a motion or offer an amendment, the member loses the floor (House Rule 5, secs. 25, 26, 28).

Motions. When a question is under debate, only certain motions may be accepted (House Rule 7, sec. 3). Examples include motions to adjourn, to recess, to lay a measure on the table, and to amend a measure. The order of preference for all possible motions appears in House Rules 7 and 11.

Amendments. With some exceptions, six copies of all amendments must be submitted with the speaker (House Rule 11, sec. 6). An amendment that exceeds one page and is a complete substitute for a bill, or, in the speaker's opinion, is a substantial substitute, may not be considered unless 10 copies have been provided to the chief clerk and are available in the clerk's office at least 12 hours before the bill is eligible for consideration on the floor. Similarly, an original amendment to a Sunset Bill may not be considered on second reading unless it has been available at least 24 hours prior, and an original amendment to the general appropriations bill must be available at least 72 hours before the relevant calendar (House Rule 11, secs. 6(e), (g), (h)).

On second or third reading, after the bill caption has been read and opening remarks offered, members may offer amendments. The priority for offering amendments

is as follows:

- amendments to delete a bill’s enacting or resolving clause, thus killing the bill (these amendments are not subject to amendment or substitution);
- amendments to otherwise alter the bill;
- amendments to the original amendment;
- a substitute for the amendment to the amendment;
- amendments to strike all words after the enacting clause and substitute a new germane bill for the original;
- amendments to the substitute;
- a substitute for the amendment to the substitute; and
- amendments to the caption (House Rule 11, sec. 7).

Members who offer substantive amendments and complete substitutes are recognized in the following order: the main author of the bill, members offering committee amendments or substitutes, and other members (House Rule 11, sec. 7).

Up to three different amendments may be considered at the same time. For example, if the author offers a floor substitute (Amendment No. 1) for a bill, another member may offer an amendment (No. 2) to the floor substitute. While the amendment to the floor substitute is being debated, another member may offer a substitute amendment (No. 3) for the amendment to the floor substitute. The three amendments would be voted on in reverse order: first, the substitute amendment (No. 3) for the amendment to the floor substitute; second, the amendment (No. 2) to the floor substitute; and third, the floor substitute (No. 1) (House Rule 11, sec. 12).

The number of amendments to a bill may be limited in two ways, both of which must be seconded by at least 25 members of the House. One is to move the previous question, effectively ending all debate on the amendment being discussed and bringing the House to a vote. The other is to move to limit amendments, which may either limit consideration of amendments to those pending before the House or those already on the speaker’s desk. With both motions, proponents and opponents are each allowed three minutes to speak, and neither motion is subject to tabling. (House Rule 7, sec. 21; House Rule 11, secs. 10, 11).

Amendments that alter the original purpose of a bill are not permitted. However, this rule does not apply

to joint resolutions (Tex. Const. Art. 3, sec. 30; House Rule 11, sec. 3; House Rule 9, sec. 1(b)). In determining whether floor amendments are germane, the chair (the speaker or a designate) considers if the subject was included in the original version of the bill or in the committee substitute (House Rule 11, sec. 2). Should a committee substitute be ruled not germane to the original version of a bill, the bill is returned to the Calendars Committee, which may either place the original version of the bill on the daily calendar or return the bill to committee (House Rule 4, sec. 41).

Division of the question. A motion to “divide the question” — force separate votes on separate parts of legislation — requires majority approval and must be made before any other motion to vote on the question. The motion to divide the question is subject to debate by one proponent and one opponent for no more than three minutes each. If the motion prevails, the chair may divide the question into groups of propositions that are closely related (House Rule 5, sec. 43; House Rule 7, sec. 2(14)). The House by majority vote also may order a measure to be considered section by section (House Rule 8, sec. 16).

Voting. The House has three ways of voting: voice, division, and recorded. For a voice vote, the chair asks separately for the “ayes” and “nays” and determines which side prevailed. If the chair is in doubt as to the result of the voice vote, a division vote may be used. For a division vote, the “ayes” and “nays” are registered on the voting machine and printed in the House Journal if a record vote is ordered (House Rule 1, sec. 7). On a question for which a record vote has not been ordered, members may record their votes and have them printed in the journal if they inform the journal clerk before the House adjourns or recesses to another day (House Rule 5, sec. 52).

If requested by any member present, a record vote must be taken on any question (House Rule 5, sec. 51(a)). A record vote is taken automatically on final passage of any bill, any joint resolution proposing a constitutional amendment, and any other resolution that is not purely ceremonial or honorary. Final passage includes third reading, second reading if the three-reading requirement has been suspended or dispensed with, concurring with Senate amendments, or adopting a conference committee report (Texas Constitution Art. 3, sec. 12(b); House Rule 5, sec. 51(c)). Record votes must be made available to the public on the internet or any televised broadcast of the House proceedings in real time to the extent possible (House Rule 5, sec. 51A).

Before a record vote is taken, the clerk rings a bell to alert members, who vote by pressing one of the buttons at their desks. No member may cast a vote for another member without that other member's permission (House Rule 5, sec. 47). Members must use the voting machine to vote on all but voice votes. However, the votes of the member moving for the vote and the principal opponent of the question being voted on may be recognized from the floor, as may the vote of a member whose voting machine is out of order (House Rule 5, sec. 40). The chair traditionally recognizes the votes of most members who are in the chamber but away from their desks when the vote bell sounds ("Show Rep. _____ voting 'aye'"), unless a vote appears close or "strict enforcement of the rules" has been granted.

A member may change a vote any time before the chair announces the result (House Rule 5, sec. 53). Members absent for a vote may have a statement printed in the House Journal saying how they would have voted had they been present. Members also may have their reasons for voting a certain way published in the journal by submitting a statement to the journal clerk (House Rule 5, sec. 49).

The speaker may vote on any bill or resolution, but customarily does not vote (House Rule 1, sec. 8). The speaker most often votes in cases when the vote would affect the outcome, such as to break or create a tie vote. A tie means that the motion fails (House Rule 5, sec. 54). The speaker generally votes last.

The chair may order verification of a vote at any member's request or at the chair's discretion. A motion calling for verification must be made immediately after the vote is announced. A vote is verified by asking each member on either side of a question individually to confirm his or her vote. Members may not change their votes unless they were incorrectly recorded. A member who originally failed to vote may not vote on verification. However, if the correction of an incorrectly recorded vote creates a situation in which the chair's vote would be decisive, the chair may elect to vote (House Rule 1, sec. 8; Rule 5, sec. 55).

Reconsideration. Any member who voted on the prevailing side may move to reconsider a vote, either on the legislative day of the original vote or on the next legislative day. If the original vote was a voice vote, any member who voted on the question may move to reconsider, with certain exceptions (House Rule 7, sec.

37(b)). A motion to reconsider made on the day after a vote must be made before any other business is taken up (House Rule 7, sec. 37(a)). Motions to reconsider are decided by majority vote, even though the vote on the original question requires a two-thirds vote for affirmative action. Tabling a motion to reconsider disposes of the matter (House Rule 7, secs. 39, 41). Other requirements for reconsideration appear in Rule 7 of the House Rules.

Three readings. The Constitution requires that a bill be read before the House on three separate days in order to be passed. First reading occurs when the bill caption is read and the speaker refers it to a committee (House Rule 8, sec. 6). Second reading gives the House its first chance to debate and vote on the bill. A simple majority may amend a bill on second reading. On third reading, amendments require a two-thirds vote to pass (House Rule 11, sec. 5).

A bill may be given a second and third reading on the same calendar day following a four-fifths record vote of the members present to suspend the constitutional rule requiring reading on "three several days" (Tex. Const. Art. 3, sec. 32; House Rule 8, sec. 15). This constitutional requirement has been interpreted to mean three legislative days. A legislative day is considered finished whenever the House adjourns. Therefore, the House may pass a bill on second reading, adjourn, reconvene, then take up the bill on third reading.

Bills passed on second reading usually are set for third reading on the next day's supplemental calendar (House Rule 6, sec. 16(a)(1)). Bills on third reading that have been removed from the Local, Consent, and Resolutions Calendar will appear on the supplemental daily calendar for the next legislative day for which a calendar has not already been distributed (House Rule 6, sec. 24(b)). Approval on second reading is referred to as "passage to engrossment" (House Rule 8, sec. 17). A bill is "engrossed" when it finally passes on third reading. A bill that is finally approved by both houses is "enrolled."

The House may not begin two legislative days on the same calendar day. For example, if the House wishes to pass a bill on both second and third readings on a Tuesday, it must recess instead of adjourn at the close of Monday's session, thus extending the same legislative day to the next calendar day. The bill may be passed on second reading on Tuesday, and the House then may adjourn. Later on Tuesday, the House may reconvene and

start a new legislative day, during which the bill may be passed on third reading without suspending the three-day requirement. This procedure is used most often when considering bills on the Local, Consent, and Resolutions Calendar.

Senate bills. When a House bill under consideration contains the same subject as a Senate bill already reported from a House committee, the Senate bill takes precedence and place on the calendar in lieu of the House bill (House Rule 6, sec. 10).

Constitutional amendments. Proposed amendments to the Texas Constitution are presented as joint resolutions. Adoption of these resolutions requires approval by at least two-thirds of the members of each house (100 votes in the House, 21 in the Senate). If a joint resolution receives a favorable vote of at least two-thirds of the House members on second reading, no third-reading vote is required. If such a resolution receives only a majority vote on second reading, it is passed to engrossment (third reading). If the resolution then fails to be approved by at least two-thirds of the House members on third reading, it fails (Tex. Const. Art. 17, sec. 1; House Rule 9, sec. 1).

A joint resolution is not submitted to the governor for approval, rather joint resolutions proposing a constitutional amendment are presented to the voters for approval on a designated election date.

Proposed amendments to the U.S. Constitution are ratified by majority approval of a joint resolution. Applications to Congress for a convention to amend the U.S. Constitution are approved in the same manner. If joint resolutions for these purposes are approved on second reading by a majority of the members present, they are considered adopted, and no third reading is required (House Rule 9, sec. 2).

Simple and concurrent resolutions. Simple resolutions and concurrent resolutions are introduced and referred to committee in the same manner as bills and joint resolutions (House Rule 4, sec. 35). Simple resolutions are used for matters affecting only the House, such as the House rules or the housekeeping resolution, or for nonbinding expressions of House sentiment or intent on particular issues. Concurrent resolutions express the will of both houses of the Legislature and are commonly used to grant the permission of the Legislature to sue the

state, authorize joint committees, or request action by the U.S. Congress (House Rule 12, sec. 3).

Simple resolutions, as the act of only one house, are not sent to the governor for approval. A concurrent resolution, except one pertaining to procedural matters between the two houses, is considered an enactment of the Legislature and must be sent to the governor, who may sign it, allow it to expire without signing it, or veto it (House Rule 10, sec. 5; Tex. Const. Art. 4, sec. 15).

Resolutions that congratulate or memorialize are referred to the Resolutions Calendars Committee, which places them on a Congratulatory and Memorial Calendar (House Rule 3, sec. 30; House Rule 6, sec. 7). The House has sometimes voted to “suspend all necessary rules” to take up and consider individual resolutions of a congratulatory or memorial nature that do not appear on a calendar.

Local and uncontested matters. The Local and Consent Calendars Committee designates periods for consideration of Local, Consent, and Resolutions calendars. Designating the time to consider these calendars requires a two-thirds vote of approval. These calendars must be posted electronically at least 48 hours (24 hours for a Congratulatory and Memorial Calendar) before they may be considered (House Rule 6, secs. 11-13).

The author of a measure on the Local, Consent, and Resolutions Calendar has three minutes to speak. The time may be extended only by unanimous consent of the House. If debate on a bill exceeds 10 minutes, the bill is automatically removed from the calendar (House Rule 6, sec. 14).

Legislation on the Local, Consent, and Resolutions Calendar may be contested by five members present in the House, either by written notice or by a show of hands (House Rule 6, sec. 14). A bill on second reading or a resolution that has been removed from the Local, Consent and Resolutions Calendar by being contested in this manner is withdrawn from consideration and returned to the Local and Consent Calendars Committee, which may place it on the calendar again or send it to the Calendars Committee.

If a contested bill or resolution removed from a calendar is not placed on the next calendar set by the Local and Consent Calendars Committee, it is referred

automatically to the Calendars Committee. Legislation that is contested and removed from the calendar twice may not be assigned to the Local, Consent, and Resolutions Calendar again during a session (House Rule 6, sec. 24). A contested bill on third reading that has been removed from the Local, Consent, and Resolutions Calendar will appear on the supplemental daily House calendar for the next legislative day for which such a calendar has not yet been distributed (House Rule 6, sec. 24(b)).

Amendments to bills or resolutions on the Local, Consent, and Resolutions Calendar are considered out of order unless approved by the Local and Consent Calendars Committee (House Rule 11, sec. 4).

Bills on a Local, Consent, and Resolutions Calendar must be considered within one calendar day. Those bills not considered due to the expiration of the calendar day are carried over to the next such calendar. The carried-over bills precede any new measures on the next calendar and retain the same relative order as on the calendar where they originally appeared (Rule 6, sec.13(b) and sec. 14(5)).

Votes on measures on the Local, Consent, and Resolutions Calendar traditionally are postponed until the end of the calendar. All the bills on the calendar are laid before the House and passed on second reading by non-record vote. Members may record in the journal their votes on individual bills on the calendar. A single record vote is taken on all bills on the calendar. As on second reading, members may record their votes on individual bills.

Suspending the rules. Two constitutional provisions for legislative procedure may be suspended; the order of business and the requirement that that a bill be read on three separate days. Suspension of either rule requires approval by four-fifths of the members (120 votes) (Tex. Const. Art. 3, sec. 5; Art. 3, sec. 32).

Suspension of House Rules generally requires approval of two-thirds of the members present unless the rule being suspended specifies a different suspension-vote requirement (House Rule 14, sec. 5). Sometimes, the House will vote generally to “suspend all necessary rules” to take up and consider a measure (House Rule 14, sec 3.)

A member who plans to move for a rules suspension or a change in the daily order of business to take up a bill out of order must notify the speaker in advance. The speaker must announce this intention to the House at least one hour before recognizing the member. This requirement

may be suspended only by unanimous consent (Rule 14, sec. 4). A motion to “suspend all necessary rules” does not require advanced notice.

Senate procedures

After the House approves a House bill, the bill is sent to the Senate. To be considered in the Senate, a House bill must have a Senate sponsor (vice versa for Senate legislation in the House). The chair of the Senate committee from which a House bill is reported determines, in consultation with the House author, the Senate sponsor. The House has a similar procedure for determining House sponsors of Senate bills. The House committee chair may designate a primary sponsor, up to four joint sponsors, and an unlimited number of cosponsors (House Rule 8, sec. 5(d); Senate Rule 11.14). Identical or companion bills often are introduced in both houses.

SR 8 by Hughes, adopted by the Senate on January 11, 2023, contains modifications to the [Senate Rules](#) for the 88th Legislature.

Senate committee procedures. Senate procedures are comparable to those in the House, with some differences.

Public hearing. No bill may be reported from a Senate committee without a public hearing. Any senator, regardless of whether the senator is a member of the committee, may question a witness (Senate Rule 11.18).

Tagging. Notice of Senate committee hearings must be posted at least 24 hours in advance. However, a senator may “tag” a bill by filing a request with the Senate secretary or the committee chair that the senator receive written notice of the time and place for the bill’s public hearing at least 48 hours before it is scheduled. Tags are used most often near the end of a session to slow down consideration of and potentially kill bills. A tag is not effective if notice of the hearing has been posted for 72 hours and the Senate was in session at any time during the first 24 of the 72 hours (Senate Rule 11.19).

Impact statements. The Senate requires that impact statements be attached to certain measures before the final vote in committee (Senate Rule 7.09(n)); the House does not require this. Additionally, in the Senate only, the LBB prepares a higher education impact statement and an open government impact statement for appropriate bills (Senate Rules 7.09(l), (m)).

Committee of the whole. The Senate will sometimes sit as a Committee of the Whole Senate. The lieutenant governor, as president of the Senate, is a member of the Committee of the Whole and may debate and vote. When the Senate is not meeting in Committee of the Whole, the lieutenant governor may vote only to break ties. A senator, rather than the lieutenant governor, chairs the committee of the whole (Tex. Const. Art. 4, sec. 16; Senate Rules, Art. 13). The House also may meet as a Committee of the Whole, but rarely does (House Rule 4, secs. 51-55).

Senate order of business. Bills and resolutions reported from Senate committees are listed on the daily Senate calendar in the order that the Senate receives their committee reports. The secretary of the Senate notes the date and time each report was filed, and the journal clerk records the order of receipt in the next day's Senate Journal (Senate Rules 5.12, 11.12). The Senate has no calendars committee comparable to the House committee. However, the Senate Administration Committee does serve a function similar to the House Local and Consent Calendars Committee in that it sets a Local and Uncontested Calendar of bills and resolutions for Senate consideration.

The Senate traditionally lodges a "blocker" bill at the top of the calendar. As these measures remain at the top of the calendar for the session and deliberately are never considered, any bill listed on the calendar after the "blocker" bill must be considered "out of order," which requires approval of five-ninths of members present (Senate Rule 5.13).

For a bill to be considered out of order, a senator must file notice of intent to suspend the regular order before 3 p.m. on the last preceding calendar day when the Senate was in session. Unless the printing rule was suspended previously, the bill must be printed and furnished to each senator prior to such notice (Senate Rule 5.14).

The bill will then appear on the Intent Calendar, which must be made available to all senators and the press no later than 6:30 p.m. on the day the notice of intent was filed (Senate Rule 5.14 (c)). During the first 129 days of the regular session, the Senate may not suspend the regular order to consider a measure until the second day of its posting on the Intent Calendar (Senate Rule 5.14(b)). Unlike consideration of bills on the daily House calendar, bills on the Senate Intent Calendar need not be considered in any particular order nor considered at all unless the president recognizes a senator to move to suspend the regular order.

Notice of intent must be given day to day. Before April 15, no senator may give notice on more than three bills or resolutions at a time. On or after April 15, no senator may give notice on more than five bills or resolutions at a time (Senate Rule 5.14).

Each Senate day typically begins with the "morning call," which includes items such as congratulatory and memorial resolutions, first reading of bills and resolutions and their referral to committee, acceptance of messages, and consideration of motions, such as to concur with House amendments to Senate bills or to adopt conference committee reports (Senate Rule 5.08). After the morning call, the president may recognize a senator for a motion to suspend the regular order of business in order to take up a bill on second reading. If the motion receives the necessary five-ninths vote, the bill is considered on second reading (Senate Rule 5.13). Amendments and approval on second reading require only majority approval (Senate Rule 16.09).

After a bill on second reading passes to engrossment (to third reading), the Senate often suspends the constitutional requirement that a bill be read on three separate days. This motion must be approved by at least a four-fifths vote of the members present (Tex. Const. Art. 3, sec. 32; Senate Rule 7.18).

Debate in the Senate. Floor rules in the Senate are similar to those in the House, except that the Senate has no time limits on debate. Thus a senator may "filibuster" by holding the floor for an unlimited amount of time, usually in an attempt to kill a bill or to call public attention to its provisions.

A senator may yield for questions without losing the floor and may be interrupted by points of order (such as that the senator confine remarks to the subject under debate) or motions to move the previous question (demand an immediate vote) or to recess or adjourn (Senate Rule 4.03).

Any senator may call for the previous question if recognized and if at least five senators second the motion. If adopted by a majority of the senators present and voting, the motion cuts off all further amendments and debate (Senate Rule 6.09).

After passage by both houses

Senate amendments. Senate amendments to a House bill must be printed and given to House members at least

24 hours before the House may act on them (House Rule 13, sec. 5). The House may vote to concur with some amendments and not with others, unless the amendment is a single substitute amendment (House Rule 13, sec. 3). A fiscal note must accompany Senate amendments for them to be considered (House Rule 13, sec. 5(b)). The House also may not vote on Senate amendments unless a tax equity note prepared by the LBB, if required, has been distributed to the members (House Rule 13, sec. 5(d)). The Texas Legislative Council must prepare an analysis of Senate amendments and distribute it to the members electronically or in printed form at least 12 hours before the House takes action (House Rule 13, sec. 5(c)).

Conference committees. If the Senate has amended a House bill, the House may either concur with the amendments or request the appointment of a conference committee to reconcile differences between versions of a measure (House Rule 13, sec. 3). If the Senate fails to approve appointment of a conference committee, either by voting down the motion or by taking no action, the bill dies.

Conference committees have five House members appointed by the Speaker and five senators appointed by the lieutenant governor. Approval of a conference committee report requires the signatures of a majority of the committee members from each house (House Rule 13, sec. 6).

Conference committees are prohibited from changing or omitting parts of a bill that are the same in both House and Senate versions or adding language not found in either version of the bill (House Rule 13, sec. 9(a)).

The House may lift the limits on a conference committee by adopting an “outside the bounds” resolution granting special permission. The resolution must specify in detail the exact language proposed, what rules would be suspended, the reasons for the suspension, and the conference committee action contemplated. It also must include a fiscal note. Such resolutions are privileged and may be brought up three hours after a copy of the resolution has been distributed to each member. They require a majority vote for approval (House Rule 13, sec. 9(f-g)).

Conference committee reports must be printed and distributed to members at least 48 hours before consideration by the House in a regular session and at least 24 hours prior during a special session (House

Rule 13, sec 10 (a)). Conference committee reports may not be considered without a fiscal note, which must be distributed with the committee report (House Rule 13, sec. 10(c)). If required, a tax equity note estimating the effect of the conference report must be submitted to the chief clerk and made available to each member before the House may vote on the conference report (House Rule 13, sec. 10(d)). Other requirements apply for appropriations, taxation, redistricting, and recodification bills (House Rule 13, sec. 9).

The House may accept or reject, but not amend, a conference committee report. If the House rejects a conference report and takes no further action, the bill dies. The House may elect, however, to recommit the conference report to the same conference committee for further consideration, request the appointment of a new conference committee, or give specific instructions to the House conferees (House Rule 13, secs. 12, 13).

Items eligible for consideration. When the volume of legislation requires it, the speaker may ask the chief clerk to prepare and post electronically a list of Items Eligible for Consideration. The list includes pending Senate amendments to House bills, Senate requests for appointment of conferees, and conference committee reports. The list must be posted at least six hours before the House may consider any items (House Rule 6, sec. 16).

The governor’s role

After both houses have approved a bill or concurrent resolution in the same form, it is printed in final form (enrolled) and signed by the speaker and by the lieutenant governor in the presence of the members of their respective houses (Tex. Const. Art. 3, sec. 38). The chief clerk of the House (for Senate bills, the Senate enrolling clerk) prepares a final, official copy of the bill, which then goes to the governor.

Veto. The governor has 10 days (not counting Sundays) after receiving a bill to sign it or veto it and return it to the originating house with reasons for the veto. If neither action is taken within 10 days, the bill becomes law without the governor’s signature. The governor also may veto specific line items in an appropriations bill (Tex. Const. Art. 4, sec. 14).

For bills presented to the governor fewer than 10 days (not counting Sundays) before final (sine die)

adjournment, or after adjournment, the governor has 20 days (counting Sundays) after the final day of the session to act (Tex. Const. Art. 4, sec. 14).

Veto overrides. Art. 4, sec. 14 of the Texas Constitution specifies that the Legislature may override a veto if the originating house, which votes first, approves the override motion by a two-thirds record vote of the members present. The other house must also override by a vote of two-thirds of the members.

Senate Rule 6.20 requires a vote of two-thirds of the members present to override the veto of a Senate bill and a vote of two-thirds of all Senate members (21 votes) to override the veto of a House bill. House rules make no specific provision for the vote required for veto overrides. However, the constitutional provision for overriding vetoes of line items of appropriations bills specifies a vote of two-thirds of the members present, for both houses.

End-of-session deadlines

A series of end-of-session deadlines restricts the legislation that may be considered during the final days of a regular session. In summary, the House may not consider nonlocal House bills on second or third reading during the final 17 days, local House bills on second or third reading during the final 10 days, Senate bills on second or third reading during the final five days, and conference reports, Senate amendments, motions to reconsider to remove House amendments, or motions to override vetoes on the final day (House Rule 8, sec. 13; Senate Rules 7.24, 7.25).

Thursday, May 11
(122nd day of the 2023 session)

Final day for the House to consider nonlocal House bills and joint resolutions on second reading.

Friday, May 12
(123rd day)

Final day for the House to consider nonlocal House bills and joint resolutions on third reading.

Friday, May 19
(130th day)

Final day for the House to consider local House bills.

Tuesday, May 23
(134th day)

Final day for the House to consider Senate bills and joint resolutions on second reading.

Wednesday, May 24
(135th day)

Final day for the House and the Senate to consider any bills and joint resolutions on third reading.

Thursday and Friday, May 25-26
(136th and 137th days)

The House may only act on Senate amendments, adopt conference reports, reconsider bills or joint resolutions for the purpose of removing House amendments or making corrections, vote to override vetoes, or adopt simple or concurrent resolutions.

Saturday and Sunday, May 27-28
(138th and 139th days)

The House may only adopt conference reports, discharge conferees and concur in Senate amendments, reconsider bills or joint resolutions for the purpose of removing House amendments or making corrections, vote to override vetoes, or adopt simple or concurrent resolutions.

Monday, May 29
(140th and final day)

The House and the Senate may only reconsider bills or resolutions to make corrections or adopt corrective resolutions.

On the final day of a regular session, neither the House nor the Senate may vote to override a veto (House Rule 8, sec. 13(f); Senate Rule 7.25). If the governor vetoes a bill after sine die adjournment of a session, the bill is dead because the Legislature has no opportunity to override the veto (Tex. Const. Art. 4, sec. 14).

Recalling bills after approval. After bills have been passed by both houses, signed by the presiding officers of each house, and sent to the governor, errors may be found that require correction. Nonsubstantive errors may be corrected by recalling a bill from the governor through passage of a concurrent resolution. The concurrent resolution typically requests the governor to return the bill and authorizes the presiding officers to remove their signatures.

Once recalled, every step of the legislative process must be retraced in regular order until the bill is again at a stage that permits the desired action. However, for relatively simple corrections, the concurrent resolution may direct that the chief clerk of the House or the Senate enrolling clerk (depending on whether it is a House or Senate bill) simply correct the final, enrolled version of the bill and send it back to the governor (House Rule 8, sec. 13(f); House Rule 10, sec. 8).

Effective date of bills. Bills that are finally approved become law on the 91st day after the final day of the session in which they were enacted (House Rule 8, sec. 19), which is Monday, August 28, for bills enacted during the 2023 regular session. There are three exceptions:

- a bill may specify a later effective date;
- the general appropriations act takes effect immediately (Tex. Const. Art. 3, sec. 39; House Rule 8, sec. 19); and
- a bill may take effect before the 91st day after adjournment if it was passed by at least a two-thirds record vote of the members in each house (100 votes in the House, 21 in the Senate) (House Rule 8, sec. 19; Senate Rule 16.05).

Another method for allowing bills to take immediate effect is to use a separate bill to amend the original bill and provide for its immediate effect.

A joint resolution to amend the Constitution takes effect when a majority of voters approve it, unless a later date is specified (Tex. Const. Art. 17, sec. 1(c)). The governor issues a proclamation following the election to announce that the official vote canvass confirmed voter approval.

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