

House Rules for the 83rd Texas Legislature

At the start of each legislative session the Texas House of Representatives and the Texas Senate adopt rules that govern each chamber's operations and procedures. On January 14, 2013, the Texas House of Representatives adopted permanent rules, HR 4, for the 83rd Texas Legislature. For the most part, the House rules for the 83rd Texas Legislature are similar to the rules adopted during the last legislative session.

The House rules as laid out established two new committees. The House Committee on Pensions, Investments and Financial Services was split into two separate committees—Pensions and Investments and Financial Services (Rule 3, Sections 22 and 28).

A new House Committee on Special Purpose Districts was also established to handle legislation creating new municipal utility districts (MUD) and new special purpose districts. The approximately 60 to 120 MUD bills filed each session were previously reviewed by the House Natural Resources Committee. Legislation amending existing groundwater and conservation districts will continue under the jurisdiction of the Natural Resources Committee (Rule 3, Sections 27 and 33).

House Rule Amendments

Before adopting the permanent rules for the 83rd Texas Legislature, the House adopted 10 amendments to the rules. These amendments are as follows:

- 1) Rep. John Smithee—(Rule 4, Section 20) Electronic Sign Up. The Committee Coordinator, under the direction of the House Committee on Administration, will develop electronic forms that witnesses can use to sign up to testify. Witnesses will be able to sign up electronically using iPads that are being installed around the Capitol complex. Several can be found in the Capitol extension at the old pay-phone stations. The iPads will list all the bills for each committee including proposed committee substitutes.
- 2) Rep. John Smithee—Hospital Districts and Emergency Management Districts will remain under the jurisdiction of the House Committee on County Affairs.
- 3) Rep. Phil King—(Rule 1, Section 9(d)) Substantial Compliance Rule (i.e. Cristy Cates Rule). A point of order violation may be overruled by the Chair if the purpose of the section of the rule has been substantially fulfilled and the violation does not deceive or mislead anyone.
- 4) Rep. Yvonne Davis—(Rule 14, Section 8) The parliamentarian will issue a written explanation of the final ruling on a point of order within 24 hours after the final ruling is announced. The ruling must cite any house or congressional precedents used to determine the ruling.
- 5) Rep. Mike Villarreal—(Rule 4, Section 20A) Video Testimony. The Committee Coordinator shall investigate the feasibility of and may establish procedures to take video testimony. The witness testimony is limited to three (3) minutes and it must be available to the public over the Internet.
- 6) Rep. Mike Villarreal—(Rule 4, Section 18A) The Committee Coordinator may establish rules for the electronic posting on the Internet of committee substitutes, amendments and written testimony. Failure to comply with this section is not grounds for sustaining a point of order.
- 7) Rep. Mike Villarreal—(Rule 4, Section 33(c) and (f)) Fiscal Notes. Fiscal notes must indicate on the first page if there are fiscal implications in any year and not just the first five (5) years. Fiscal

notes must provide an estimated range of fiscal implications, if the implications cannot be determined.

- 8) Rep. Yvonne Davis—(Rule 11, Section 6(i)(3)) Pre-filed Amendments. The House will provide public Internet access 10 hours in advance to certain pre-filed amendments (Appropriations bills, Sunset bills and multi-page substitutes).
- 9) Rep. Abel Herrero—(Rule 11, Section 6(j)) Drafting Amendments. Floor amendments should include page and line numbers. Failure to comply with this section is not grounds to sustain a point of order.
- 10) Rep. Van Taylor—(Rule 8, Section 1(b)) Drafting Bills. Captions of House bills relating to assessments, fees, surcharges or taxes must contain specific language relating to the effect of the bill.

Senate Rules for 83rd Texas Legislature

On January 9, 2013, the Texas Senate adopted permanent rules, SR 4, for the 83rd Texas Legislature. The Senate amended the permanent rules adopted by the 80th Texas Legislature (2007). The Senate eliminated one committee and created a new committee. Similar to the Texas House, the Senate plans develops rules and procedures allowing witnesses to sign up electronically to testify before Senate committees. Below is a summary of the new changes to the Senate rules.

Two Thirds Rule

- 1) Re-adopted the 2/3 suspension rule for all bills.
- 2) Eliminated the simple majority rule for the Voter ID bill.

Committees

- 1) Eliminated the Committee on International Relations and Trade.
- 2) Created a new Committee on Open Government.
- 3) Created the Subcommittee on State and Local Revenue Matters under Senate Finance chaired by Senator Glenn Hegar. This subcommittee will consider bills relating to assessments, fees, surcharges and taxes.
- 4) Sunset bills must be referred to a committee with appropriate subject-matter jurisdiction rather than the Open Government Committee.
- 5) Maintained Notice and Layout Rule for Sunset bills. Senators wishing to offer a floor amendment to a Sunset bill must file a draft of the amendment with Committee Clerk and raise the issue during the committee's deliberations. The language does not have to be exactly the same but it must fit the caption and not violate the two-subject rule.

Electronic Participation in the Process

Senate may initiate a pilot program for witnesses to sign up electronically to testify before Senate Committee.