

BILL ANALYSIS

Senate Research Center
77R2834 GGS-D

H.J.R. 45
By: Tillery (Shapiro)
State Affairs
5/2/2001
Engrossed

DIGEST AND PURPOSE

Currently, in an election for the president of the United States the electoral votes of Texas are not counted if the results of the election are in contest when the deadline for the certification of electors passes. During the last election cycle, the contest of the election results in Florida raised the possibility that the state might lose its electoral votes if its election results were not certified by the certification deadline. H.J.R. 45 requires the submission to the voters of a constitutional amendment requiring the governor to call a special session of the legislature for the appointment of presidential electors under certain circumstances.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 8, Article IV, Texas Constitution, to require the governor to convene the legislature in special session to appoint presidential electors if the governor determines that a reasonable likelihood exists that a final determination of the appointment of electors will not occur before the deadline prescribed by law to ascertain a conclusive determination of the appointment. Prohibits the legislature from considering any subject other than the appointment of electors at that special session.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2001. Requires the ballot to be printed to permit voting for or against the proposition: "The constitutional amendment requiring the governor to call a special session for the appointment of presidential electors under certain circumstances."