

BILL ANALYSIS

Senate Research Center

S.R. 30
By: Harris
Administration
9/22/2003
Committee Report (Amended)

DIGEST AND PURPOSE

S.R. 30 amends the Rules of the Senate, 78th Legislature, to set forth rules regarding the punishment of senators who are absent without sufficient excuse under a call of the senate.

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 Rule 4.09, Rules of the Senate, 78th Legislature, as follows:

Rule 4.09. PUNISHMENT FOR MISCONDUCT. Includes a reference to Article III, Section 11, Texas Constitution. Provides that a member who is absent without sufficient excuse for more than 72 hours under a call of the senate under Rule 5.04 shall lose all privileges of accrued seniority established by senate tradition. Provides that a member immediately loses the privileges of accrued seniority if the member is absent without sufficient excuse under a call of the senate within seven calendar days of final adjournment of a regular session of the legislature or under a call of the senate during a special session of the legislature.

SECTION 2. Amends Rule 5.03, Rules of the Senate, 78th Legislature, as follows:

Rule 5.03. ABSENCES. Provides that a member has a duty under his or her oath or affirmation of office and an obligation under the constitution and laws of this state to attend the sessions of the senate.

SECTION 3. Amends Rule 5.04, Rules of the Senate, 78th Legislature, as follows:

Rule 5.04. CALL OF THE SENATE. Requires the lieutenant governor, when a call of the senate is ordered and members are absent with no sufficient excuse, to request a writ of mandamus from the Supreme Court of Texas compelling their return. Provides that any service of notice or process made or required in connection with the mandamus or an order compelling the member's return adopted under this rule may be served upon the member's Capitol office and placed upon the member's desk by the sergeant-at-arms in lieu of personal service.

LIST OF COMMITTEE AMENDMENTS

COMMITTEE AMENDMENT NO. 1: Amend S.R. No. 30 in Section 3 (amended Rule 5.04, page 3) after the added language by adding the following:

A member shall be fined \$1,000 payable to the Texas Senate for each day or part of a day that the member is absent. The fine shall be automatically deducted daily first from the member's per diem allowance and the balance deducted from the member's Texas Senate payroll account.

