

BILL ANALYSIS

Senate Research Center
80R4103 DRH-D

S.J.R. 28
By: Wentworth
State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 14, Article IV, Texas Constitution, provides that the governor must return vetoed legislation to the legislature within 10 days of receiving the legislation or it becomes law. However, this provision also exempts the governor from such action if he is unable to return the objectionable legislation due to the adjournment of the legislature. Many bills are sent to the governor during the legislative session when a gubernatorial veto cannot be reviewed by the members of the legislature given the timeframe established by the Texas Constitution.

S.J.R. 28 proposes a constitutional amendment to allow members of the legislature to return to Austin in order to reconsider those bills vetoed by the governor.

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 14, Article IV, Texas Constitution, as follows:

Sec. 14. Creates Subsections (a), (b), and (c) from existing text.

(d) Requires the legislature to meet to reconsider any bill disapproved by the governor under this section or any item apportioned in a bill to which the governor objects if certain actions are taken on a bill or statement of objection to the item of appropriation.

(e) Sets forth the time of commencement for, and the duration of, the period for reconsideration. Prohibits the legislature in the period of reconsideration from considering any other subject than the reconsideration of bill or items of appropriation described in this section, unless called into special session by the governor. Sets forth the manner in which the reconsideration is to be conducted.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2007. Sets forth the required language for the ballot.