

The Texas Legislative Process

The Texas state government is modeled after the federal government's three branches. This model provides for a division of power which our founding fathers designed from the inspiration of Isaiah 33:22. The legislative branch makes the laws, the judicial branch interprets the laws, and the executive branch enforces them.

1. Three Branches

a) Legislative Branch: The Texas Legislature consists of 31 state senators and 150 state representatives. It is said this reflects 31 Proverbs and 150 Psalms. They are addressed as "Senator" in the Senate and "Representative" in the House of Representatives. Both senators and representatives are elected by partisan elections. "Congressman/woman" is reserved for our representatives in Congress in Washington, D.C.

The Texas Legislature meets for 140 days beginning in January of odd-numbered years; however, they also meet if one or more Special Sessions are called. When not in session, they meet for special interim hearings, study issues that need to be addressed during the next session, meet with their constituents, or with interest groups and organizations that have concerns.

b) Judicial Branch: The state court system tries both criminal and civil cases. Civil appeals go to the state supreme court and criminal appeals are heard by the state court of criminal appeals. All of the judicial positions in Texas are elected by partisan elections, unless there is a mid-term vacancy which then can be appointed by the governor and confirmed by the senate until the next election.

c) Executive Branch: The head of the executive branch in state government is the governor. In Texas, the governor's power is supposed to be very limited. The governor appoints his own staff and has some influence over new laws including veto power, yet even his veto power can be overridden by two-thirds of each chamber of the legislature. The governor alone can call special legislative sessions. He is also commander-in-chief of the military forces of the state. The Texas governor is elected every four years.

The lieutenant governor is the second-highest executive office in Texas. The office of the lieutenant governor is part of both the executive and legislative branches. The Texas Constitution states that the lieutenant governor is also the President of the Texas State Senate. The lieutenant governor becomes governor if the elected governor resigns or dies while in office.

2. Texas Legislature Online (TLO) [Website](#):

This website has everything you need to understand the legislative process, watch online videos of hearings, find out the names, addresses and phone numbers of the elected officials for each branch of government, who represents you, look up bills either by bill number or search for phrases/words that make up the content of bills you are looking for, find out committee hearing dates, facts about the Capitol, Texas and the Legislature, information for your county government, get help with maps of the Capitol and parking info, etc.

3. How a Bill Becomes a Law:

a) A community need or want is brought forth and presented to a legislator by a constituent, organization, or special interest. The legislator consults with other leaders and proposes a bill.

b) The bill is then sent to the Legislative council to be reviewed and re-drafted to provide accuracy and congruency with existing law.

c) The bill may be introduced for the “first reading” on the floor of the chamber, however this means just the caption of the bill is read. The bill is assigned a number. House bills start with HB, senate bills with SB. House Resolutions are HJR and Senate resolutions are SJR.

d) The bill is assigned a committee and it may or may not receive a hearing. In the House, all committee chairmen and members are selected by the Speaker of the House. The Texas House has approximately 34 standing committees. In the Senate, all committee chairmen and members are selected by the Lt. Governor. The Texas Senate has approximately 15 standing committees. Both the House and the Senate can have more or less committees.

e) The bill's author will attempt to get other legislators to sign onto their bill and **sometimes this process can be helped along by activists, lobbyists, and constituents.**

f) If the committee chairman decides to post a notice of a public hearing for the bill, the designated hearing room, time, and date are published online 3 days beforehand and notices are placed in the Capitol corridors.

g) On the date of the hearing it is laid out in an open committee meeting where the public can testify. **Inside the Capitol building, the House and Senate uses electronic witness registration kiosks (sometimes the Senate uses paper registration). They are easy to find on your way to the hearing rooms so you can sign in on the bill number you are there for, the committee it is in, your position FOR or AGAINST, your name, if you represent an organization or just yourself, and whether you are choosing to testify or not.**

Most hearings allow witnesses to speak for only 2-3 minutes, but in addition you can also leave a copy of your handwritten testimony with the committee so they can refer back to your talking points. Sometimes expert testimony is taken and the witness is allowed much longer to testify.

h) All committee hearings are broadcast live and are video recorded for viewing online.

i) The author of the bill is present throughout the hearing to not only describe the need for his/her bill, but to be consulted about amending the bill if need be.

j) A common occurrence is when the author lays out a committee substitute for the bill and it has little in common with the original bill. **Then it is important to pay attention to any changes so that if problematic, you can always share your thoughts about those changes with the committee.**

k) The committee chairman determines the order of the bills and most often the controversial bills are positioned last.

l) After the hearing, the committee eventually decides if the bill will be tabled, passed, or defeated. **This is why calls, emails or meetings with the committee members are important.**

m) If the bill is passed in the House committee, it goes to the Calendars committee to either die or be scheduled for floor debate. **Calls, emails or meetings to the Calendars committee from the public are important to either encourage them to schedule it for the floor for a vote or either to not**

schedule if it is a bad bill. If a bill is passed in a hearing in the Senate, the author enlists 2/3 of the members to bring the bill to the Senate floor.

Once a bill gets to the House or Senate floor, the bill can be voted for with some or no amendments, or be defeated. Many delaying tactics are also used to block bills. Once the bill is passed on third reading it is sent to the opposite chamber to start their process all over through committee hearings, floor debate, etc. Many times the opposing chamber will defeat or substitute their preferred language for the bill. Sometimes a Conference committee is formed with members from the House and the Senate to work out the language differences.

n) When the bill is finally passed by both chambers (House and Senate), it is said to be “Enrolled” and sent to the governor where he can choose to sign the bill, veto the bill, or do nothing and let it become law without his signature. The legislature has the option to override his veto by passing the bill again by 2/3 majority in each chamber. **If a bad bill has made it through to the governor, it is not too late to contact his office and let him know why he should veto it.**