

BILL ANALYSIS

Senate Research Center
77R12236 DRH-D

C.S.S.J.R. 35
By: Wentworth
Redistricting
4/12/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, redistricting is performed during a regular session of the Texas Legislature directly after the receipt of the numbers from the United States decennial census. C.S.S.J.R. 35 proposes a constitutional amendment to require redistricting to be done during a special session after the regular session.

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 28, Article III, Texas Constitution, to prohibit the legislature from enacting a law redistricting the state's senate, representative, or congressional districts during the first regular session after the publication of each United States decennial census. Deletes text requiring the legislature to do so. Requires the governor, at the conclusion of the regular session described by this section, to call the legislature into special session, to convene not later than the 10th day after the last day of the regular session, to enact laws to redistrict the state's senate, representative, and congressional districts. Prohibits legislation on other subjects from being considered in the special session unless designated in a proclamation by the governor. Prohibits the special session from exceeding 45 days in duration. Deletes text regarding apportionment into senatorial and representative districts. Provides that, in the event the legislature shall at the special session described by this section fail to enact laws to redistrict the state's senate or representative districts, that redistricting is required to be done by the Legislative Redistricting Board of Texas (board). Deletes text regarding the session after the census. Requires the board to assemble in the City of Austin and, not later than the 45th day after the date of the adjournment of the special session, provide for the redistricting of the state. Deletes text requiring the board to redistrict within 90 days after the regular session. Deletes text making this amendment effective January 1, 1951. Makes conforming and nonsubstantive changes.

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 providing for the redistricting of legislative and congressional districts at a special session following the release of the federal decennial census."

SUMMARY OF COMMITTEE CHANGES

Differs from the original by decreasing the limit on the length of a special session to 45 days from 60 days.