

Legislative Committee

*Chad Davis, Chair
Chuck Anastos
Chase Bearden
Bob Wetmore*

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Legislative Committee Meeting Agenda**

William P. Hobby, Jr. State Office Building
333 Guadalupe Street
Tower II, Conference Room 350-L
Austin, Texas

Tuesday, June 14, 2016
1:00 p.m. – Conclusion

1. Call to Order
2. Roll Call
3. Public Comment
4. Approval of the January 21, 2015 Legislative Committee Meeting Minutes
5. Review the proposed 2017-2021 Strategic Plan Redundancies and Impediments
6. Distribution and discussion of general legislative and procedural information
 - a. Interim charges of oversight committees
 - b. Agency fact sheets and prepared materials
7. Potential legislative issues and the Board's instructions to staff regarding those issues
8. Chair's closing remarks
9. Adjournment

Committee meetings may include a quorum of the Board in attendance

TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Minutes of the Legislative Committee Meeting

January 21, 2015

The William P. Hobby, Jr. Building
333 Guadalupe Street, Tower II, Ste. 350L
Austin, TX 78701

1. Call to Order

Chairman Vidaurri called the meeting to order at 9:02 a.m. and recognized Chairman Davis to conduct the meeting of the Legislative Committee.

2. Roll Call

Chairman Davis called the roll and declared a quorum of the Committee was present.

Present Board Members:

Chad Davis, Chair
Charles (Chuck) Anastos
Chase Bearden
Sonya Odell
Debra Dockery (alternate member)

Other Attendees

Alfred Vidaurri, TBAE
Davey Edwards, TBAE
Brent Luck, Texas Chapter, American Society of Landscape Architects
Donna Vining, Texas Association for Interior Design
David Lancaster, Texas Society of Architects (TxA) arrived @ 9:13 a.m.

TBAE Staff Present

Glenn Garry, Interim Executive Director
Scott Gibson, General Counsel
Kenneth Liles, Finance Manager
Glenda Best, Director of Operations

3. Public Comment

None. Chairman Davis provided some introductory remarks regarding Board and Staff preparation to serve as resources, and to “speak from the same sheet of music.” The Chair stated his desire to be as objective as possible and encourage positive outcomes.

4. Restrictions on legislative activity by Board Members and staff

General Counsel Scott Gibson provided some general guidelines regarding Board and Staff legislative activities. The general rule to remember is that Staff are allowed to testify as resource witnesses, not as advocates. As for Board Members, it is important to clarify whether or not the Member is testifying as a matter of Board business.

5. Expectations and roles of Committee Members

The Chair spoke regarding the logistics and expectation of Committee Members, in the event that testimony is required on a certain bill. Travel, Staff assistance, and procedures were discussed briefly.

6. General legislative and procedure information

The Interim Executive Director provided attendees with a small notebook containing a glossary, bill passing statistics, and other procedural information of possible use to Members. Edits to the TBAE fact sheets were discussed and made.

7. Potential legislative issues and Board instructions to staff

- a. Prospective revisions to scope of practice. Stakeholders commented that they did not envision plans to seek changes of this kind. Donna Vining noted that she had heard a state representative may be interested in filing legislation to overturn the “test-passing requirement,” and noted potential legal action on the same topic from a disgruntled RID. Ms. Vining noted, however, that TAID had no plans to seek legislation of any type.
- b. Repeal or transfer of regulatory jurisdiction. Stakeholders noted that deregulation of RIDs was a minor campaign topic, and that TAID had met with campaign staff to discuss.
- c. Abolish AREFAF surcharge/program. TxA noted that his group probably wouldn’t oppose abolition of the program, but is not seeking such.
- d. Repeal SDSI or major provisions of it. Attendees discussed the likelihood of this happening, and it was deemed unlikely but always possible. It was also noted that the Legislature is currently scrutinizing SDSI overall, and legislation was expected.
- e. Recapture enforcement expenditures. This topic was discussed lightly, and TxA mentioned that absent recovery of enforcement expenditures, the quality of enforcement is likely to fall.
- f. Gain authority to immediately stop violators from practicing. On this item and on item g. below, Mr. Lancaster noted that these issues tie into TxA’s wider concerns regarding “putting teeth into the law” generally on contacting.
- g. Gain authority to stop construction on a project. On this item and on f. above, Mr. Lancaster noted that these issues tie into TxA’s wider concerns regarding “putting teeth into the law” generally on contacting.
- h. Change the amount of the agency’s annual SDSI payment. This item was discussed generally among participants. TxA noted that they might formally bring up the issue.

8. Chair’s closing remarks

Chairman Davis returned the meeting to Chairman Vidaurri, who noted that today’s meeting was a good one. Mr. Vidaurri stated he would entertain a motion to adjourn.

9. Adjourn

A MOTION WAS MADE AND SECONDED (Anastos/Edwards) TO ADJOURN THE LEGISLATIVE COMMITTEE MEETING AT 12:01 P.M. THE MOTION PASSED UNANIMOUSLY.

The Committee adjourned at 12:01 p.m.

Approved by the Committee:

MICHAEL (CHAD) DAVIS
Chair of the Legislative Committee
Texas Board of Architectural Examiners

Mission

The mission of the Texas Board of Architectural Examiners (TBAE) is to serve the State of Texas by protecting and preserving the health, safety, and welfare of the Texans who live, work, and play in the built environment through the regulation of the practice of architecture, landscape architecture, and interior design.

TBAE's Strategic Plan ensures that the agency not only carries out its mission, but also is:

1. Accountable to the public who uses and inhabits the built environment, registrants, and all other stakeholders.
2. Efficient by producing maximum results with no waste of collected funds and by identifying any function or provision that is redundant or not cost effective.
3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve.
4. Providing excellent customer service.
5. Transparent such that agency actions can be understood by any Texan.

About TBAE

A. Agency Overview and Organizational Aspects

TBAE operates under the Self-Directed, Semi-Independent (SDSI) program established by the 77th Texas Legislature. TBAE's participation in SDSI removes the agency from the appropriations process, ensures accountability to stakeholders, and requires the agency to operate as a business. SDSI agencies must adopt their own budgets and establish registration fees to cover all operational costs. Additionally, each agency submits an annual payment (\$510,000 in TBAE's case) to the general revenue fund and pays for the services of other state agencies.

TBAE is overseen by a Board of nine gubernatorial appointees. Four Board members are registered architects, three are public members, one is a registered interior designer, and one is a registered landscape architect. The Chair is selected by the Governor from among the Board members, and typically the group meets four times a year to make or amend rules and decide enforcement cases.

TBAE has a staff of 19 full-time equivalent positions and operates with an annual budget of \$2.8M. TBAE Staff is divided into three broad functional units: Registration, Enforcement, and Administration. Each division is responsible for executing particular operational aspects of the Board's statutory charge and mission. While separation of the units allows staff to fully engage in their respective areas of expertise, close collaboration and cross-training allows the agency as a whole to remain flexible for most any event.

B. Current Year Activities

Through the third quarter of fiscal year 2016, TBAE is operating under a balanced budget, in spite of legislative mandates requiring an increase in agency expenses. As a result, for the twelfth year in a row, TBAE did not raise registration fees. In fact, in response to legislative action repealing the professional fee, TBAE decreased fees by \$200 per year. With such fiscal responsibility, TBAE has a healthy fund balance currently at 92% of its annual budget.

Looking at registration trends through the third quarter of FY16, TBAE expects to see a 2.5% increase for active architect registrants, a 5.5% decrease for active registered interior designers and a 2.5% increase for active landscape architect registrants for FY16. It is also expected that TBAE will see more than 925 new registrants from all professions for FY16. These numbers are similar to the registration trends in FY15. Specifically, TBAE has seen growth for architects and landscape architects for at least the previous seven years. TBAE believes that the continued decrease seen in registered interior designers is due to the 2013 legislative requirement for all registered interior designers to meet the current examination requirements by September 1, 2017.

In the enforcement unit, TBAE is on track to open approximately 126 complaints in FY16. This number is a decrease from FY15 and previous years, which was approximately 150 complaints. Through the third quarter of FY16, the enforcement unit has closed 171 cases, with 57 resulting in disciplinary action by TBAE. This is a sharp increase over the number of cases closed and the number of disciplinary actions entered in FY15. The enforcement unit has worked hard to decrease the previous case backlog it experienced after the departure of its General Counsel and the Executive Director in FY15, a year in which the unit closed less cases than it received. Alongside the increased case closure rate, average days to complaint resolution is also on track to decrease.

TBAE staff worked to implement all relevant legislation from the 84th Session, including the promulgation of rules and a new website section dedicated to military service members, veterans and their families. Staff also focused on special projects, including a new individual registration website, a new Annual Report on Trends, and its Continuity of Operations Plan. Additionally, the Executive Director focused on increasing the State of Texas' influence on the national organizations of regulatory boards for all three professions by her service on several committees and task forces.

Beginning in FY15 and continuing into FY16, TBAE has seen replacements in several key positions for both staff and the Board. Julie Hildebrand became the Executive Director on April 2, 2015 after the interim Executive Director had served since September 2014. The General Counsel position was filled on May 1, 2015 after being vacant since February 2015. Finally, TBAE's Registration Manager retired after 20 years of service in August 2015 and current staff was promoted to fill the position. In FY16, the terms of two architect board members expired, one of which terms was that of the long-standing Chair. They were replaced by two new members, and a new Chair was appointed by the governor. The new members received immediate training and were able to participate in the strategic planning process and board meetings.

C. External/Internal Assessment Issues and Trends

In conducting an external/internal assessment, the Board collected and analyzed information from several sources including an Industry Environmental Scan, Stakeholder Input Process, Customer Service Survey, Survey of Employee Engagement and separate Board Member and Management Strategic Planning Sessions. The Board conducted a thorough analysis of its past, current, and future position and its expectations for external and internal change. The following current and future major issues may affect the Board's operations and results in meeting the needs of its stakeholders.

- Thriving Talent Pool/Emerging Professionals
- Workforce Demographics
- Improvement to the Regulatory System
- Unregistered Practice
- Technology
- Globalization/International Practice
- Positive Construction Forecasts
- Ethics Education and Development

TBAE Goals and Action Plans

Licensing Goal: TBAE will administer a licensing program to ensure that only qualified professionals become licensed in Texas.

Specific Action Items to be Achieved Throughout the Strategic Plan Period

1. Ensure the professional qualifications of those practicing the regulated professions by setting relevant requirements for education, experience, and examination.
2. Increase public and professional awareness of TBAE's mission, activities and services, with specific attention to the prevention of unregistered practice and the timely and appropriate registration of pre-professionals to ensure compliance with the law and protection of the public health, safety, and wellness.
3. Improve the TBAE website to focus more on informing the public about the registration of the regulated professionals.
4. Improve relationships with related organizations in order to facilitate consistent regulation of the professions and further the Board's mission and goals.
5. Anticipate and respond to an evolving registrant pool, with specific attention to the following factors:
 - changing demographics of registrants, exam candidates, and future professionals;
 - examination requirements for registered interior designers; and
 - reduced registration fees and barriers to registration.
6. Review the current continuing education requirements and compliance program to evaluate whether the requirements are relevant to the current practice, and whether the agency is facilitating registrants' voluntary compliance with continuing education requirements.
7. Review the current use of technology in the regulated professions and by the agency to ensure that state laws, rules, and services are keeping pace with the impacts of technology, and to improve operational efficiency, effectiveness, and customer service.
8. Improve data collection and analysis to better evaluate the successes and challenges of the agency's various services.
9. Continue to monitor and update TBAE rules to ensure alignment and relevancy, and eliminate redundancies and impediments.
10. Enhance organizational effectiveness and improve the quality of customer service in all programs, by instituting a Model Board Paradigm based on state and national standards with the aim of continuous operational improvement. TBAE will look to maximize administrative leanness, while not sacrificing agency agility and responsiveness.
11. Ensure that leadership succession planning is strong and that cross-component working groups are developed to ensure the continuity of agency effectiveness and efficiency.
12. Protect fiscal soundness through policies, procedures, and preparation for expected revenue and expenditure fluctuations, with a focus on linking revenue in ways more directly related to the expenditure.

TBAE's Licensing Goal and Action Plan Supports Each Statewide Objective Accountable • Efficient • Effective • Transparent • Customer Service

All of the Statewide Objectives were considered as a roadmap in developing the Action Items listed above. Each Action Item speaks directly to at least one Statewide Objective, and most address more than one Statewide Objective. Taken together, the Action Items pursuant to the Licensing goal make great strides toward bolstering all of the State's Objectives and toward high performance overall.

Enforcement Goal: TBAE will protect the public health, safety, and welfare with an effective, responsive, and consistent enforcement program.

Specific Action Items to Achieved Throughout the Strategic Plan Period

1. Ensure that all complaints and known violations are investigated and appropriate voluntary or disciplinary action is taken against all violators.
2. Investigate and prosecute complaints in a thorough and timely manner.
3. Pursue compliance with disciplinary actions and conditions.
4. Establish regulatory standards of practice for the regulated professions.
5. Increase public and professional awareness of TBAE's mission, activities and services, to encourage a better understanding of the regulatory requirements, voluntary compliance with the regulatory requirements, and feedback on ways to continuously improve.
6. Improve the TBAE website to focus more on informing the public about the registration of the regulated professionals.
7. Improve relationships with related organizations in order to facilitate consistent regulation of the professions and further the Board's mission and goals.
8. Analyze and respond to incidents in the regulated professions that threaten the health, safety, and welfare of Texans.
9. Review the current use of technology in the regulated professions and by the agency to ensure that state laws, rules, and services are keeping pace with the impacts of technology, and to improve operational efficiency, effectiveness, and customer service.
10. Improve data collection and analysis to allow the Board and agency to better evaluate the successes and challenges of the agency's various services.
11. Continue to monitor and update TBAE rules to ensure alignment and relevancy, and eliminate redundancies and impediments.
12. Enhance organizational effectiveness and improve the quality of customer service in all programs, by instituting a Model Board Paradigm based on state and national standards with the aim of continuous operational improvement. TBAE will look to maximize administrative leanness, while not sacrificing agency agility and responsiveness.
13. Ensure that leadership succession planning is strong and that cross-component working groups are developed to ensure the continuity of agency effectiveness and efficiency.
14. Protect fiscal soundness through policies, procedures, and preparation for expected revenue and expenditure fluctuations, with a focus on linking revenue in ways more directly related to the expenditure.

TBAE's Enforcement Goal and Action Plan Supports Each Statewide Objective
Accountable • Efficient • Effective • Transparent • Customer Service

All of the Statewide Objective were considered as a roadmap in developing the Action Items listed above. Each Action Item speaks directly to at least one Statewide Objective, and most address more than one Statewide Objective. Taken together, the Action Items pursuant to the Enforcement goal make great strides toward bolstering all of the State's Objectives and toward high performance overall.

Redundancies and Impediments

Service, Statute, Rule or Regulation (Provide Specific Citation, if applicable)	Describe why the Service, Statute, Rule or Regulation is Resulting in Inefficient or Ineffective Agency Operations	Provide Agency Recommendation for Modification or Elimination	Describe the Estimated Cost Savings or Other Benefit Associated with Recommended Change
None at this time (see below)*	NA	NA	NA

*The TBAE has done a preliminary evaluation of the core services, state statutes, and state rules and regulations applicable to TBAE and does not recommend modifications or eliminations at this time. However, this type of self-evaluation is part of the culture of this agency. TBAE will continue its ongoing evaluation throughout the strategic planning period with the goal of reducing any barriers to the economic prosperity of Texas and making the agency more effective and efficient in achieving its core mission.

As part of its ongoing self-evaluation to eliminate redundancies and impediment this fiscal year, TBAE has reviewed its own rules and has made the following updates to improve the efficiency and effectiveness of the agency's operations.

- TBAE reduced the number of hours required to complete an architectural internship by eliminating about a year's worth of elective hours, with interns documenting only the hours in core experience areas.
- TBAE realigned the experience areas required for registration as an architect from 17 specific areas to six broad areas. The new experience areas will align with the newest version of the Architectural Registration Examination.
- TBAE expanded the registration possibilities for a landscape architect who graduated from a landscape architectural program located outside of the United States.
- TBAE removed references in rules to defunct internship programs for registered interior designers.

Interim Charges: Senate Committee on Business and Commerce

1. Occupational Licensing: Review all occupations licensed under Texas law to determine the extent to which continued state regulation and licensure is required to protect public health and safety. Examine methods to ensure greater legislative oversight of new regulations, scope, and necessity of certain licenses and make recommendations for state licenses that should be repealed or transitioned to private-sector enforcement.
2. Hail Storm: Monitor the number of lawsuits related to property claims filed as a result of multiple hail storms and weather related events across Texas. Examine negative consumer trends that may result in market disruption such as higher premiums and deductibles, less coverage, non-renewals, and inability to secure coverage due to insurance carrier withdrawal from the state and make recommendations on legislative action needed.
3. Texas Prompt Pay Law: Study the impact of the penalty calculations under the current prompt payment of health care claim laws and regulations, including comparing penalties in other states and late payment penalties in Texas for other lines of insurance. Evaluate whether unregulated billed charges is the appropriate basis for determining penalty amounts and make recommendations for statutory changes, if needed.
4. Cyber-security/Storage: Examine cyber-security efforts undertaken by state entities and study the legal, policy, and privacy implications of the trend toward storage of personal, private, and business confidential information in network attached storage, cloud storage, and other developing data storage options rather than on local devices. Make recommendations on how to best protect Texans' financial and personal information.
5. Elder Financial Abuse: Study elder financial abuse and determine what steps the State of Texas should take to help protect older Texans from financial exploitation.
6. Property Tax Liens: Examine and make recommendations for necessary changes regarding the collection process of delinquent ad valorem property taxes, including an inquiry into the role that tax lien transfers play in forestalling foreclosure.
7. Monitoring Charge: Monitor the implementation of legislation addressed by the Senate Committee on Business and Commerce during the 84th Legislature, Regular Session and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following: 1) State agency participation in the federal electronic verification of employment authorization program; 2) Implementation of legislation intended to further protect consumers from the balance billing process; 3) Changes made to the operation of the Texas Windstorm Insurance Association; 4) The regulation of public insurance adjusters; and 5) The current consent policy for state disclosure of personal data.

Interim Charges: House Committee on Licensing & Administrative Procedures

1. Identify all occupations licensed by the state to determine if they are necessary for public safety and health. Determine if any criminal penalties associated with licensure are unnecessarily punitive, recommend methods to improve reciprocity with other states, and determine if a mandatory certification program could be used in lieu of mandatory licensure.
2. Identify regulatory functions across all agencies and departments. Make recommendations for possible consolidation, and study any effort that could make processes more efficient, reduce regulatory burden, and make effective use of taxpayer funds.

3. Explore the increasing incidence of powdered alcohol, its impact on underage drinking, and regulations in other states that have appropriately addressed the various impacts of the product.
4. Examine the effect of Proposition 4 (HJR 73 (84R)) on charitable enterprises associated with professional sports teams. Review the statutory limitations to ensure that only qualified, established organizations are allowed to hold raffles authorized in the amendment and the proceeds of the raffles are used for charitable purposes.
5. Conduct legislative oversight and monitoring of the agencies and programs under the committee's jurisdiction and the implementation of relevant legislation passed or considered by the 84th Legislature. In conducting this oversight, the committee should:
 - a. consider any reforms to state agencies to make them more responsive to Texas taxpayers and citizens;
 - b. identify issues regarding the agency or its governance that may be appropriate to investigate, improve, remedy, or eliminate;
 - c. determine whether an agency is operating in a transparent and efficient manner; and
 - d. identify opportunities to streamline programs and services while maintaining the mission of the agency and its programs.



TEXAS Board of Architectural Examiners

Architects ■ Landscape Architects ■ Registered Interior Designers

Legislative Committee

Handbook for the 85th Texas Legislature | 2017

For all its enormous range of space, climate, and physical appearance, and for all the internal squabbles, contentions, and strivings, Texas has a tight cohesiveness perhaps stronger than any other section of America.

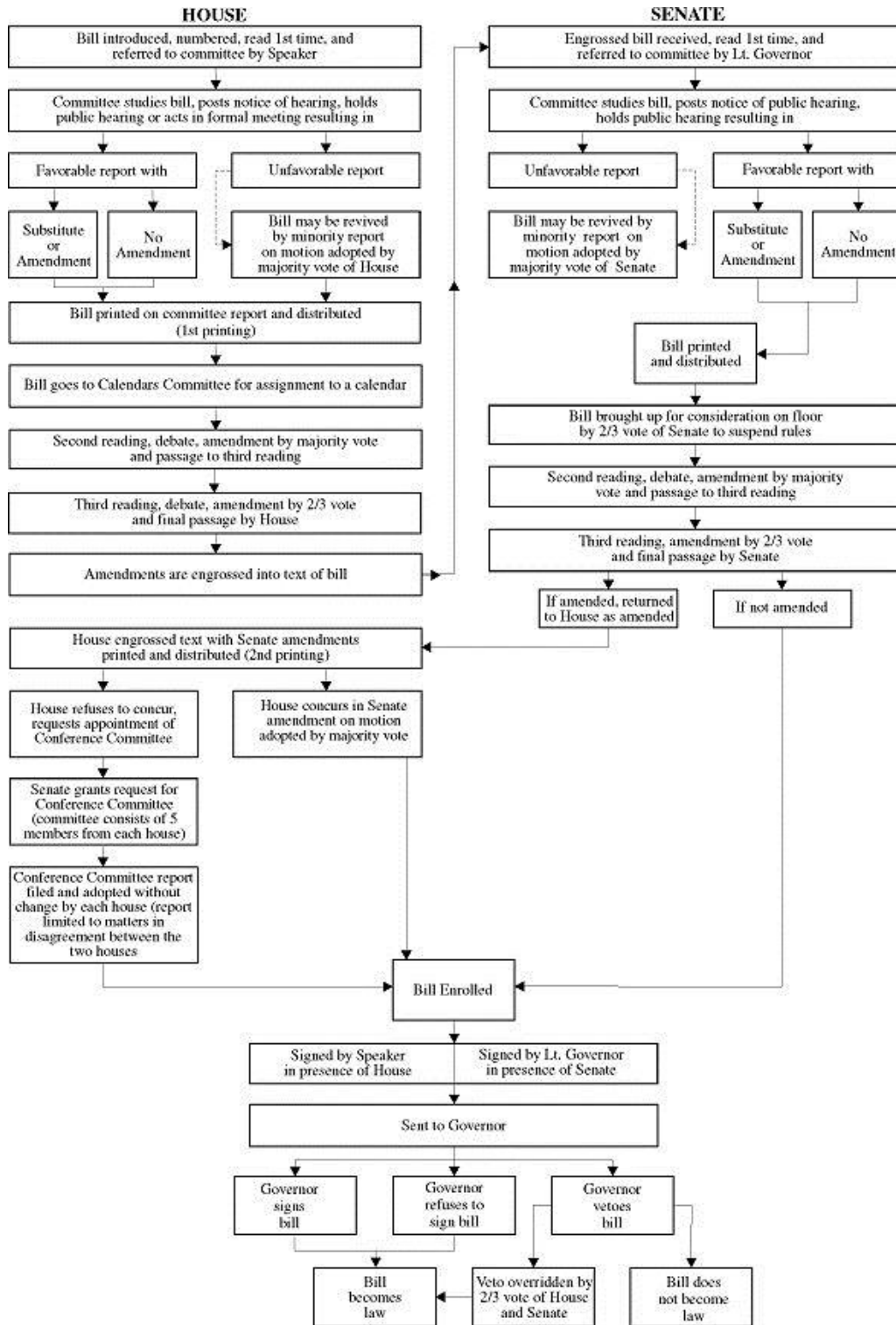
John Steinbeck

Contents

How a bill becomes law—Texas-style.....	3
Will it pass? A glance at recent legislative statistics.....	4
Texas Legislative Glossary.....	4
Committees to watch.....	15
Legislative dates of interest.....	16

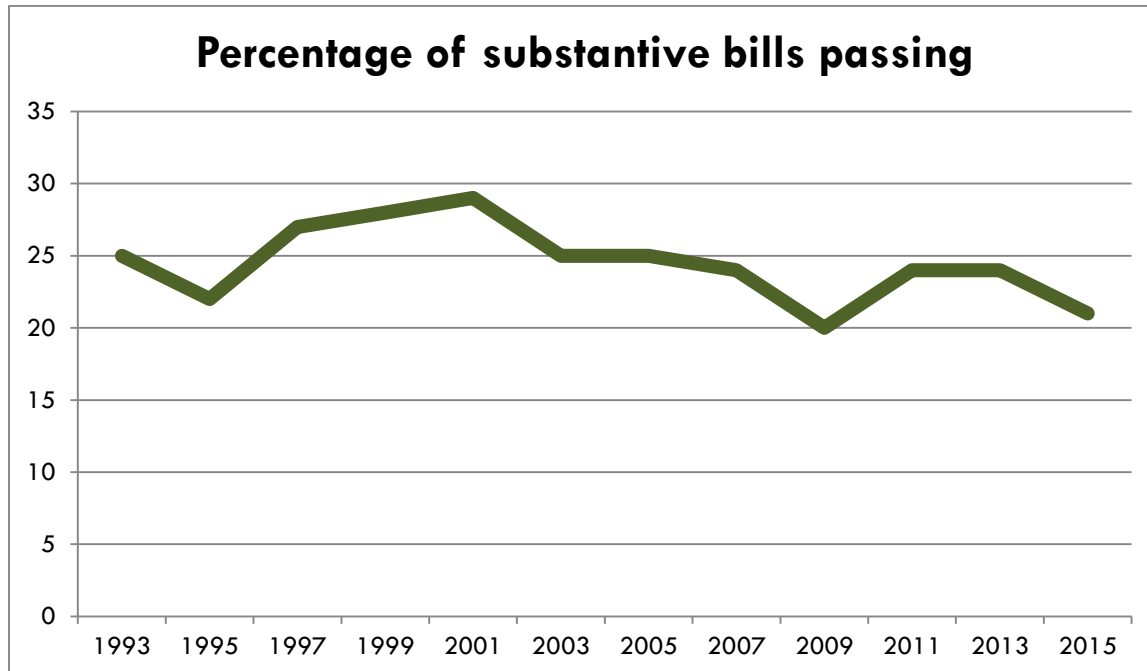
How a bill becomes law—Texas-style.

(This diagram represents a bill originating in the House; for legislation originating in the Senate, the process is substantially a mirror-image.)



Will it pass? A glance at recent legislative statistics.

Since 1993, the passage rate for substantive bills has hovered around 25 percent, dipping to 20 in 2009 and 21 last session. (Called session data are not included.)



Texas Legislative Glossary

Source: Legislative Reference Library (www.lrl.state.tx.us)

ACT—A public law enacted by the Texas Legislature. A bill that has been passed by both houses of the legislature and presented to the governor becomes law if it is signed by the governor, if it is not signed by the governor within a specified period of time, or if the governor vetoes the bill and the veto is overridden by a two-thirds vote in each house.

ACTION—A description of a step that a bill undergoes as it moves through the legislative process.

ADJOURNMENT—The termination of a meeting. Adjournment occurs at the close of each legislative day upon completion of business, with the hour and day of the next meeting set before adjournment. (See [RECESS](#).)

ADJOURNMENT SINE DIE—See [SINE DIE](#).

ADOPTION—Approval or acceptance; usually applied to amendments or resolutions.

ADVICE AND CONSENT—Procedure by which the senate gives approval or confirms appointments made by the governor to state offices.

AMENDMENT—Any proposed alteration to a bill or resolution as it moves through the legislative process. Amendments to a measure may be proposed by members in their assigned committees or by any member of a chamber during that chamber's second reading or third reading consideration of the measure.

APPORTIONMENT—The proportionate distribution of elected representation in the U.S. Congress among the states.

APPROPRIATION—An authorization by the legislature for the expenditure of money for a public purpose. In most instances, money cannot be withdrawn from the state treasury except through a specific appropriation.

AUTHOR—The legislator who files a bill and guides it through the legislative process.

BICAMERAL—Used to refer to a legislature consisting of two houses, such as the house of representatives and the senate.

BIENNIAL—Occurring every two years; a term applied to the scheduled regular session of the legislature.

BILL—A type of legislative measure that requires passage by both chambers of the legislature and action by the governor. A bill is the primary means used to create and change the laws of the state. The term "bill" also is used generically in TLIS on the legislative intranet and in TLO on the Internet to refer to the various types of legislative measures that may be introduced during a legislative session. Bill types include: senate and house bills, senate and house joint resolutions, senate and house concurrent resolutions, and senate and house resolutions.

BILL ANALYSIS—A document prepared for all bills reported out of committee that explains in nonlegal language what a bill will do. A bill analysis may include background information on the measure, a statement of purpose, and a detailed analysis of the content of the measure.

BIPARTISAN—A term used to refer to an effort endorsed by both political parties or a group composed of members of both political parties.

CALENDAR—A list of bills or resolutions that is scheduled or eligible to be taken up for consideration on a specified date by the members of a chamber.

CALENDAR DAY—A day of the year on which the legislature may be in session.

CALLED SESSION—See [SESSION](#).

CAPTION—A statement that gives the legislature and public reasonable notice of the subject of a bill or resolution. For bills and joint resolutions, the first sentence of the text that summarizes the contents of the bill or resolution. For other types of resolutions, a brief description of the contents of the resolution.

CHAIR—A legislator appointed to preside over a legislative committee. A traditional designation for the member currently presiding over a house of the legislature or one of its committees.

CHAMBER—The place in which the senate or house of representatives meets. Also a generic way to refer to a house of the legislature.

CHIEF CLERK—The chief administrative officer of the house of representatives, who supervises the legislative departments of the house. The chief clerk is the custodian of all bills and resolutions in the possession of the house and is responsible for keeping a complete record of their introduction and all subsequent house actions taken on them throughout the legislative process.

COAUTHOR—A legislator authorized by the primary author to join in the authorship of a bill or resolution. A coauthor must be a member of the chamber in which the bill was filed.

COMMITTEE—A group of legislators, appointed by the presiding officer of the house or the senate, to which proposed legislation is referred or a specific task is assigned.

COMMITTEE REPORT—The text of a bill or resolution and its required attachments that is prepared when the measure is reported from a committee for further consideration by the members of the chamber. The committee report includes the recommendations of the committee regarding action on the measure by the full house or senate and generally is necessary before a measure can proceed through the legislative process.

COMMITTEE SUBSTITUTE—A complete, new bill or resolution recommended by a committee in lieu of the original measure. A committee will report a committee substitute rather than a bill with a large number of individual amendments when the committee wishes to make a substantial number of changes to the original

measure. The committee substitute must contain the same subject matter as the original measure.

COMPANION BILL—A bill filed in one chamber that is identical or very similar to a bill filed in the opposite chamber. Companion bills are used to expedite passage as they provide a means for committee consideration of a measure to occur in both houses simultaneously. A companion bill that has passed one house then can be substituted for the companion bill in the second house.

CONCURRENCE—When the originating chamber votes to accept, or concur in, the amendments made by the opposite chamber.

CONCURRENT RESOLUTION—A type of legislative measure that requires passage by both chambers of the legislature and generally requires action by the governor. A concurrent resolution is used to convey the sentiment of the legislature and may offer a commendation, a memorial, a statement of congratulations, a welcome, or a request for action by another governmental entity. (Concurrent resolutions are used also for administrative matters that require the concurrence of both chambers such as providing for adjournment or a joint session. These types of concurrent resolutions do not require action by the governor.)

CONFERENCE COMMITTEE—A committee composed of five members from each house appointed by the respective presiding officers to resolve the differences between the house and senate versions of a measure when the originating chamber refuses to concur in the changes made by the opposite chamber. Upon reaching an agreement, the conferees issue a report that then is considered for approval by both houses.

CONFERENCE COMMITTEE REPORT—The text of a bill and its required attachments that is issued when a conference committee has completed its work in resolving the differences between the house and senate versions of a measure.

CONGRATULATORY AND MEMORIAL CALENDAR—A list of congratulatory and memorial resolutions scheduled by the House Committee on Rules and Resolutions for consideration by the house that must be distributed to the members 24 hours before the house convenes.

CONSTITUENT—A citizen residing within the district of an elected representative.

CONSTITUTIONAL AMENDMENT—A change to the state constitution. A constitutional amendment may be proposed by the legislature in the form of a

joint resolution that must be adopted by both houses of the legislature by a two-thirds vote and be approved by a majority of the voters to become effective.

CONVENE—To assemble or call to order the members of a legislative body.

COSPONSOR—A legislator who joins with the primary sponsor to guide a bill or resolution through the legislative process in the opposite chamber. A cosponsor must be a member of the opposite chamber from the one in which the bill was filed.

COUNCIL DOCUMENT NUMBER—The unique number assigned to a bill or resolution draft prepared by the Texas Legislative Council. If a filed bill or resolution has been prepared by the council, the number will appear in the lower left-hand corner of the document.

DAILY HOUSE CALENDAR—A list of new bills and resolutions scheduled by the House Committee on Calendars for consideration by the house that must be distributed to the members 36 hours before the house convenes during regular sessions and 24 hours before the house convenes during special or called sessions.

DISTRICT (representative)—A geographic division of the state made on the basis of population and in accordance with conditions dictated by state and federal law for the purpose of equitable representation of the people in a legislative or other body.

DIVISION VOTE—A vote by any method other than voice vote that will give the presiding officer an indication of the members' preference without calling the roll. Traditional methods were show of hands, standing, or moving to opposite sides of the room.

DUPLICATE BILL—A bill that is identical to a bill filed in the same chamber.

ELECTION—The process of choosing government officials by a vote of the citizens.

ENACT—To pass a law.

ENACTING CLAUSE—A clause required by the Texas Constitution to precede the body of each bill. The enacting clause follows the caption and must read as follows: "Be it enacted by the Legislature of the State of Texas:"

ENGROSSED—The stage in a bill's legislative progress when it has been passed by the chamber in which it was filed and all amendments to the bill have been

incorporated into the text of the bill, which is then forwarded to the second house for consideration.

ENROLLED—The stage in a bill's legislative progress when it has been passed by both chambers of the legislature in identical form and is prepared for signature by the presiding officers of both houses. If the bill is not passed in identical form by both houses, any changes made by the opposite chamber must be accepted by the originating chamber or a conference committee report must be adopted by both chambers before the bill may be enrolled.

EX OFFICIO—Used to refer to a member of a governmental body who holds his or her position on that body as the result of holding another governmental position.

FILED—The stage in a bill's legislative progress when it is given a bill number and introduced into the legislative process. Members of the house of representatives file bills with the chief clerk of the house. Senators file bills with the secretary of the senate.

FIRST READING—See [READING](#).

FISCAL NOTE—An estimate, prepared by the Legislative Budget Board, of the probable costs that will be incurred as an effect of a bill or joint resolution.

FISCAL YEAR—A 12-month period at the end of which accounts are reconciled. The fiscal year for state agencies in Texas begins on September 1 of each year and ends on August 31 of the following year.

FLOOR—A traditional term for the meeting chamber of either house.

FLOOR ACTION—Action taken by either house on a bill reported by a committee. Subject to rules adopted by the respective house, its members may propose amendments, enter debate, seek to promote or prevent a bill's passage, and vote on its final passage in that house.

FORMAL MEETING—A meeting of a house committee or subcommittee during which official action may be taken on any measure or matter before the committee or subcommittee.

GERRYMANDER—To divide a state, county, or other political subdivision into election districts in an unnatural manner to give a political party or ethnic group advantage over its opponents.

HOUSE OF REPRESENTATIVES—The lower house of the Texas Legislature, consisting of 150 members elected from districts of roughly equal population, all of whom are elected every two years for two-year terms.

INTENT CALENDAR—A list of bills and resolutions for which senators have filed with the secretary of the senate written notice to suspend the regular order of business for consideration. Normally, a bill may not be brought up for consideration by the full senate unless it is listed on the Intent Calendar.

INTERIM—The period between regular legislative sessions.

INTERIM COMMITTEE—A group of legislators appointed by the presiding officer of the house or senate when the legislature is not in session that studies a particular issue or group of issues for the purpose of making recommendations to the next legislature.

INTRODUCED—Used to refer to the version of a bill or resolution as it was filed in the house or the senate.

JOINT COMMITTEE—A committee composed of members from each house appointed by the respective presiding officers. Joint committees normally are created by special proclamation issued by the speaker and lieutenant governor for the purpose of studying a particular issue or group of issues when the legislature is not in session. Joint committees rarely, if ever, are created during a session, and house and senate rules do not permit bills and resolutions to be referred to a joint committee.

JOINT RESOLUTION—A type of legislative measure that requires passage by both chambers of the legislature but does not require action by the governor. A joint resolution is used to propose amendments to the Texas Constitution, to ratify amendments to the U.S. Constitution, or to request a convention to propose amendments to the U.S. Constitution. Before becoming effective, the provisions of joint resolutions proposing amendments to the Texas Constitution must be approved by the voters of Texas.

JOURNAL—The official publication that records the legislative proceedings of each chamber, including record vote information. The journal of each house is printed daily in pamphlet form and subsequently compiled and indexed for publication in bound volumes after the conclusion of a regular or special session of the legislature.

LAME DUCK—An elected official who has been defeated for re-election or who has chosen not to run for re-election but whose current term has not yet expired.

LAST ACTION—The description of the most recent step a bill has gone through in the legislative process.

LEGISLATIVE DAY—That period from convening after an adjournment until the next adjournment. The house or the senate may convene for a daily session in the morning, recess for lunch, and adjourn that same evening, completing a legislative day on the same calendar day. However, if a chamber recesses at the end of the day, that particular legislative day continues until the next time the chamber adjourns.

LEGISLATURE—The lawmaking body of the State of Texas. It consists of two chambers, the house of representatives and the senate. The Texas Legislature convenes in regular session at noon on the second Tuesday in January of each odd-numbered year for no more than 140 days.

LIST OF ITEMS ELIGIBLE FOR CONSIDERATION—Prepared by the chief clerk of the house, upon request of the speaker, when the volume of legislation warrants (normally during the last few weeks of a regular session). The list must be distributed six hours before it may be considered and contains: (1) house bills with senate amendments eligible to be considered; (2) senate bills for which the senate has requested the appointment of a conference committee; and (3) conference committee reports eligible to be considered.

LOBBY—The act of a person or group of persons (lobbyists) seeking to present their views on an issue to the members of the legislature and its committees and working for the passage or defeat of proposed legislation.

LOCAL AND UNCONTESTED CALENDAR—A list of local or noncontroversial bills scheduled by the Senate Committee on Administration for consideration by the senate that must be distributed to the senators by noon of the day preceding the day the calendar is to be considered.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR—A list of local or noncontroversial bills scheduled by the House Committee on Local and Consent Calendars for consideration by the house that must be distributed to the members 48 hours before the house convenes.

MAJORITY—A number of members that is greater than half of the total membership of a group and that has the power to make decisions binding on the whole. There are two types of majorities that may be required for legislative approval of bills and other actions—a simple majority and an absolute majority. A simple majority consists of more than half of those members present and voting. An absolute majority consists of more than half of those members entitled to vote, whether present or absent.

MOTION—A formal suggestion presented to a legislative body for action by one of its members while the body is meeting.

NONPARTISAN—Free from party domination.

OMNIBUS BILL—A bill regarding a single subject that combines many different aspects of that subject.

OVERRIDE—To set aside or annul, as to override a veto.

PAIRING—A procedure for voting whereby, under a formal agreement between two members, a member who will be present for a vote agrees with a member who will be absent for a vote that the member who is present will not vote but will be “present, not voting.” When two members are paired, the journal reflects how each member would have voted. Two members may be paired only if one would have voted “aye” and one would have voted “nay” on a particular measure or motion.

PASSAGE—Approval of a measure by the full body.

POINT OF ORDER—A motion calling attention to a breach of the procedural rules.

PREFILING—Filing of bills and other proposed legislation prior to the convening of a session of the legislature.

PRESIDENT OF THE SENATE—The presiding officer of the senate. The state constitution provides that the lieutenant governor serves as the president of the senate.

PRIVILEGE OF THE FLOOR—Permission to view the proceedings from the floor of the chamber rather than from the public gallery.

PRO TEMPORE OR PRO TEM—Temporarily; literally, for the time. The term is used particularly to apply to a temporary presiding officer of either the house or the senate.

PUBLIC HEARING—A meeting of a house or senate committee or subcommittee during which public testimony may be heard and formal action may be taken on any measure or matter before the committee or subcommittee.

QUORUM—The number of members required to conduct business. Two-thirds of the elected members constitute a quorum in each house. A majority of the

appointed members of a committee forms a quorum for the purpose of conducting committee business.

READING—The presentation of a bill before either house by the recital of the caption of the bill. The Texas Constitution requires that every bill be read in each house on three separate days. Until a bill is finally passed, it will be in the process of a first, second, or third reading. The first reading of a bill is the point in the process when the bill is referred to committee by the appropriate presiding officer. The second reading of a bill is the first point in the process when the entire membership of a chamber has the opportunity to debate the bill and amend it by majority vote. The third reading of a bill is the next point in the process when the entire membership of a chamber may debate a bill and the final opportunity the members of a chamber have to offer amendments to the bill.

RECESS—A temporary termination of a meeting. Recesses are called for short breaks (e.g., for lunch or dinner) or occasionally at the close of a daily session to allow the legislative day to continue into the next calendar day. (See [ADJOURNMENT](#).)

RECONSIDERATION—A procedure by which the house, senate, or one of its committees may, after approval by majority vote, repeat the vote on an action previously taken to either annul or reaffirm the action.

RECORD VOTE—A listing of the individual vote of each member of a committee or the full house or senate on a particular motion or measure.

REDISTRICTING—A geographical division of the state into congressional, state representative, senatorial, or other legislative districts on the basis of the relative distribution of the state's total population. District boundaries are redrawn every 10 years following the publication of the U.S. census to ensure an appropriate number of districts of approximately equal population.

REGULAR SESSION—See [SESSION](#).

RESOLUTION—A formal expression of opinion or decision, other than a proposed law, that may be offered for approval to one or both houses of the legislature by a member of the house or senate.

SECOND READING—See [READING](#).

SECRETARY OF THE SENATE—The chief administrative officer of the senate, responsible for the day-to-day operations of the senate and its departments.

SENATE—The upper house of the Texas Legislature, consisting of 31 members elected from districts of roughly equal population, one-half of whom are elected every two years for four-year terms.

SENATE AGENDA—The document prepared daily for the senators and the public that contains the following information: (1) the Intent Calendar; (2) a list of senate bills returned from the house with amendments; (3) the status of bills in conference committee; (4) the Local and Uncontested Calendar; (5) gubernatorial appointments reported favorably from the Committee on Nominations and awaiting confirmation by the senate; (6) committee hearings scheduled, with a list of measures to be considered by the committees; (7) the regular order of business, listing bills that have been reported favorably from committee; (8) miscellaneous announcements; (9) senate floor action from the previous day; (10) senate committee action from the previous day; and (11) morning call items of business.

SERGEANT-AT-ARMS—An officer of the house or senate charged with maintaining order and carrying out the directives of the presiding officers and the members.

SESSION—The period during which the legislature meets. There are two types of sessions. The regular session convenes every two years and may last no more than 140 days. A called session, commonly referred to as a special session, is so designated because it must be called by the governor. A called or special session may last no more than 30 days.

SINE DIE—Literally, "without day." The term is used to signify the final adjournment of a session of a legislative body. The body adjourns sine die when it adjourns without appointing a day on which to appear or assemble again.

SIMPLE RESOLUTION—The type of legislative measure that is considered only within the chamber in which it is filed. It can offer a commendation, a memorial, a statement of congratulations, a welcome, or another statement of legislative sentiment.

SPEAKER OF THE HOUSE—The presiding officer of the house of representatives elected from and by the membership of the house at the beginning of each regular session.

SPECIAL SESSION—See SESSION.

SPONSOR—The legislator who guides the bill through the legislative process after the bill has passed the originating chamber. The sponsor must be a member of the opposite chamber of the one in which the bill was filed.

STANDING COMMITTEE—A committee created in the rules of either house that meets during the legislative session or an interim to consider and report on measures referred or tasks assigned to it by the respective presiding officers.

SUBCOMMITTEE—A group of committee members, appointed by the chair of a committee of the house or the senate, to which proposed legislation is referred or a specific task is assigned.

SUPPLEMENTAL HOUSE CALENDAR—The primary agenda followed by the house during its deliberations. It is prepared by the House Committee on Calendars and is required to be distributed two hours before the house convenes. The Supplemental House Calendar contains: (1) measures passed to third reading on the previous day; (2) measures on the Daily House Calendar for a previous day that were not reached for consideration; (3) measures on the Daily House Calendar for the current day; and (4) postponed business from a previous day.

THIRD READING—See [READING](#).

VETO—The rejection of an enrolled bill by the governor.

VOICE VOTE—A vote during which the presiding officer will request the members who are voting in favor of a measure or motion to respond collectively by saying “aye” and those who are voting against the measure or motion to respond collectively by saying “nay.”

WORK SESSION—A meeting of a house committee or subcommittee during which the members may only discuss measures or matters before the committee or subcommittee. Public testimony cannot be heard and formal action cannot be taken during a work session.

Committees to watch.

House Committees:

- Government Transparency and Operation
- Licensing and Administrative Procedures
- Appropriations

Senate Committees:

- Business and Commerce
- Finance

Legislative dates of interest.

(You might consider adding these to your calendar.)

January 10	First day of the 85 th Texas Legislature
March 10	60 th day; bill-filing deadline (with some exceptions)
May 29	Sine die
June 18	Gubernatorial veto deadline