

By: Swanson

H.J.R. No. 88

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature
2 to provide for legislative review or approval of state agency
3 rules.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article II, Texas Constitution, is amended by
6 adding Section 2 to read as follows:

7 Sec. 2. (a) The legislature by general law may provide for
8 legislative review or approval of rules adopted by agencies in the
9 executive department.

10 (b) The law may:

11 (1) prescribe procedures regarding rules;

12 (2) prescribe conditions for rules to take effect;

13 (3) provide for suspension, repeal, or expiration of
14 rules; or

15 (4) delegate powers to either legislative house,
16 including committees in those houses.

17 (c) A general law enacted under this section must provide
18 that only an elected member of the legislature may participate in
19 the approval of rules adopted by agencies in the executive
20 department.

21 SECTION 2. This proposed constitutional amendment shall be
22 submitted to the voters at an election to be held November 5, 2019.
23 The ballot shall be printed to permit voting for or against the
24 proposition: "The constitutional amendment authorizing the

1 legislature to provide for legislative review or approval of state
2 agency rules."