**Committee Proceedings**

The proceedings of joint committees created by proclamation are subject to the provisions of S.C.R. 9. Those resolutions confer all powers and duties provided generally to senate and house select committees under [Subchapter B, Chapter 301, Government Code](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.301.htm#301.011), and the senate and house rules of procedure, unless the proclamation creating the joint committee modifies the committee’s powers and duties. Like all other legislative committees, a joint committee is also subject to the public information law ([Chapter 552, Government Code](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.552.htm)) and certain other state laws.

The chair, or the co-chairs acting by mutual agreement, has authority under S.C.R. 11 to create and appoint subcommittees or advisory panels. Advance approval of the lieutenant governor and speaker is required for subcommittees or panels containing members who are not also members of the full committee.

It is the responsibility of the chair or co-chairs of the committee to determine procedural matters such as who has final approval of the notice of a meeting, and who on the committee’s staff will serve as committee clerk and handle the posting of notice and other duties of the clerk. This individual must have access to the committee system of the senate or house in order to post notice, file committee minutes, and perform other tasks. In most cases, the posting is done using the senate system. Two copies of each posting go to the [Legislative Reference Library](http://www.lrl.texas.gov/) on completion.

**Rules of Procedure.** House and senate rules for committee procedures are similar, but not identical. S.C.R. 11 leaves the adoption of joint committee rules to the discretion of the committee, with exceptions as discussed below.

Committee members and staff may consult with the senate and house parliamentarians if procedural questions arise. The chair or co-chairs of a committee, including a citizen member, may wish to do so at the outset of the committee’s formation.

**Appointment of Subcommittees or Affiliated Advisory Panels.** The joint committee chair, or the co-chairs acting by mutual agreement, has authority to create subcommittees or affiliated advisory panels and to designate chairs for each. Advance approval of the presiding officers of the senate and house is required for the appointment of subcommittees or panels with members who are external to the committee.

**Meetings and Hearings**

**Open Meetings.** All meetings of a joint committee must be open to the public in accordance with the rules of the two houses of the legislature. S.C.R. 11 makes no specific mention of the procedures to be used by a joint committee when conducting a meeting.

Rule 4, Section 12, House Rules, states the general rule that almost all house committee meetings are open. That rule provides:

All meetings of a committee or subcommittee, including a calendars committee, shall be open to other members, the press, and the public unless specifically provided otherwise by resolution adopted by the house. . . .

Rule 4, Section 12, House Rules, also sets out a narrow set of circumstances in which a house committee may conduct a meeting in executive session. While the senate rules contain no provision that is precisely parallel to Rule 4, Section 12, House Rules, it may be assumed that meetings will be open to the public except where those rules authorize an executive session. For example, Senate Rule 11.10 expressly requires that each committee give a public, 24-hour notice of the time and place of a meeting, while Senate Rule 11.07 requires the adoption of committee rules providing for news coverage of all meetings. Senate Rule 11.11 further requires that all meetings be recorded and available to the public.

A joint committee that desires to conduct a closed meeting or a meeting in executive session should consult with the senate and house parliamentarians and legal counsel.

**Posting of Notice.** Notice of a legislative committee meeting is given in the manner provided by the house or senate rules (see [Section 551.046, Government Code](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.551.htm#551.046)). S.C.R. 11 adopts a joint rule of the senate and house requiring that notice of joint committee hearings or meetings be posted publicly at least five calendar days in advance. According to that rule, notice is to be posted at the locations specified by the senate and house rules of procedure for posting of notice of standing committee meetings. Notice for subcommittee and advisory panel meetings is to be posted in the same manner as for committee meetings. Consult with the committee coordinators of the senate and house.

Although publication of committee meeting notices in the Texas Register is not required, committees may wish to make arrangements with the office of the secretary of state ((512) 463-5561) for publication of notice of meetings outside of Austin.

**Meeting Sites in Austin.** Senate and house meeting rooms with various seating capacities for committee members and an audience are available for committee use in the Capitol, Capitol Extension, and John H. Reagan (JHR) Building. Available rooms can be scheduled without charge to the committee by contacting the senate or house committee coordinator. For special equipment needs, the senate or house committee coordinator should be notified well in advance of the meeting.

Joint committees have the same access and privileges to senate and house meeting rooms as senate and house standing or select committees, except during legislative sessions.

Meeting rooms are usually unlocked for committee members and staff before their arrival. If doors are locked or if the temperature of the room is uncomfortable, committee members should contact the house or senate committee coordinator.

*Food and Beverage Restrictions.* When scheduling a meeting room, a committee should check with the committee coordinator from the appropriate house for any applicable food or beverage restrictions. For house meeting rooms, committee members may order coffee, cream, and sweetener from House Special Services and must pay for those items from personal funds. For senate meeting rooms, the senate committee coordinator will arrange for coffee, cream, sweetener, and water.

*Assistance Services.* The senate or house committee coordinator will contact an outside resource to arrange for sign language interpreting services, the cost of which will be paid from the joint committee budget. All meeting rooms in the Capitol, Capitol Extension, and JHR Building meet the standards established by the federal Americans with Disabilities Act, and committees are encouraged to contact the senate or house committee coordinator at least 72 hours in advance if they have questions about available accommodations or if they need to arrange for a sign language interpreter.

Personal assistive listening devices are available for public use in the senate chamber and senate committee hearing rooms. The listening devices may be obtained from the secretary of the senate’s office, Room 2E.22, Capitol Building. For more information about obtaining a listening device, contact the senate committee coordinator.

**Meeting Sites Outside Austin.** To identify meeting sites outside Austin, a committee is advised to solicit assistance from local legislators, especially those who serve on the committee, or to obtain from the senate committee coordinator a list of preferred meeting sites that accommodate sound system, recording, and other needs of committee meetings without cost to the committee. When necessary to meet sound system needs and comply with audio recording requirements, a committee may, if funds are available in its budget, rent a meeting site. Read about Special Outlays in the Administrative Support section for information about paying for a meeting site.

**Electronic Recording.** Senate rules require audio recording and, when available, audiovisual recording of all meetings, while house rules require audio recordings of any testimony. Committees are responsible for providing recording supplies for all meetings. These may be obtained, in the same manner as routine office supplies, from the Texas Legislative Council supply room, and will be charged against the joint committee budget.

*Senate Hearing Rooms.* Senate Media Services will provide recording supplies for hearings that take place in a senate hearing room. Should an office in the house of representatives or a state agency need copies of the recorded proceedings, a representative of the office or agency may contact Senate Staff Services at the conclusion of the hearing. A fee of $5 per audio recording will be assessed.

Committee meeting rooms in the Capitol, Capitol Extension, and JHR Building are fully equipped for sound and recording. After reserving a senate hearing room, a committee representative should contact the senate committee coordinator for special equipment needs. The coordinator will arrange with Senate Media Services to record and monitor the meeting electronically, operate the sound system, and set up requested special equipment. The senate committee coordinator or Senate Media Services should be contacted if sound levels during the meeting are inadequate.

*House Meeting Rooms.* Committees using house meeting rooms are responsible for their own audio recording. Committee staff should obtain advance instructions from the house committee coordinator in using house recording and sound systems. The house committee coordinator or House Video/Audio Services may be contacted regarding problems with audio recording or sound. For special equipment needs, the house committee coordinator should be notified well in advance.

*Outside Austin.* A committee must make arrangements for audio recording, sound, and technical needs at meetings outside Austin. See the Meeting Sites Outside Austin portion of this section for more information.

After recording or assisting in the recording of meetings, legislative staff should return the recordings to Senate Staff Services or House Video/Audio Services.

*Public Recording and Access to Committee Recordings.* Taping may be allowed at the discretion of the chair.

The public is frequently interested in committee recordings of meetings or testimony. A committee that receives a request to listen to a recording of a meeting may arrange with House Video/Audio Services or Senate Staff Services to provide that opportunity. Either of those offices can also duplicate recordings on request for a charge of $5 for each tape or CD-R.

**Minutes.** Senate and house rules require minutes of all meetings. Minutes should be prepared in the manner requested by the chair or co-chairs. House rules prescribe some matters of form, but senate rules do not. Three copies of the minutes go to the Legislative Reference Library, which is the official custodian for joint committee minutes. If the minutes reflect receipt of a gift, grant, or donation, a fourth copy goes to the Texas Legislative Council’s accounting office.

**Testimony.** An open meeting is open to public attendance but not necessarily to public testimony. If a committee allows public testimony, it may not discriminate unreasonably between witnesses or prospective witnesses. Within such parameters, the chair may set constraints on the number, length, and frequency of witness presentations.

*Witness Affirmation Form.* Senate and house rules of procedure require that witnesses before legislative committees take an oath or file a sworn statement. Joint committees may satisfy the requirement by oral or written means, or both. Joint committees should use a witness affirmation form that allows for witness sign-in and simultaneously satisfies the oath requirement. Copies of a witness affirmation form may be obtained from the council by e-mailing a request to [house.documentdistribution@tlc.texas.gov.](mailto:house.documentdistribution@tlc.texas.gov.) Similar forms are available from the senate or house committee coordinator.

*Committee Subpoena Powers.* S.C.R. 11 provides that a joint committee, by two-thirds record vote of members present and voting, a quorum being present, may issue process to compel the attendance of witnesses or to gain access to specified books, records, or documents. Committee subpoena powers are outlined in [Sections 301.024–301.027, Government Code](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.301.htm#301.024). The Texas Legislative Council’s legal division can assist in preparing the necessary legal papers and may, in addition to senate, house, or joint committee legal counsel, be consulted on any matters relating to committee subpoenas.

*Written Testimony.* Many witnesses submit written copies of their testimony or other material to support their presentations. Retention of written copies of testimony or other supporting materials is not required by house or senate rules or by the concurrent resolution authorizing the appointment of joint committees. A joint committee, on compiling written submissions from a meeting, may choose to forward an assembled copy of the submissions to the Legislative Reference Library. Published material may be omitted at the committee’s discretion.

**Final Committee Report**

The final report of a joint committee must be approved by a majority of the voting membership of the committee. Dissenting voting members may attach statements to the report, subject to any limitations specified in rules adopted by the committee. Table 2 lists previous legislative committee reports that serve as potential models for the inclusion of dissenting statements.

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| --- | --- | --- |
| **Table 2**  **Examples of Dissenting Statements** | | |
| **Committee Report (Year)** | **Link to Legislative Reference Library PDF** | **Page** |
| Joint Interim Committee to Study TRS Health Benefit Plans, Interim Report, 84th (2016) | <http://www.lrl.state.tx.us/scanned/interim/84/T22.pdf> | 5 |
| Joint Committee to Study Public School Finance System, Interim Report, 82nd (2012) | <http://www.lrl.state.tx.us/scanned/interim/82/P96sf.pdf> | 17 |
| Joint Private Activity Bonds, Interim Report, 77th (2001) | <http://www.lrl.state.tx.us/scanned/interim/77/p939.pdf> | 4-7 |
| **Examples of Partial Dissent (signed with reservations)** | | |
| **Committee Report (Year)** | **Link to Legislative Reference Library PDF** | **Page** |
| Joint Review the Texas Lottery and Texas Lottery Commission, Interim Report, 83rd (2013) | <http://www.lrl.state.tx.us/scanned/interim/83/L917.pdf> | 3 |
| Joint Medicaid Reform Waiver, Legislative Oversight, Interim Report, 82nd (2011) | <http://www.lrl.state.tx.us/scanned/interim/82/M498.pdf> | 10 |

**Required Copies.** The number of final report copies is limited by the committee’s budget. From the total number of copies printed, four copies by law must be deposited with the State Publications Depository Program of the [Texas State Library and Archives Commission](https://www.tsl.texas.gov/). In addition, a joint committee should reserve three copies each for the Legislative Reference Library, the lieutenant governor, the speaker, and the governor. If the council prints the report, the council’s house document distribution office will handle all required distribution, including deposit with the State Publications Depository Program. If the report is printed elsewhere, the committee chair or co-chairs are responsible for distribution.

**Distribution and Availability of the Report.** When the Texas Legislative Council prints a joint committee report, it will provide an electronic copy to the Legislative Reference Library and the State Publications Depository Program of the Texas State Library and Archives Commission; a committee that prints its report outside the council should arrange for the libraries to have an electronic copy. The Legislative Reference Library will post the committee report on its website. The committee chair or co-chairs will be the custodians of hard copies of the report and may distribute copies, but may not charge for the copies they distribute. Sales of hard copies, if any, must be channeled through the Texas Legislative Council. The sales price shall be set by the council, and proceeds shall be returned to the council’s interim committee funds for reappropriation or other disposition by the 86th Legislature.

Read about Printing of Final Report in the Administrative Support section for information on printing options.

**Disposition of Committee Records**

The Legislative Reference Library is the official depository for joint committee documents, including minutes, witness affirmation forms and witness lists, written testimony, and transcripts. Committee correspondence remains with the chair or co-chairs, and audio and video recordings are retained by the recording entity, Senate Staff Services or House Video/Audio Services.

**Expiration of Committee**

A joint committee created under S.C.R. 11 expires on the day that the next legislature convenes, or an earlier date specified in the proclamation creating the committee.