

OUR TEXAS CONSTITUTION

★ A STUDENT'S GUIDE TO YOUR STATE CONSTITUTION



Our Texas Constitution - A Student's Guide to Your State Constitution

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GEOGRAPHY AND MAP EXERCISE

1. Circle the highest point in Texas. What is the elevation? _____
2. On the map, identify the Colorado River (with a "C"), the Rio Grande River (with an "R") and the Padre Island National Seashore (with a "P.") _____
3. Identify the five largest cities in Texas by placing the number **1-5** on the cities location.
4. Name the three adjacent states that are east of Texas. _____
5. On the map, identify the location of your hometown and indicate the spot with a star.
6. Name two Texas cities that are on the *Gulf of Mexico* coast. _____
7. Name two Texas cities that are on the border of Mexico. _____
8. What city hosts the state capital? _____

For an overview of the Texas Constitution and use as an index to the state constitution, a summary is presented here. You will find additional details for many of these sections in the upcoming pages of this worktext. The entire state constitution is also available on the Texas Legislative Council website at www.tlc.texas.gov.

Outline of Texas Constitution

Preamble: “Humbly invoking the blessings of Almighty God, the people of the State of Texas, do ordain and establish this Constitution.”

Article 1 Bill of Rights

Section

- 1 Freedom and sovereignty of state
 - 2 Inherent political power, republican form of government
 - 3 Equal rights
 - 4 Religious tests
 - 5 Witnesses not disqualified by religious beliefs; oaths and affirmations
 - 6 Freedom of worship
 - 7 Appropriations for sectarian purposes
 - 8 Freedom of speech and press; libel
 - 9 Searches and seizures
 - 10 Rights of accused in criminal prosecutions
 - 11 Bail; multiple convictions, denial of bail
 - 12 Habeas corpus
 - 13 Excessive bail or fines; cruel and unusual punishment; remedy by due course of law
 - 14 Double jeopardy
 - 15 Rights of trial by jury; commitment of persons of unsound mind
 - 16 Bills of attainder; ex post facto or retroactive laws; impairing obligation of contracts
 - 17 Taking, damaging, or destroying property for public use; special privileges and immunities
 - 18 Imprisonment for debt
 - 19 Deprivation of life, liberty, etc; due course of law
 - 20 Outlawry or transportation for offense
 - 21 Corruption of blood; forfeiture, suicides
 - 22 Treason
 - 23 Right to keep and bear arms
 - 24 Military subordinate to civil authority
 - 25 Quartering soldiers in houses
 - 26 Perpetuities and monopolies; primogeniture or entailments
 - 27 Right of assembly; petition for redress of grievances
 - 28 Suspension of laws
 - 29 Provisions of Bill of Rights excepted from powers of government; to forever remain inviolate
 - 30 Rights of crime victims
 - 31 Compensation to victims of a crime
 - 32 Marriage definition
 - 33 Public access and use of public beaches
 - 34 Right to hunt, fish, and harvest wildlife
- Article 2 The Powers of Government
 Article 3 Legislative Department
 Article 4 Executive Department

- Article 5 Judicial Department
 Article 6 Suffrage
 Article 7 Education
 Article 8 Taxation and Revenue
 Article 9 Counties
 Article 10 Railroads
 Article 11 Municipal Corporations
 Article 12 Private Corporations
 Article 13 Spanish and Mexican Land Titles (Repealed in full, August 5, 1969)
 Article 14 Public Lands and Land Office
 Article 15 Impeachment
 Article 16 General Provisions
 Article 17 Mode of Amending the Constitution

Amending the State Constitution

Because of the Texas Constitution’s specific and restrictive language, it has been necessary to change or amend often. To amend the Constitution, two-thirds of each of the Legislature members must approve a proposed amendment. If this is done, the approved amendment must be submitted to the voters and receive a majority of the votes cast in a statewide election. The constitutional amendments that are approved are incorporated in the Constitution as soon as possible. The process of amending the state Constitution is covered in Article 17.

QUESTIONS

WHICH ARTICLE? In which article of the state constitution would you find information on the following? (Give section number when possible.)

1. Schools _____
2. Rights of individuals _____
3. The governor _____
4. Jury trial _____
5. Religious freedom _____
6. The judicial system _____
7. Revising the Constitution _____
8. The lawmaking process _____
9. Taxes _____
10. Removal of officials from office _____

TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ____ 1. Voters must approve changes in the state Constitution.
- ____ 2. Providing an educational system is the duty of state government.
- ____ 3. Both the United States Constitution and Texas Constitution guarantee the right of freedom of speech.
- ____ 4. The governor or lieutenant governor may change the state constitution.

“The Legislative power of this State shall be vested in a Senate and House of Representatives, which together shall be styled “The Legislature of the State of Texas.” –Texas Constitution, Article 3

The purpose of the legislative branch is to make the laws. Texas’ legislative branch is called the Legislature and consists of the Senate and the House of Representatives. Please remember that the Legislature is responsible for lawmaking on a state-wide basis in Texas, while the United States Congress in Washington, D.C., is responsible for national issues and laws. In other states, it is common to call the House and Senate the *General Assembly*.

Each Texas Legislature meets biennially (every other year) in odd-numbered years, starting the second Tuesday in January and lasting for a maximum of 140 calendar days. The governor may call extra sessions, but they may last only 30 days.

Besides making laws, the Legislature conducts investigations, submits constitutional amendments to the people, acts on proposed amendments to the federal Constitution, and helps plan reapportionment. Overall, the duties of each body are similar to those of the Federal Congress.

Each new Legislature receives a new number. The Legislature that began its term in 2019 was Texas’ 86th, the Legislature that will begin its term in 2021 will be Texas’ 87th Legislature, and so on.

Salary and Qualifications

Members of the Legislature are elected by the people and may be reelected. They receive an annual salary of \$7,200, plus \$221 per day expenses. As established by the Texas Constitution, both a senator and representative must meet specific qualifications. All members must be a citizen of the United States and a qualified voter of the state. A senator must be 26 years of age, a resident of the state for five years, and a resident of



Home to the Texas State Legislature since 1887, it is the symbolic heart of a Capitol that governs the state and its citizens. Its 310-foot high dome is topped with the Goddess of Liberty statue.

the district they will represent for at least one year before the election. A representative must be 21 years of age, a resident of the state for two years before the election, and a resident of the district they will represent for at least one year prior to the election.

A *quorum* in each house is set as a majority of its members. Each house determines its own rules of procedure. Each house may punish individuals for contempt or disorderly behavior, although no member may be expelled except by a two-thirds vote.

Districts

All members of the Legislature are elected from legislative districts. A district is determined by population rather than land area. In Texas, there are 31 *senatorial districts*. (These are also known as *legislative* or *geographical districts*.) There is one senator elected from each of these senatorial districts. There are also 150 state House districts with one elected representative. So there are 31 state senators and 150 state representatives. Senatorial districts are numbered from 1 to 31, while representative districts are numbered from 1 to 150. Find out what district you live in and which officials represent you.

Special Duties of the Legislature

Besides making the laws, the Legislature conducts investigations, submits constitutional amendments to the people, acts on amendments to the federal Constitution, and helps plan *redistricting* every ten years.

Redistricting is the process by which new congressional and state legislative district boundaries are drawn. Each of Texas’ 36 United States Representatives and 181 state legislators are elected from political divisions called *districts*. District lines are redrawn every ten years following completion of the United States Census. After these population changes are published, the districts are changed to correspond with the census results. Changing a district’s size and shape is known as *reapportionment*.

Besides its regular lawmaking duties, the Texas Senate tries impeachments made by the House of Representatives and can convict impeached officers by a majority vote. The Senate may not impose any punishment on an impeached and convicted officeholder other than removal from office.

The Senate must also approve many of the appointments made by the governor.

continued

“Bills may originate in either House, and, when passed by such House, may be amended, altered or rejected by the other.” — Texas Constitution, Article 3, Section 31.

Lawmaking in Texas is, in many ways, similar to lawmaking at the federal level. The Texas Legislature houses are patterned after the U.S. Congress and have many of the same duties. The lawmaking process is governed by the Texas Constitution and rules adopted by each house.

A bill may start in either House of the Legislature. The bill is the only means by which laws may be enacted, amended, or repealed. A bill becomes a law after it passes each house of the Legislature by a majority vote and receives the governor’s approval. If the governor does not act on the bill within ten days after receiving it, and the Legislature is still in session, the bill will become law even without the governor’s signature. However, if the bill is passed within the last ten days of a session, the governor has 20 days after the session to sign or veto the bill. If the governor vetoes a bill, the Legislature may pass the bill by a two-thirds vote in each house.

If a bill becomes a law, it is sent to the secretary of state. A notice is printed in the newspaper advising the people of the new law. The bill is now known as an act. The “death rate” for bills is high. Of the thousands of bills that are introduced each year, less than 10 percent become law.

Committees

Both houses of the Legislature are organized into committees to help conduct business efficiently. There are standing committees that deal with ongoing subjects, such as education, public health, energy, agriculture, and labor. Some of these may meet in joint committees, made up of members of each house. The leader of each house may call a special committee to address a short-term bill. If a bill cannot be agreed on by both houses, it may be sent to a conference committee, where the differences may be resolved. And finally, an ad hoc task force may be appointed for a specific purpose. Legislators would be overwhelmed by the thousands of bills introduced each year if it were not for the committee system.

Representatives and Restrictions

Selection of officers in the federal government often gets more publicity and voter participation than does the selection of state officers. This is unfortunate since many important state matters are close to our homes and jobs. These matters require talented and honest officials. The citizens of any state would do well to increase their interest in their state government.

While our legislators are making laws, they are free from arrest, except in special cases, and cannot be prosecuted for their speeches in the General Assembly.

On the other hand, they have some restrictions:

- They cannot receive an appointment to any other public office.
- They must abide by legislative conduct and ethics rules.
- They cannot have a conflict of interest in regards to business dealings with the state of Texas.

Lobbies in Texas

Also found in Austin during every session of the Legislature are lobbies. These organized groups seek to influence lawmakers. Most of these lobbies operate legally under the laws controlling them, and some of them do a service of informing our lawmakers. However, some instances where these lobbies exert too much influence and other citizens’ views are overlooked.

These lobbyists represent a general business (such as manufacturers and retailers), professional sports teams, health care facilities and practitioners, labor unions, and electric utilities, to name a few.

QUESTIONS

1. What are lobbies? _____

2. Give an example of a lobbying group. _____

TRUE OR FALSE? Write a **T** or **F** in the space provided.

- _____ 1. The Texas Constitution determines the procedures for passing laws in the state.
- _____ 2. Bills may start in either house.
- _____ 3. A bill must follow the same basic process in each house.
- _____ 4. If the governor’s veto is overturned by a two-thirds vote in each house, the bill will become law.
- _____ 5. Committees are only used for appropriation bills.
- _____ 6. A bill is read three times in each house.
- _____ 7. Most bills introduced into the Legislature are passed.
- _____ 8. The Texas Legislature and the federal Congress have similar duties.
- _____ 9. Lobbies are illegal in Texas.
- _____ 10. If the governor doesn’t act on a bill within 90 days, it automatically becomes a law.

DEFINE

1. bill _____
2. adjourn _____
3. legislation _____

“The Executive Department shall consist of a Governor, who shall be the Chief Executive Officer of the State, a Lieutenant Governor, Secretary of State, Comptroller of Public Accounts, Commissioner of the General Land Office, and Attorney General.” — Texas Constitution, Article 4, Section 1

The Governor

The executive branch of Texas’ government enforces and administers the law. The governor is the most important officer in the executive branch.

The Texas Constitution states the governor must be a citizen of the United States, be a qualified voter of the state, have lived in Texas for at least five years prior to the election, and be at least 30 years of age. The governor serves a term of four years and may be re-elected any number of times. This position receives an annual salary of \$153,750. If the governor cannot complete a term, the lieutenant governor becomes governor. If the lieutenant governor is unable to serve, the secretary of state assumes the office. The next in line to take office would be the attorney general.

Besides enforcing and administering the law, the governor also has the important duty of vetoing or approving bills passed by the Legislature. The governor of Texas has many other important duties:

- The governor appoints many members of the state government. Some appointments require approval by the Senate. The governor may also remove any of these officials he/she feels is incompetent.
- The governor may grant pardons, commutations, and reprieves, as deemed proper.
- The governor must approve the spending of all federal aid grants, state land purchases, and construction of highways and airports.
- The governor represents the state in interstate relations and at national meetings.
- The governor must spend a great deal of time explaining the goals of the administration to citizens.
- In addition to having the power to veto legislation, the governor influences the lawmaking process by submitting the state budget to the Legislature.
- The governor may call special sessions of the Legislature.
- The governor addresses the Legislature in a State of the State message and other special messages on urgent or desirable legislation topics.
- The governor is commander-in-chief of the state militia.
- The governor must call for a special election to fill a vacancy in the Senate or House of Representatives.

Republican Greg Abbott won a second term with a win in the November 2018 General Election.



Veto

The governor may take action on bills with the following veto power:

1. The *regular veto* in which the whole bill is rejected, much like the veto of the president.
2. The *item or reduction veto*. This is for appropriation or money bills and means that the governor may approve only some parts of a bill while rejecting others.

The governor’s office is similar in some ways to the Office of the President of the United States. However, there are some differences. Some of the most important differences are the lack of foreign affairs and national defense in the responsibilities of the governor. We might also assume that the governor has a somewhat less demanding job.

Texas has had many famous and talented governors and public officials. George W. Bush is just one example. The lives of these people make an interesting and worthwhile study. Your local or school library should contain some interesting material on the lives of some of Texas’ chief executives and officials.

QUESTIONS

1. What are the qualifications for governor? _____

2. What is the order of succession to the office of governor? _____

TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ___ 1. The Legislature cannot be called into special session.
- ___ 2. The governor may remove any officer he or she has appointed.
- ___ 3. The governor has the job of enforcing the law.
- ___ 4. The governor is the commander-in-chief of the state militia.
- ___ 5. The governor may serve only one term.
- ___ 6. The governor is in charge of foreign affairs.
- ___ 7. The governor cannot grant pardons.
- ___ 8. The governor’s term of office is four years.
- ___ 9. The governor may veto a bill.
- ___ 10. The governor must be 35 years old or older.

DEFINE

1. pardons _____
2. reprieves _____
3. vacancy _____

“The judicial power of this State shall be vested in one Supreme Court, in one Court of Criminal Appeals, in Courts of Appeals, in District Courts, in County Courts, ...and in such other courts as may be provided by law.”

— Texas Constitution, Article 5

The judicial branch of government in Texas administers justice and interprets the laws. These state courts are the workhorses of the American legal system. Each court has specific responsibilities and restrictions on legal matters. The state has a dual court system. There is a civil court system for dealing with individuals’ relationships and a criminal court system for dealing with violations of the public order. All cases, whether civil or criminal, may begin in the trial court.

The Supreme Court of Texas

The Supreme Court is the highest civil court. It consists of nine members, with one of the nine being the chief justice. Each member is elected to a staggered six-year term by the people of Texas. These justices have statewide final appellate jurisdiction in all civil and juvenile cases. Most of the cases heard by this court are appeals from the lower court of appeals. However, not all appeals will be heard by the Supreme Court. Only cases presenting the most significant Texas legal issues are decided. The Supreme Court will handle more than 3,000 appeals and other legal matters in a typical year. This court is also responsible for the operations and procedures of the lower courts.

Court of Criminal Appeals

The Court of Criminal Appeals is the highest state court for appeals resulting from criminal cases. Like the Supreme Court, it has nine judges (one is the presiding judge) elected to six-year terms.

Texas Court of Appeals

The 14 *Courts of Appeals* have jurisdiction in both civil and criminal cases appealed from district or county courts. Each of the 14 courts covers a specific region of the state. The court is presided over by a chief justice and at least two other justices (there must be at least three and no more than 13). There are currently 80 judges that sit on these courts, serving six-year terms.

Texas District Courts

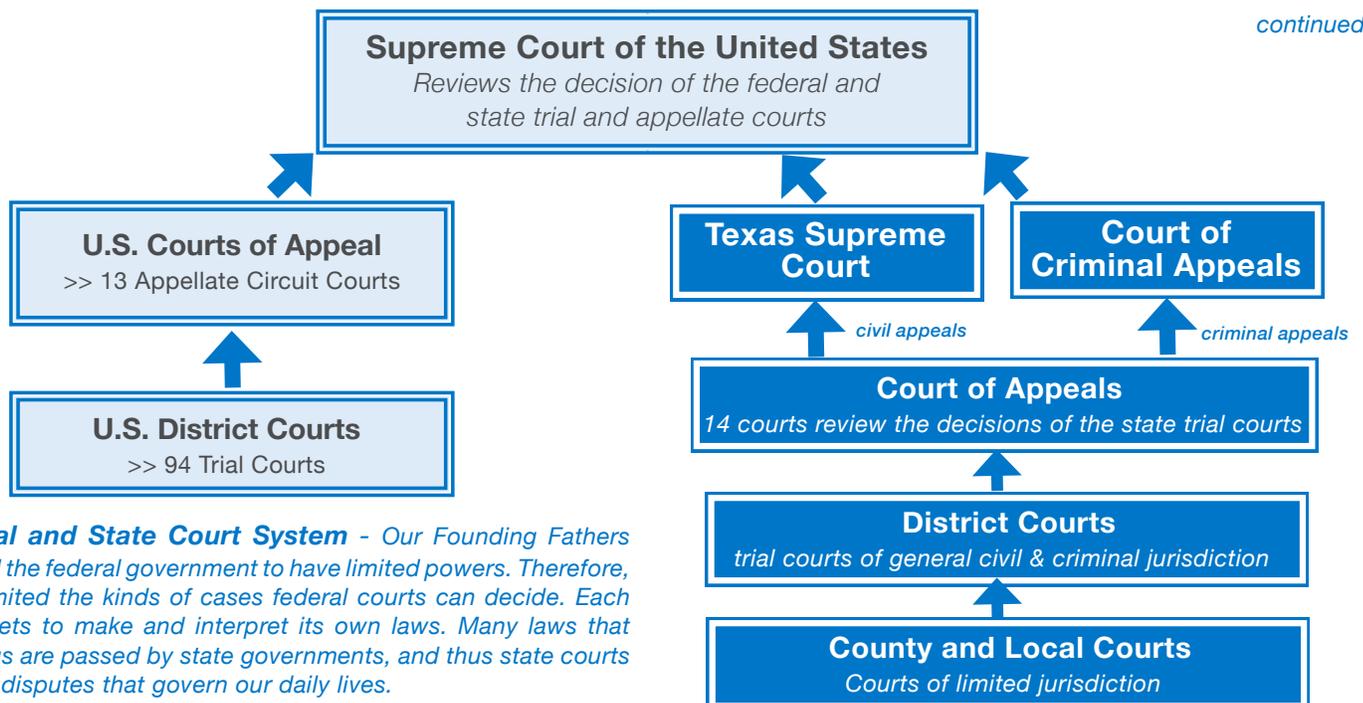
The *District Court* is the chief trial court of the state. Each county is served by at least one district court. The 414 judges that work these courts are elected to four-year terms. Cases heard at this level include felony criminal cases, family matters including divorce, civil matters involving \$200 or more, and real estate issues.

Other Trial Courts

The other trial courts include the County Courts, County Courts at Law, Municipal Courts, and Justice of the Peace courts. The state constitution requires these courts. The Legislature has also created other courts to help make the court system more efficient. All judges for these courts, except the Municipal Court, are elected to four-year terms. Municipal Court judges are appointed to two-year terms.

- County Courts > each of the 254 counties has a county court presided over by a county judge; have appellate jurisdiction in cases appealed from Municipal and Justice of the Peace courts

continued



Federal and State Court System - Our Founding Fathers wanted the federal government to have limited powers. Therefore, they limited the kinds of cases federal courts can decide. Each state gets to make and interpret its own laws. Many laws that affect us are passed by state governments, and thus state courts handle disputes that govern our daily lives.

Upcoming Elections in Texas

Upcoming Texas General Elections: 2020, 2022 (will include gubernatorial election)

Upcoming Presidential Elections: 2020, 2024

*General elections are always held on the Tuesday following the first Monday of November in even-numbered years.

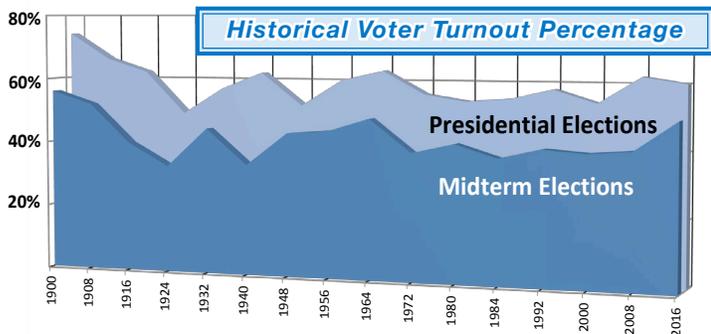
Your Right to Vote

The Texas Constitution ensures the rights of citizens to vote. All eligible citizens have a voice in their government if they execute their right to vote. Only about half of these eligible voters in the U.S. cast their vote on Election Day. For state and local elections, voter turnout is even lower.

There are instances when you are not able to vote in Texas. If you are a convicted felon, you may not vote until your jail sentence, probation, and/or parole are completed. If you have been declared mentally incompetent by a court of law, you are also prohibited from voting.

Voter Turnout

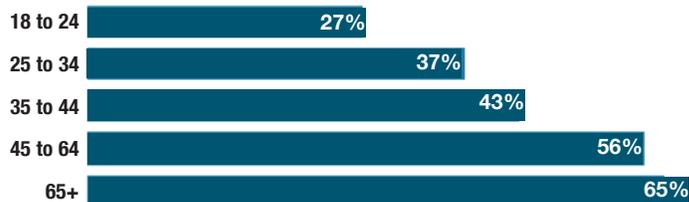
The chart below shows the voter turnout in the United States and shows the fluctuations in presidential and midterm elections. In recent elections, about 60 percent of the voting-eligible population participated in presidential elections, and about 40 percent voted during midterm elections. The 2018 midterm turnout of 49.6 percent set a record. Turnout is lower for an odd year, primary, and local elections.



Voter turnout can vary considerably from one state to the next. Minnesota had the highest voter turnout in the 2016 presidential election, with 76.9 percent of the state’s eligible population casting a ballot. On the other hand, Texas had the fifth lowest turnout rate with 51.1 percent.

There also are striking disparities in participation among different demographic groups. For example, the turnout rate among people ages 60 and over was about 70 percent, which compares to a little over 40 percent among 18- to 29-year-olds.

Voter Turnout in Texas by Age Group



As a whole, Texas is a young state, claiming the third-lowest median age in the country. But older Texans are more likely to turn out for both presidential and gubernatorial elections. Voters who are 65 or older boast the state’s highest turnout rates, followed by voters aged 45 to 64.

The United States has historically trailed most developed countries when it comes to getting people to cast a ballot for their elected officials. Even as 70 percent of Americans agree high turnout is critical in presidential elections, just 56 percent of the voting-age population turned out in 2016.

QUESTIONS

TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ___ 1. You must be at least 18 years old to vote.
- ___ 2. Absentee ballots are only for voters who are sick.
- ___ 3. A person serving a jail sentence temporarily loses the right to vote.
- ___ 4. Partisan means having a party affiliation.
- ___ 5. General elections are only held when the president is being elected.
- ___ 6. Primary elections are held in March before the general election.

FILL IN THE BLANKS

- 1. Which state had the highest voter turnout in the 2016 presidential election? _____
- 2. When is the next presidential election?

- 3. When is the next Texas gubernatorial election?

- 4. On what day are general elections held? _____
- 5. If you are going to be absent on election day, how can you still vote? _____

EXPRESS YOUR OPINION

Review the voter turnout data in this unit. Do you feel that the current voter participation is acceptable? When you meet the age requirement to vote, will you and why?

A discussion of our system of government would not be complete without a discussion of political parties. While the Founding Fathers did not plan political parties, and they are not mentioned in the Constitution, they are a vital part of our governmental system. Political parties developed quite early in our history, even as the debate raged over whether or not to adopt the Constitution. The Federalists and the Anti-Federalists were the two groups that represented the beginnings of our political parties.

Politics often has a bad reputation. An expression such as “dirty politics” indicates how some people feel about the subject. Contributing to this feeling are the frequent news stories about corrupt and dishonest political figures. Citizens are responsible for the quality of politics, and it’s necessary for citizens to be involved in the political system to ensure that the quality remains high.

Functions of Political Parties

A political party can be defined as a body of citizens voluntarily joined together, seeking to control government by winning elections. Political experts list five main functions of political parties.

1. Nominate candidates and present them to the voters.
2. Inform the voters about issues and build interest in the issues.
3. Select qualified and reputable people to represent the party in a positive way.
4. The party out of power serves as a “watchdog” over public affairs.
5. The parties conduct the business of government, organizing along party lines.

The Two-Party System

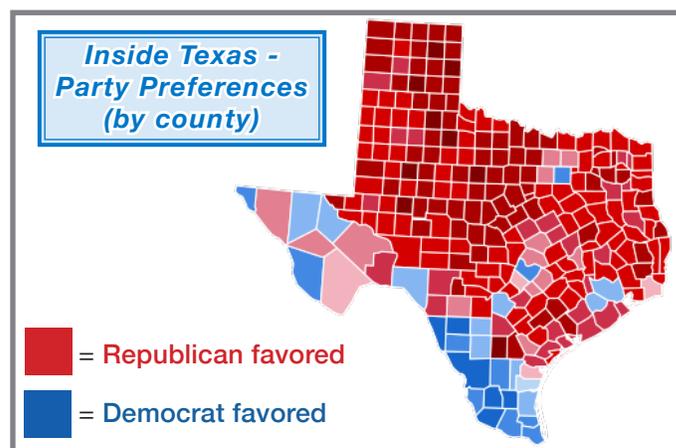
Our political party system is called the *two-party system* because most elections are won by a candidate from either the Democratic or Republican party. The many smaller or special interest parties in the country are seldom able to elect a candidate.

The two dominant parties have existed for a number of years. The Democratic Party traces its origin back to the Anti-Federalists and is about 200 years old. The Republican Party can be traced to the Civil War and the anti-slavery debate. Abraham Lincoln was the first Republican Party candidate elected to the presidency. The Republican Party dominated the national scene from 1860 to 1932. The Democrats were only able to elect three presidents during this period. The Democrats took control in 1932 and remained in power until 1952 when Republican Dwight D. Eisenhower was elected. Since then, the presidency has gone back and forth between the Democrats and Republicans.

Texas Politics

Texas tends to be a conservative state politically. The Democrats have held political control for most of the state’s history although recently the Republican Party has gained in power. In several recent elections, Republican Presidential candidates have either carried the state or won a sizeable number of votes. Also in recent years, many conservative Democrats have switched to the Republican party because of their feeling that the national Democratic party was too liberal.

As of 2009, Republicans controlled many of the state offices, both houses of the state Legislature, and have a majority in the Texas congressional delegation (of the 36 representatives, 22 are Republicans, and both U.S. Senators are Republicans). Home to former President George W. Bush, Texas is one of the most Republican states in the Union.



QUESTIONS

1. What are three of the five main functions of political parties? _____

TRUE OR FALSE? Write a T or F in the space provided.

- _____ 1. Texas has recently favored the Republican Party.
- _____ 2. The Democrats trace their existence to the Anti-Federalists.
- _____ 3. The Republican party is the oldest of the major parties.
- _____ 4. There are three main political parties.
- _____ 5. Texas has 36 seats in the U.S. House.
- _____ 6. The party out of power often serves as a watchdog over the party in power.
- _____ 7. Political parties are mentioned in Article 7 of the U.S. Constitution.
- _____ 8. Only the two-party system is used in Texas.

In addition to the municipalities discussed earlier, other local governments support the people of Texas. These include *special-purpose districts* and *counties*. If you add all the local government units, you will find that Texas has over 5,300 local governments. These local governments influence much of state and federal policies.

Special-Purpose Districts

To provide special services for the people of Texas, a variety of special-purpose districts have been created. Most of these districts perform a single function or job. The most common type of special-purpose district is the school district (which may cross the boundaries of other governmental bodies). Examples of other special-purpose districts include local library districts, metropolitan housing authorities, joint fire districts, park districts, regional transit districts, sanitary districts, and hospital districts. Texas has over 2,000 of these special purpose districts.

County Government

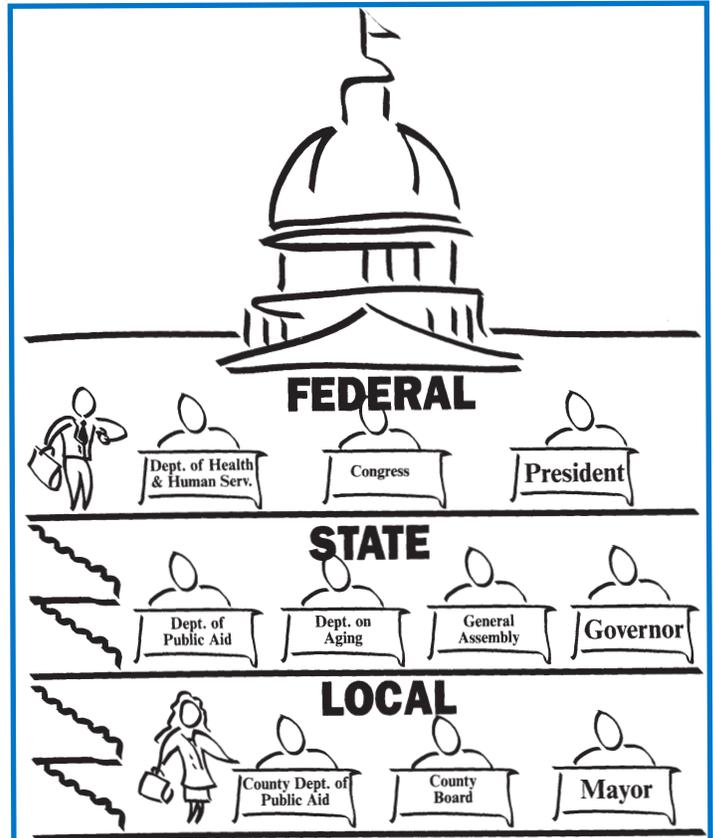
There are 254 counties in Texas. All counties carry out state policy of a general nature: they enforce laws, prosecute offenders, build and maintain roads, keep records, conduct elections, assess property, and collect taxes. Also, counties are authorized to provide a variety of local government services, such as public health and planning, licensing, regulating the use of land, and establishing such diverse services as health care, hospitals, parks, and libraries.

The county has a governing body called the *County Commissioners Court*. Each county is divided into four precincts. A commissioner is elected from each precinct and, along with a county judge or administrator, make up the court. They serve four-year terms.

The Court has both executive and legislative duties. It administers the affairs of the county, adopts the county budget, and sets the local tax rate. Other elected officials in the county include the assessor-collector of taxes, county attorney, sheriff, and treasurer.

Home Rule

Under the early Texas government, county, city, and town governments depended on the state legislature for any changes they wanted to make in their local governmental units. The 1876 Constitution gave the local government power to determine their own affairs, subject only to the state constitution and laws of a state-wide nature. This freedom to decide their own type of government is called *home rule*. The constitution permits only cities with over 5,000 residents to adopt this charter.



There are three main levels of government – federal, state, and local. Often the three must coordinate what they offer to you. For example, the federal Department of Human Services might provide funding for a health program. Then, the state Department of Public Aid makes sure that the program gets to the county level, and then to you.

QUESTIONS

TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ___ 1. There are 254 counties in Texas.
- ___ 2. There are more cities than counties.
- ___ 3. Most special-purpose districts have one specific job.
- ___ 4. A sheriff is a city officer.
- ___ 5. The county judge serves a six-year term.
- ___ 6. Counties carry out state policy.
- ___ 7. The power given to local governments to determine their own affairs is called home rule.
- ___ 8. Counties assess property taxes.

FILL IN THE BLANKS

- 1. In which county do you reside? _____
- 2. Where is your county seat located? _____
- 3. Give an example of a special-purpose district. _____
- 4. Name one county service that directly affects you. _____

Texas History

- I. Texas has had only one capital, Austin, since it became a state in 1845:
- II. There have been five Texas Constitutions:
 - A. 1845
 - B. 1861
 - C. 1866
 - D. 1869
 - E. **Constitution of 1876**, currently in effect with 400 plus amendments.
 1. Longer than, but similar to, the federal Constitution; can be changed by amendment.
 2. Provides basic form and operation of state and local government; must not conflict with the federal Constitution or with authority given to the federal government.

The Three Branches of Texas Constitutional Government

- I. There are three branches of Texas government:
 - A. **Legislative Branch**, Article 3
 1. **Main duty is to make laws**
 2. **Main body is the Legislature**
 - A. The Legislature consists of two houses:
 1. **The House of Representatives**
 - a. 150 members, one from each of the 150 representative or geographical districts
 - b. Your local representative is _____.
 - c. *Term*: two years, election in even-numbered years
 - d. *Powers*: pass bills and send to Senate, start impeachment
 - e. *Officers*: speaker of the House, elected by members of the House of Representatives
 - f. *Qualifications*: members must be 21 or older, resident of the state for at least two years, residents of the district at least one year, and citizen of the United States
 2. **The Senate**
 - a. 31 members, one from each of the 31 senatorial or geographical districts
 - b. Your local state senator is _____.
 - c. *Term*: four years, half selected every even-numbered year
 - d. *Powers*: pass bills and send to House, try impeachments, approve governor's appointments
 - e. *Officers*: president of Senate, elected by the members of the Senate
 - f. *Qualifications*: members must be 26 or older, resident of the state for at least five years, resident of the district at least one year, and citizen of the United States
 - B. Lawmaking process is similar to that of the United States Congress.
 - C. *Salaries*: \$7,200 annually.
 3. *Duties of the Legislature* include making laws for the state of Texas, conducting investigations, revising the state constitution, and planning redistricting.
 4. Legislature meets biennially, the second Tuesday in January, lasting a maximum of 140 calendar days; extra sessions may be called by the governor.
 5. Lawmaking process: bills must pass both houses and be sent to the governor;
 - A. if the governor signs, the bill is law; he or she has 10 days and if he or she doesn't act in 10 days the bill is law;
 - B. if the governor vetoes, the houses can try to pass by two-thirds vote, and if they do, bill is law over veto.
 - B. **Executive Branch**, Article 4
 1. **Main duty: enforce and administer state laws**
 2. **Chief executive is the Governor of Texas**
 - A. *Qualifications*:
 1. Must be at least 30 years old
 2. Resident of the state for five years preceding the election, and U.S. citizen

continued

The following test will help you prepare for your final Texas Constitution test. It has questions similar to ones you will find on your final. It is suggested you write your answers on a piece of paper so you can take the test a number of times. You will find the correct answers at the bottom of Page 31.

Hard work on this page will assure you of a better grade on your final exam. Be sure to look up any answers you do not understand or see your teacher for an explanation.

MATCHING. Match the person or body in **Column A** with the correct branch of state government in **Column B**. Put the letter of the correct answer in the space provided.

Column A

- _____ 1. The Governor
- _____ 2. The House of Representatives
- _____ 3. The Texas Supreme Court
- _____ 4. Texas District Courts
- _____ 5. Lieutenant Governor
- _____ 6. The Senate
- _____ 7. Attorney General
- _____ 8. Comptroller of Public Accounts

Column B

- a. The Legislative Branch
- b. The Judicial Branch
- c. The Executive Branch

FILL IN THE BLANKS. Write the correct answer in the space provided.

- 9. Who can veto a bill passed by the Legislature? _____
- 10. If the governor resigns, who becomes governor? _____
- 11. The river that makes up the southern border of Texas. _____
- 12. The highest civil court in Texas. _____
- 13. What are public issues that are voted on by the public called? _____
- 14. The current governor of Texas. _____
- 15. The next presidential election will be held in what year? _____
- 16. How many days does the governor have to consider a bill from the Legislature? _____
- 17. How many different constitutions has Texas operated under? _____
- 18. Who may call special sessions of the Legislature? _____
- 19. The executive branch officer that keeps the "Great Seal" and maintains the official records of the state. _____
- 20. Who is the chief legal officer of the state of Texas? _____
- 21. How are Texas judges selected? _____
- 22. Name the election used to select candidates for the general election. _____
- 23. The capital of Texas. _____
- 24. How many branches of government in Texas? _____
- 25. If the Legislature wishes to pass a bill over a veto, what fractional vote is necessary? _____

continued