



DENNIS BONNEN



SPEAKER OF THE HOUSE

July 16, 2020

MEMORANDUM

TO: House Committee Chairs
CC: Members of the House of Representatives
FROM: Speaker Dennis Bonnen
SUBJECT: Interim Options for Conducting Committee Business

The COVID-19 pandemic has brought with it a unique set of challenges for our state – challenges that have yielded unimaginable shifts in the daily lives of Texans and demanded positive leadership and innovative solutions on the part of all lawmakers. Your collective effort to navigate this crisis and boldly chart a path forward – even in moments of great ambiguity – is the mark of effective leadership for which I want to commend and thank each of you.

I have been concerned about the inability of House Committees to conduct interim hearings and have asked the House Parliamentarians to provide guidance on how to safely conduct committee business while adhering to our House Rules and allowing for public participation. They have done so in the attached memo.

The House Rules for the 86th Legislature adopted unanimously in January 2019 do not authorize committee meetings to be conducted by videoconference, except for the limited purpose of receiving testimony by videoconference from an invited witness. However, this lack of authority to conduct virtual hearings does not preclude House committees from conducting necessary oversight functions or considering their interim charges issued last fall. The attached memorandum from the Parliamentarians outlines three options for committees to continue to conduct business without violating the letter or the spirit of the House Rules and Chapter 301:

- Option 1 – Post Committee Chair Updates to Committee Members/Public on the House Website
- Option 2 – Issue a Formal Request for Information through TLO/TLIS and House Website
- Option 3 – Online Events Conducted by Committee Chair

Please review the attached memorandum thoroughly. I encourage you to work directly with the Parliamentarians if you have any questions:

Sharon Carter (512) 925-0086 or sharon.carter@house.texas.gov

Hugh L. Brady (512) 289-0535 or hugh.brady@house.texas.gov

Attachment



TEXAS HOUSE OF REPRESENTATIVES

July 16, 2020

MEMORANDUM

TO: HOUSE COMMITTEE CHAIRS

CC: MEMBERS OF THE HOUSE OF REPRESENTATIVES

FROM: SHARON CARTER and HUGH L. BRADY
House Parliamentarians

SUBJECT: OPTIONS FOR CONDUCTING INTERIM COMMITTEE BUSINESS

House committees are governed by both the House Rules and Chapter 301, Government Code. Under the Rules and Chapter 301, committees **are not authorized**:

- To use virtual meetings or virtual hearings to conduct business in lieu of holding in-person meetings open to the public at the Capitol or an approved location outside of Austin; or
- To intentionally meet, via videoconference, telephone conference, or in person, in numbers of less than a quorum to conduct committee business, including receiving briefings from agency officials at which committee members may ask questions.

Committees have three options to continue conducting business without violating the letter or spirit of the House Rules and Chapter 301:

- **Option 1 – Post Committee Chair Updates on the House Website**
A committee chair may use the committee's individual committee page on the House website to publicly post committee documents such as committee chair update e-mails, committee newsletters/bulletins, agency documents, staff reports, and other documents related to the committee's oversight work. This option may be used immediately by providing the information to the House webmaster for posting.
- **Option 2 – Issue a Formal Request for Information through TLO/TLIS and House Website**
A committee chair may issue a public request for information to solicit comments and information on committee matters, including specified interim charges, from agency personnel, experts, stakeholders, and the public, or any combination of these groups. Notice of these requests will use a standard form similar to a committee meeting notice and be publicly viewable on TLO/TLIS and the House website. All comments and other information received by the committee in response to a request may be posted for public viewing as well. This option required substantive programming changes to the House Committee System, the TLIS and TLO applications, and the House website and will be available soon.
- **Option 3 – Online Events Conducted by Committee Chair**
Committee chairs may host public forums, such as town halls, roundtables, or webinars, to hear from experts on matters within the committee's jurisdiction. A chair is not required to invite Members to attend and participate. If House members are invited to attend and participate in the event, the hosting chair must invite all members of the House; invitations may not be limited to committee members, or any subset thereof. Notice may be publicized through social media channels or a press release posted on the House website. Notice should not refer to the event as a committee event but may indicate that the event host serves as a House committee chair and provide the name of the committee chaired by the host. This option may be used immediately through the Texas Legislative Council's Zoom license or the chairs' social media accounts.

The following pages provide a detailed overview of the process for using each option, including procedural and technical contacts. Should you have any questions about these options, please contact the Parliamentarians' Office.

OPTIONS FOR CONDUCTING INTERIM COMMITTEE BUSINESS

Option 1 – Post Committee Chair Updates to Committee Members/Public on House Website

Procedural Contacts (Parliamentarians' Office):

Sharon Carter, Parliamentarian (512) 925-0086; sharon.carter@house.texas.gov
Hugh L. Brady, Parliamentarian (512) 289-0535; hugh.brady@house.texas.gov
Ikenna Okoro, Asst. Parliamentarian (469) 258-0852; ikenna.okoro@house.texas.gov

Technical Contacts (House Webmaster; Video/Audio):

George Hewitt, House Webmaster (512) 463-0161; george.hewitt@house.texas.gov
Mike Blackwell, Manager, Video/Audio (512) 463-0920; mike.blackwell@house.texas.gov

This option does not require immediate programming changes and can be implemented immediately. The process outlined below involves using the individual committee pages on the House website to publicly post committee documents such as committee chair update e-mails, committee newsletters/bulletins, agency documents, staff reports, and other documents related to the committee's oversight work.

On each House committee's webpage, there is a "Quick Links" menu on the right-hand side under which there are existing links to the following informational webpages:

- House Witness Registration
- Bills Referred
- Upcoming Committee Schedule
- Past Notices, Minutes, Handouts and Witness Lists
- Broadcast Archives

The HOUSE WEBMASTER can create an additional link for "Interim Committee Activities" that will take the user to a dedicated page for that committee.

The COMMITTEE CHAIR or COMMITTEE CLERK may post a document by e-mailing it to the HOUSE WEBMASTER and specifying the title of the document as it should appear on the committee's "Interim Committee Activities" webpage. The HOUSE WEBMASTER will ordinarily post the document within 24 hours of receipt of the required information from the COMMITTEE CHAIR or COMMITTEE CLERK, although delays may occur depending on the volume of requests to post documents on committee webpages.

For an example of this functionality, go to the homepage of **house.texas.gov**. There is a link near the top of the page that reads "COVID-19 Information." When a user clicks on that link, it takes the user to a page titled "COVID-19 Information" that contains a list of links to various updates, reports, and other virus-related information.

OPTIONS FOR CONDUCTING INTERIM COMMITTEE BUSINESS

Option 2 – Issue a Formal Request for Information

Procedural Contacts (Parliamentarians' Office):

Sharon Carter, Parliamentarian (512) 925-0086; sharon.carter@house.texas.gov
Hugh L. Brady, Parliamentarian (512) 289-0535; hugh.brady@house.texas.gov
Ikenna Okoro, Asst. Parliamentarian (469) 258-0852; ikenna.okoro@house.texas.gov

Technical Contacts (Committee Coordinator's Office):

Stacey Nicchio, Committee Coordinator (512) 496-5866; stacey.nicchio@house.texas.gov
Damian Duarte, Asst. Cmte. Coordinator (512) 554-1786; damian.duarte@house.texas.gov

Programming changes are underway, and this option will be available soon. The process outlined below involves using new designated pages on TLIS/TLO and the House website:

- To provide notice to the public that a committee is soliciting information and input on specified interim charges; and
- To publicly post:
 - Committee questions to and responses received from invited agency personnel, experts, or stakeholders; and
 - Input received from the public.

A committee chair may use this option:

- To issue an open invitation to submit information to the committee on specified interim charges; or
- To use a combined approach of soliciting public input and inviting designated parties to submit specific requested information on specified interim charges.

Below is a summary of the process:

- ***Preparation for issuing a Request for Information:***
 - The COMMITTEE CHAIR determines topics to be addressed, whether to issue an open invitation for input or use the combined approach of soliciting public input and requesting specific information from DESIGNATED PARTIES, and any deadlines for submission of public input or responses from DESIGNATED PARTIES.
 - If the COMMITTEE CHAIR plans to request specific information from DESIGNATED PARTIES, the COMMITTEE CLERK:
 - sends a separate e-mail to each COMMITTEE MEMBER identifying topics to be addressed, seeking committee member questions for each DESIGNATED PARTY, and providing the deadline for submission of committee member questions; and
 - compiles committee member questions for transmission to DESIGNATED PARTIES.
- ***Posting a Request for Information and transmitting committee member questions:***
 - The COMMITTEE CLERK posts notice of the Request for Information using the House Committee System application, which will upload the notice to the new designated pages on TLIS/TLO and the House website.
 - If the committee is requesting specific information from DESIGNATED PARTIES, the COMMITTEE CLERK transmits, on the same day notice is posted, committee member questions to DESIGNATED PARTIES.
- ***Submission, collection, and posting of responses:***
 - Using the existing Committee Handouts feature in the House Committee System application:
 - The COMMITTEE CLERK compiles any public input received and uploads the document(s) for posting on the new dedicated pages on TLIS/TLO and the House website.
 - If the committee requested specific information from DESIGNATED PARTIES, the COMMITTEE CLERK compiles the committee's questions to and responses from each DESIGNATED PARTY and uploads the document(s) for posting on the new dedicated pages on TLIS/TLO and the House website.

OPTIONS FOR CONDUCTING INTERIM COMMITTEE BUSINESS

Option 3 – Online Events Conducted by Committee Chair

Procedural Contacts (Parliamentarians' Office):

Sharon Carter, Parliamentarian (512) 925-0086; sharon.carter@house.texas.gov
Hugh L. Brady, Parliamentarian (512) 289-0535; hugh.brady@house.texas.gov
Ikenna Okoro, Asst. Parliamentarian (469) 258-0852; ikenna.okoro@house.texas.gov

Technical Contacts:

House website/press release postings:

George Hewitt, House Webmaster (512) 463-0161; george.hewitt@house.texas.gov
Mike Blackwell, Manager, Video/Audio (512) 463-0920; mike.blackwell@house.texas.gov

Committee Coordinator's Office:

Stacey Nicchio, Committee Coordinator (512) 496-5866; stacey.nicchio@house.texas.gov
Damian Duarte, Asst. Cmte. Coordinator (512) 554-1786; damian.duarte@house.texas.gov

Legislative Council/Zoom Application:

Charnetha Grayson (512) 672-9947; charnetha.grayson@tlc.texas.gov

This process has recently been used by some House committee chairs to host a public forum to hear from experts on matters within the committee's jurisdiction. Such online events have been designated as a "town hall," a "forum," a "roundtable," or a "webinar." Below is a summary of this process:

- Recommended platform: The Texas Legislative Council recommends and can provide guidance in the use of Zoom to conduct online events. If using state resources or the Texas Legislative Council's Zoom license to conduct the event, the event must adhere to applicable provisions of the House *Personnel Manual of Policies & Procedures 2019*.
- Providing notice: **Do not use committee letterhead when providing notice.** Notice may be provided using the individual social media account of the committee chair or through an e-mail notification approved by the committee chair and distributed by House Administration from the House Information e-mail account. A committee chair may also issue a press release, which may be forwarded to the HOUSE WEBMASTER for posting on the homepage of the House website, in accordance with the provisions of the House *Personnel Manual of Policies & Procedures 2019*.
- Guidelines for legislator participation:
 - The event may be hosted or moderated by the committee chair.
 - If House members are invited to participate, the committee chair should extend the invitation to all House members. Participation of legislators cannot be limited to only committee members (or to only a subset of committee members).
 - The committee chair hosting the event:
 - Can allow committee members and other legislators to submit questions to panelists;
 - Should not include introduction of committee members as part of the agenda for the event; and
 - Must avoid discussion among committee members during the event.