TEXAS A&M UNIVERSITY
The Bush School
of Government & Public Service

Contemporary Texas Legislative Sessions and Economic Recessions

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EXECUTIVE SUMMARY

Given the state's balanced budget requirement, contemporary economic recessions inevitably impact state legislative sessions in Texas. But how do such sessions compare to fiscally stable sessions? To help answer this question, we examine the contexts, legislative priorities, and committee behaviors of state legislative sessions before and after two contemporary economic recessions: the 2008 Great Recession and the COVID-19 Recession.

State legislators in Texas face a key constitutional ceiling; state legislative sessions in Texas only occur in odd-number years for a total of 140 days. By summarizing the major legislation passed in the 80th (2007), 81st (2009), 82nd (2011), 86th (2019), and 87th (2021) legislative sessions, we find that legislative sessions are indeed unique regarding bills passed related to economic development, criminal justice, education, families, government affairs, health, transportation, and tax revenues. However, the sessions in 2009 and 2021 bear similar approaches nested in spending cutbacks, economic incentives, and providing tax exemptions. We also found that agriculture and natural resource committees were the most effective during recession-related sessions. Moreover, we find that in such sessions, Texas state legislators file an above-average total number of bills, adding to the challenge of the 140-day session limit.

By virtue of population growth and exhibiting an energy-heavy economy, the state needed modest support from the Texas Legislature throughout the Great Recession. The state legislatures of California and Nevada, which meet annually and biennially, respectively, responded to the COVID-19 recession swiftly. The first U.S. state legislature to act, the California Legislature appropriated over $1 billion towards preventing the transmission of and deaths from COVID-19. In Nevada, Governor Sisolak called two special sessions in 2020 where legislators focused on adapting revenue/spending and aiding state employees and school districts. Texas Governor Abbott has the power to call a special session during an even-numbered year, yet relied on administrative procedures allowed by existing Texas statute.

In our empirical analysis, we examine the effectiveness of legislative committees in recent Texas Legislatures. Controlling for appropriate variables, we find strong support for our hypothesis: committees in sessions related to a recession bear less legislative effectiveness. Given that more bills are typically filed in a session associated with an economic recession, this finding provides the impetus for the closer study of the influence of the 140-day constitutional limit of regular sessions, as well as the quality of bills filed in recession-related sessions.

I. INTRODUCTION

The COVID-19 pandemic and its associated economic recession presented a unique opportunity for our research group, the 2021 Bush School Legislative Capstone Scholars. Given the atypical nature of the Texas State Legislature, we expect the priorities of different legislative sessions in Texas to be varied. However, the question we investigate in this paper is how contemporary state legislative sessions in Texas related to an economic recession differ from sessions not associated with an economic downturn.

Our report is structured as follows. First, we begin by providing an overview of the structure of the legislative process in the Texas State Legislature. And to supply pertinent context, we offer insights on the frameworks of the 2008 Great Recession and the COVID-19 Recession.

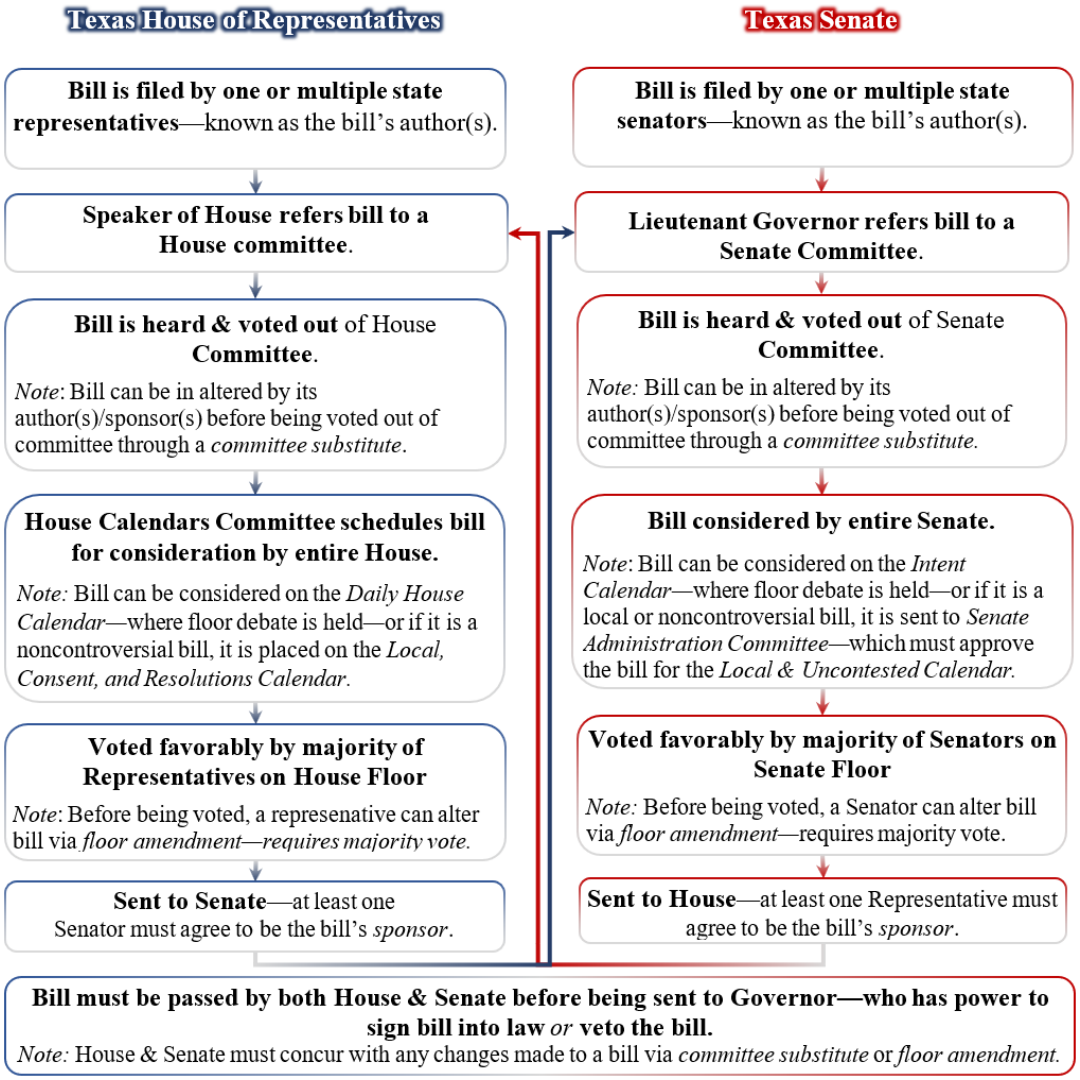
In the next section, we present a qualitative analysis of legislative sessions before and after a contemporary economic recession: the 80th, 81st, 82nd, 86th, and 87th Texas Legislative Sessions. For an interstate comparative analysis, we examine recent state legislative sessions in California and Nevada to provide structural contrasts and analyze legislative priorities.

Next, we conduct an empirical analysis on recent legislative sessions in Texas, providing details on our methodology and explaining the particulars of our data gathering process. In this section, we generate regression models to investigate the variables that can help explain the variance in the legislative effectiveness—passage rates of bills referred—of 349 legislative committees across the eight legislative sessions that have occurred at the state level in Texas since 2007. Controlling for relevant variables, we find robust backing for our hypothesis; committees meeting in sessions related to an economic recession bear significantly less legislative effectiveness. Lastly, we offer conclusions and considerations for future study.

Legislative Process in Texas

The Texas Legislature is structured similarly to most state legislatures—it consists of two chambers: the Texas House of Representatives (House) and the Texas Senate. On the other hand, the Texas Legislature is unique in that it is one of four states—including Nevada, North Dakota, and Montana—that meet only once every two years for a regular legislative session. Texas state lawmakers meet in regular legislative sessions in odd-numbered years for a total of 140 calendar days. The process for a bill to become law is shown in the figure below.

Figure 1. Flowchart depicting how a bill becomes state law in Texas.

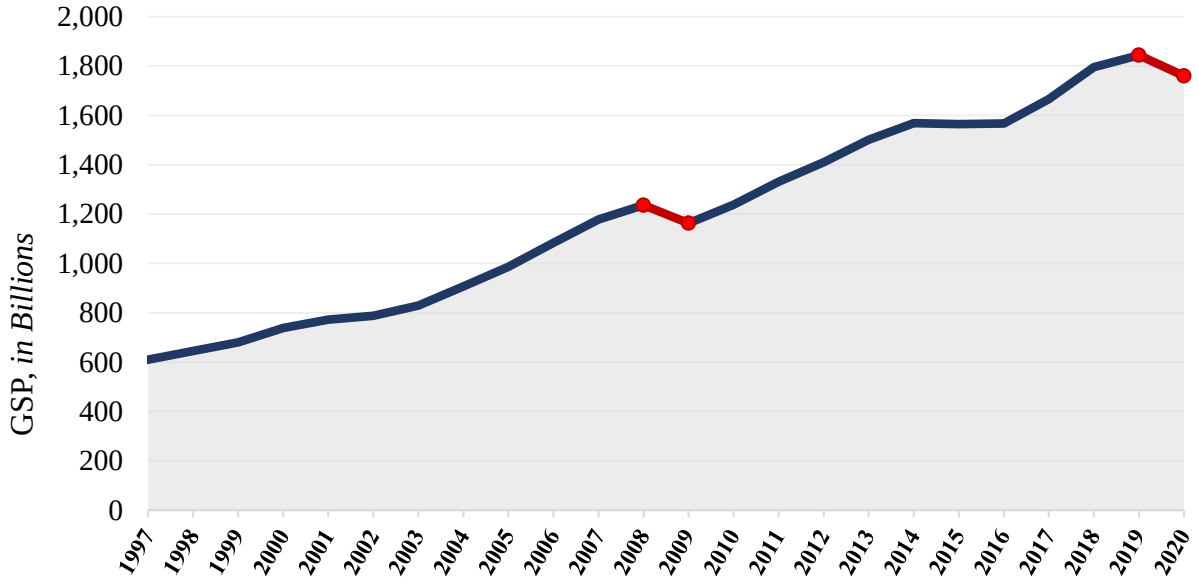


SOURCE: Adapted from Texas Legislative Council, How a Bill Becomes Law, 2021

Contemporary Recessions

In the early 21st century, the State of Texas has enjoyed robust economic growth, except in recessionary years. The figure below plots state gross product in Texas from 1997 to 2020.

Figure 2. Annual Texas Gross State Product.



(SOURCE: U.S. Bureau of Economic Analysis, 2021)

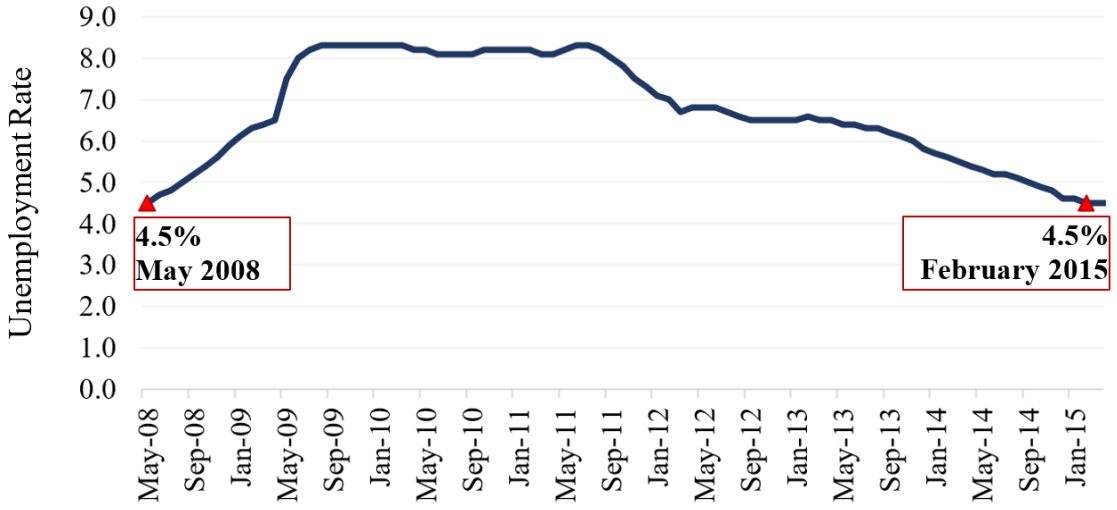
The Great Recession

According to King, Dittmar, & Estrada (2020) of the Office of the Texas Comptroller of Public Accounts, before the recession caused by the COVID-19 pandemic, the Great Recession was the only modern downturn to significantly affect state revenue collections. The Great Recession began in 2007 when a large housing bubble—indicated by a swift, immense climb in prices—burst, sending instability throughout the United States and commenced the collapse of the global economy due to relaxed fiscal policies, international labor and geopolitical asymmetries, and confounding impressions of risk and remiss of existing fiscal governance (Verick & Islam, 2010; Jagannathan, Kapoor & Schaumburg, 2013).

In Texas, the Great Recession began to affect the state roughly eight months after the United States, and while the state suffered decreased tax collections, the Texas economy performed relatively well in comparison to other states (Luttrell & Rosenblum, 2011; King, Dittmar, & Estrada 2020). The key advantages in Texas were the state's abundance of natural resources amid high oil prices, ports along the Gulf of Mexico, and adjacency to its largest trading partner, the United Mexican States (Luttrell & Rosenblum, 2011).

Yet, the unemployment rate in Texas before and after the Great Recession marks the story of a drawn-out market recovery. As shown in the graph in **Figure 3** below, the unemployment rate at the start of the recession was not matched until early 2015.

Figure 3. Monthly Unemployment Rate, May 2008-May 2015.



(SOURCE: U.S. Bureau of Labor Statistics, 2021)

The COVID-19 Recession

In January 2020, COVID-19 first appeared in Wuhan, China, with little knowledge of its origin and the impact it would have on global society. By mid-April, the Centers for Disease Control and Prevention (CDC) recommended large population centers such as universities and public schools to suspend attendance in person for two weeks in hope of eliminating viral

spreading (CDC, 2021). A national emergency was declared by President Trump as COVID-19 cases were being reported in nearly all 50 states. Per the CDC's recommendation, states were issuing gathering limitations in public areas, including churches, schools, and government institutions. These decisions sparked strong mixed responses from citizens and elected officials as economies of all sizes were beginning to show signs of recession and high unemployment rates across the U.S.

In Texas, Governor Abbott issued restrictions limiting the number of customers businesses were able to allow on premises at a given time. Grocery stores were mandated to allow for 50-75% customer capacity, encourage safety precautions, and require masks to be worn at all times (Office of the Governor of Texas, 2020). Restaurants were encouraged to offer curbside and delivery services, limiting the number of employees needed to fulfill the duties. Bars, hair salons, and gyms were mandated to close temporarily to ensure these locations did not become "super spreader" locations. The mandates resulted in fewer opportunities to conduct business, increasing unemployment rates, and a declining revenue stream. This impacted small local businesses, travel-related revenues, and the lodging industry directly.

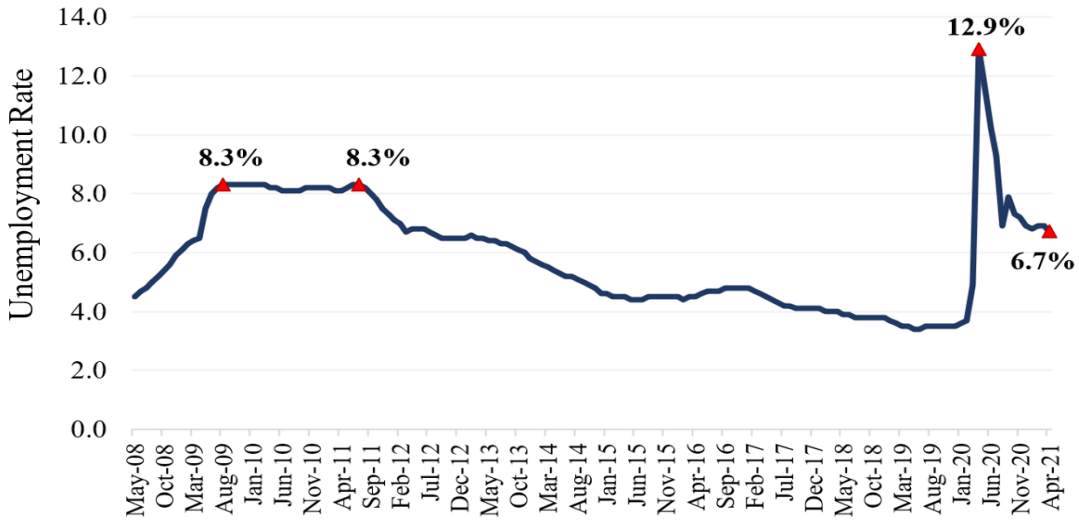
Some state legislators took harsh stances against the Governor's mandates, indicating disdain about his alleged abuse of Texas constitutionally limited powers, including the COVID-19 tracking measures. For instance, State Senator Bob Hall notably sued Abbott for entering in a $295 million COVID-19 contact tracing negotiation that was awarded to a Dallas-area technology firm without approval from the Texas Legislature.

During the first months of the shutdown, President Trump issued a series of stimulus checks to nearly all Americans to keep the economy sustainable. Governor Abbott officiated the Governor's Strike Force to Open Texas, an initiative providing $50 million in small business loans.

There were also paycheck protection programs and additional resources from the Texas Workforce Commission to assist in connecting local and state support to struggling businesses and the unemployed.

As shown in the graph in **Figure 4** below, the peak unemployment rate in Texas during the COVID-19 recession was far greater than that during the Great Recession. Yet, the more recent recession sees a more volatile monthly change in unemployment rates.

Figure 4. Monthly Unemployment Rate, May 2008-April 2021.

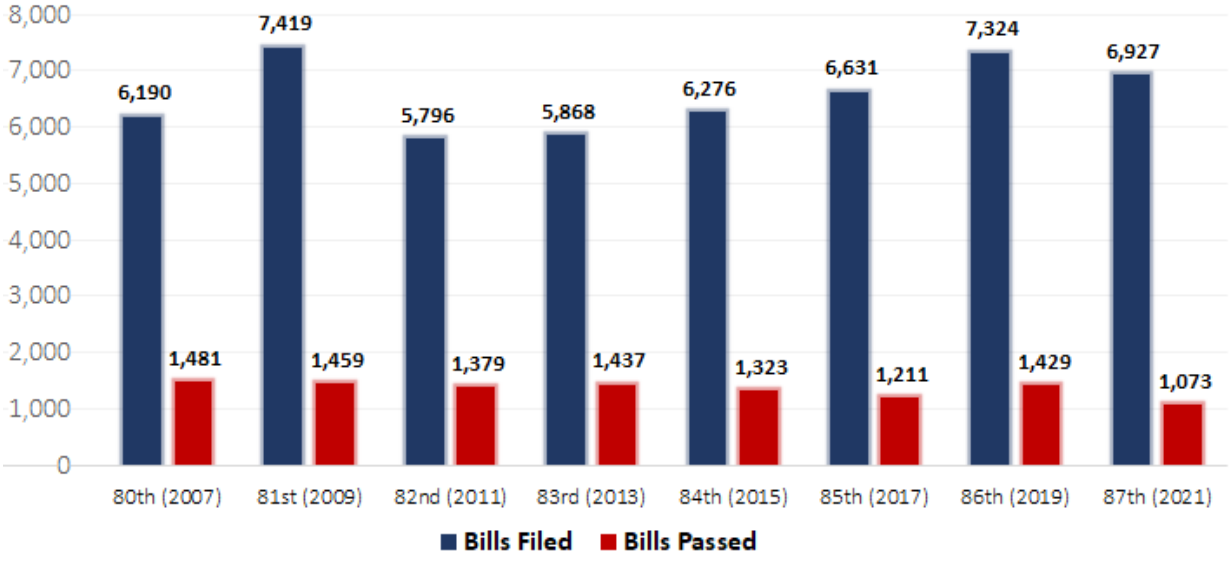


(SOURCE: U.S. Bureau of Labor Statistics, 2021)

II. LEGISLATIVE SESSIONS BEFORE & AFTER RECESSIONS

In this section, we focus on legislative sessions immediately before and after the 2009 Great Recession and the COVID-19 economic recession. The purpose of this selection is to analyze legislative committees and the types of policies that were passed when Texas had a relatively positive performing economy or no economic worries at the time. The figure below reveals the number of bills filed and passed in recent state legislative sessions in Texas.

Figure 5. Graph of Number of Bills Filed & Passed by Texas Legislative Session.



(SOURCE: Legislative Reference Library of Texas, 2021)

While the cause of the two recessions differed—as with many recessions throughout Texas history—this paper compares these two recessions given that they happened most recently, and may share similar political, social, and economic contexts. Each section of the legislative session's analysis provides a summary of the top committees, the bills passed each session, major issues of the respective session organized by policy area, and the political, social, and economic implications of the legislative session to provide a complete picture of the landscape under which Texas lawmakers legislated.

As previously described, the purpose of our research is to determine how legislative priorities shift depending on a number of variables, particularly the economic recession of the 2007-2008 financial crisis and the COVID-19 recession. To this end, the following section will briefly summarize the legislative priorities of the 80th legislature as the country approached the Great Recession. Following this cursory review, subsequent sections will identify constant

qualitative and quantitative variables which potentially had an effect on the legislative priorities during the 80th legislative session.

Regarding quantitative analysis, this section will describe the number of bills introduced, passed, and by committee, thus indicating policy-area priorities that can later be referenced in our analysis. The qualitative analysis portion will explore other potential relationships our team believes to have a significant influence on legislative priorities, including political, social, and economic implications.

80th Texas Legislative Session (2007)

Table 1. Bills Filed & Passed in the 80th Texas Legislative Session

Status	House Bills	Senate Bills	Total House & Senate Bills
Filed	4140	2050	6190
Passed	955 (23%)	526 (26%)	1481 (24%)

(SOURCE: Legislative Reference Library of Texas, 2021)

It is important to note that the 80th session, given its proximity to the Great Recession, could potentially reflect some forecasts by the legislature and thus contain some correlation between the economic event and its legislative priorities. Additionally, we chose the Great Recession primarily due to the economic impact it would likely have on restricting state revenues, and therefore, appropriations toward programs during the legislative session. Our team believes that the magnitude of this outlier variable could provide enough contrast in comparison to non-recession periods to help explore the magnitude of each variable we consider. The following section provides the qualitative context to this inquiry as it outlines the legislative priorities of the 80th session by policy issue.

Effective Legislative Committees in Texas' 80th

Made evident through a comparative approach at the committee level in the Texas House and Senate, natural resources was a key policy area in the 80th Texas Legislature. The House committee with the most bills that passed both legislative chambers was the House Natural Resources Committee (158) followed by the House Transportation Committee (93). In the Senate, the committee with the highest number of bills that passed the two chambers was the Senate Committee on Intergovernmental Relations (234), and the second-highest was the Senate Committee on Natural Resources (161).

In accordance with the limited existing literature on measuring legislative committees (Weingast 1989; Ray 1986; Lewis, 1978), a key variable used in our quantitative analysis to measure committees' legislative effectiveness and success is the bill passage rate—i.e., the rate of bills passing out of total bills referred to the committee. The table below reveals the top five committees in each chamber in terms of effectiveness.

Table 2. Top Five House and Senate Committee Bill Passage Rates in Texas' 80th.

House Committee	Bills Referred	Bills Passed	Passage rate	Senate Committee	Bills Referred	Bills Passed	Passage rate
1. Natural Resources	329	158	**0.4802**	**1.** Intergovt. Relations	409	234	**0.5721**
2. Urban Affairs	133	57	**0.4286**	**2.** Veteran Affairs & Military Installations	48	26	**0.5417**
3. Judiciary	206	87	**0.4223**	**3.** Jurisprudence	283	131	**0.4629**
4. County Affairs	150	62	**0.4133**	**4.** Natural Resources	349	161	**0.4613**
5. Border & Int'l Affairs	47	18	**0.3830**	**5.** Government Organization	116	49	**0.4224**

Summary of Bills Passed in Texas' 80th

Apart from natural resources, the 80th legislative session did not have a few signature policy issues which could characterize its priorities. Instead, the 80th session focused on various issues, including historic property tax relief initiatives, funding strategies for public schools, improving entry into higher education through the creation of the Texas Tomorrow Fund, the preservation of public spaces and precious resources, reforms to the Texas Youth Commission, increased penalties for child molestation through the creation of Jessica's Law, increased appropriations to border security and, finally, reforms to Medicaid and CHIP (Accomplishments of the 80th Legislature, 2007).

As discussed in this report's methodology section, our group used the legislative research library as a tool to identify and summarize legislative priorities like the ones mentioned above. When examining the 80th session, we identified the following bills, categorized by policy issue, as the session's top priorities (Accomplishments of the 80th Legislature, 2007).

Business Regulation and Economic Development

- Revising operation of Texas Residential Construction Commission
- Incentives for film, television, and related industries
- Restructuring the Texas Windstorm Insurance Association
- Prohibiting insurance rate increases during judicial review
- Mortgage counseling for complex loans

Criminal Justice

- Death penalty, other punishments for repeat sex crimes committed against children
- Felony for owners of dogs causing serious bodily injury or death
- Cruelty to animals penalties
- State basic supervision funding for local probation departments
- Revising Texas Youth Commission authority and operations
- Creating a Texas Innocence Commission
- Use of force or deadly force in self-defense
- Continuing of the Texas Department of Criminal Justice
- Creating the Office of Capital Writs for death penalty habeas corpus petitions

Elections

- Requiring voters to present proof of identification
- Exemption for disabled voter accessibility in certain elections
- Proving U.S. citizenship to register to vote
- Moving the primary election date to the first Tuesday in February

Environment

- Funding and jurisdiction of TPWD and Historical Commission
- Implementation of advanced clean energy projects
- Water resources development and management
- Air quality enhancement programs, including energy efficiency standards
- Requiring low-emission vehicle standards
- Restricting a city's ability to regulate air pollution outside its limits
- Studying strategies for combating greenhouse gas emissions

Families and Children

- Marriage license fee waiver for premarital education
- Marriage promotion grants
- Obtaining noncertified copies of adoption-related birth certificates
- Advance directives and health care and treatment decisions
- Child Protective Services revisions
- Abortion reporting
- Review of ultrasound images

Government Affairs

- Prosecution defense for certain gambling for Native American tribes
- Homeland security, border security, TDEx database, immigration enforcement
- Illegal immigration restrictions: Prohibiting children of illegal immigrants from receiving state benefits
- Prohibiting mandatory participation in an animal ID system
- Limiting disclosure of concealed handgun licensees
- Revised standards for authority to use eminent domain power
- Requiring legislators to cast record votes
- Allowing the Legislature to override a veto after sine die adjournment
- Emergency management, mutual aid system, wiretaps, vehicle tags, Border Security Council
- Reporting the value of gifts of cash or cash equivalent to public officials
- Continuing the Office of State-Federal Relations
- Modifying provisions for statewide and local housing programs
- Requiring legislative approval of certain claims against the state

Health and Human Services

- Banning smoking in all workplaces and public places
- Cancer research funding
- Children's Health Insurance Program eligibility revisions
- Preventing HPV vaccine from being required for admission to school
- Monitoring and update of HHS eligibility systems
- Nursing home quality assurance fee
- Revisions to the Medicaid program and access to health care

Higher Education

- Determination of resident status of students by public universities
- High school curriculum requirements for higher education admission
- Performance incentive funding for higher education institutions
- Establishing the Texas Tomorrow Fund II prepaid tuition program
- Limiting increases in tuition and required fees at higher education institutions
- Limiting top 10% automatic undergraduate admissions

Judiciary

- Amending venue rules for lawsuits involving maritime workers
- Establishing a qualified privilege of a journalist not to testify or disclose
- Court system reorganization and administration

Public Education

- Adding study of the Bible as public school elective course
- Requiring school districts to conduct feasibility studies before taking land
- Programs and grants for dropout prevention, high school success, and college readiness
- Alternative school placement of students expelled for felonies and registered sex offenders
- Requiring TEA to establish a dual-language education pilot program
- Voluntary expression of religious viewpoints in public schools
- Establishing a new system of public charter schools
- Random steroid testing in public high schools
- Requiring criminal background checks for public school employees
- Increased physical education requirements for public school students
- School vouchers for students with autism
- Replacing TAKS with end-of-course exams for graduation
- Tying educator evaluations to test scores
- Creating a state virtual school network

Public Employees

- Restricting ERS and TRS pension fund investments in Sudan
- Increasing TRS contribution rates and issuing a "13th check" for retirees

Taxation and Revenue

- Increasing school district margin of error in comptroller's property value study
- Entry fee for sexually oriented businesses to fund sexual assault prevention
- Further compression of school district property tax rates
- Allowing limitations on appraised value for nuclear and coal gasification plants
- Mandatory property sales price disclosure
- Correcting and modifying the revised franchise tax
- Changing limitations on taxable appraised values of properties
- Revising motor fuels taxes, including 90-day gasoline tax holiday
- Proportionate reduction in elderly and disabled school tax freeze amount

Transportation

- Three-point seat belts for school buses
- Driver record monitoring pilot program
- Two-year moratorium and local priority for certain toll road projects, revised standards for CDAs, higher highway bonding capacity
- Statewide standards for use of red-light cameras
- Authorizing $5 billion in general obligation bonds for highway projects

Utilities

- Repealing the Telecommunications Infrastructure Fund assessment
- Grants to encourage electric energy generation with biomass materials
- Electricity efficiency and conservation incentives
- Competition incentives for retail electric customers

Because these bills only provide a cursory understanding regarding the qualitative information related to our research, our group also decided to gather more substantial quantitative data to provide further insight into our final analysis.

The 80th legislative session saw a total of 4,140 House bills introduced and 955 enacted. The number of bills enacted represents 23.1% of all total House bills. Senate bills introduced totaled 2,050 with 526 of those being enacted, or 25.7%. In aggregate, the 80th legislative session reviewed a total of 6,190 bills and enacted 1,461, or 23.9%.

Comparing the number of bills 'introduced' and 'enacted' in the 80th legislative session to that of the 79th, we observed a 12.9% increase in the total number of bills filed and a 6.6% increase

in the total number of bills enacted. While bills introduced continue to trend upward as time progresses, this may indicate a sense of urgency related to economic forecasts.

Political Implications in Texas' 80th

While the number and content regarding bills passed during the 80th legislative session may reflect a correlation with the state's legislative priorities, our team also decided to investigate the qualitative and quantitative relationship the political environment likely had on the priorities of the 80th session. This includes an examination of the body's makeup, a review of the relationship between Texas and the Federal government, and the priorities of party leadership, particularly the Governor, the Speaker of the House, and the Lieutenant Governor.

The legislative body of the 80th legislature was an overwhelming majority Republican, led by Governor Perry, Speaker Craddick, and Lieutenant Governor Dewhurst. In the Senate, there were 20 Republicans and 11 Democrats. Similarly, the membership of the House included 81 Republicans and 69 Democrats. Given this review of the legislature's membership, it's clear that the priorities of the Republican Party, its leadership, and of the Speaker, Lt. Governor, and Governor, would likely reflect the legislative priorities for the 80th legislative session.

Although the presidency was held by George W. Bush, the 110th Congress was controlled by the Democratic party for the first time since 1993. Naturally, this political landscape at the federal level would at least partially limit the president's ability to move resources and promote a strongly conservative agenda that would impact Texas. That being said, President Bush successfully advocated a series of policies which may have also been mirrored in the 80th Texas Legislative Session. These federal initiatives include a $1.3 trillion tax cut program, the No Child

Left Behind Act, the Partial-Birth Abortion Ban Act, the creation of the Department of Homeland Security, immigration reform, and support for cancer research.

As alluded to, the 80th legislative session reflected initiatives that echoed that of the Bush Administration. Specifically, the 80th session provided historic property tax relief cuts, reformed standardized testing/data collection required by the No Child Left Behind Act (HB 2236), increased reporting requirements for physicians performing abortions (SB 785), improved establishment/collaboration with the Department of Homeland Security (HB 13/ SB11), focused on immigration reforms which operated in concert with federal efforts (HB 13/ HB 28), and created the Cancer Prevention and Research Institute of Texas (HB 14/ HJR 90) (Whatley, 2007).

Given the make-up of Texas government and President Bush's previous relationship with its members as governor, it is not surprising to see the 80th session be somewhat reflective of the President's agenda. Moreover, neither is it too bold to suggest that this relationship may have been influential when determining the state's legislative priorities.

Economic Implications in Texas' 80th

During the early 2000s, the Texas economy was considered to be closely tied to the national economy (Senate Research Center, 2007). This claim can be supported when reviewing state and federal forecasts for 2006-2007. Leading up to the Great Recession, the American economy, in terms of Gross Domestic Product (GDP), was projected to grow at a slightly slower rate of 3.2% in 2006 and reach approximately $8.5 trillion in 2007 (Boustead, 1997). In 2007, the Gross State Product (GSP) for Texas was projected to increase from $797.6 billion to $823.2 billion, also a 3.2% increase (Carole, 2004). This GSP translated to $195.5 billion in total state revenue for the years 2005-2007.

As compared to Texas' 79th, the total appropriations in the 80th legislative session increased by roughly 10%, growing to about $152.5 billion from $138.8 billion appropriated in the previous session. Given the Comptroller's predictions related to both the federal and state economies, in conjunction with the increased appropriations compared to previous years, the 80th legislative body likely felt confident in their decision to increase spending on all policy priorities. The 80th legislative session indicated a prioritization of Natural Resources, Business and Economic Development, and Regulatory policy, at least compared to the previous legislative session (General Appropriations Acts).

Social Implications in Texas' 80th

Public opinion during the 80th legislative session was as concerned with a variety of issues as was the legislature. First, while the September 11th attacks had taken place six years prior, public sentiment toward Muslims, immigrants, and homeland security in 2007 was not favorable (Pew Research Center, 2008). Beyond the 9/11 attacks and the War on Terror, illegal immigration had grown almost exponentially in the previous decade (Camarota, 2007) and President Bush and Senator Harry Reid echoed the people's desire for enhanced border security with the introduction of the Comprehensive Immigration Reform Act of 2007. HB 13, HB 28, and SB 11, as previously mentioned, could potentially mirror the public opinion effect on the state's priorities.

Another major concern of the public was the increasingly salient issue of global warming. During the 2000s, global opinion of the United States had grown more negative due to the perception that the United States was largely responsible for the increase in greenhouse gases (Pew Research Center, 2007). Similar to racial issues and immigration, both President Bush and the state of Texas demonstrated a potential response to this sentiment. HB 3732, for instance,

established the advanced clean energy project and loan program to be administered by the State Energy Conservation Office.

Finally, while abortion rights have long been an issue since *Roe v. Wade*, the years between 2005-2007 saw an increase in public support toward making abortions legal in most cases (Pew Research Center, 2009). However, citizens of Texas often do not exhibit the opinion of the greater U.S., especially in the case of abortion. In fact, Senator Dan Patrick introduced SB 920 which would have added reporting requirements for doctors who performed abortions, ultimately reflecting public opinion during that time.

While this is not an exhaustive list of public concerns, these were some of the major issues facing both the state of Texas and the United States during 2007. Further, given both the state and federal governments' prompt response to these issues, it would seem as though these concerns may have influenced at least some of the legislative priorities of the 80th legislative session.

81st Texas Legislative Session (2009)

Table 3. Bills Filed & Passed in the 81st Texas Legislative Session

Status	House Bills	Senate Bills	Total House & Senate Bills
Filed	4836	2583	7419
Passed	867 (18%)	592 (23%)	1459 (20%)

(SOURCE: Legislative Reference Library of Texas, 2021)

Effective Legislative Committees in Texas' 81st

Similar to the 80th Texas Legislature, the House committee in Texas' 81st with the most bills that passed both chambers was the House Natural Resources Committee (146), followed by the House Judiciary and Civil Jurisprudence Committee (112). Once again in the Senate, the committee with the highest number of bills that passed was the Senate Committee on Intergovernmental Relations (221), and the second-highest in this session was the Senate Committee on State Affairs (143). As shown in the table below, policies in the area of agriculture were accepted at the highest rate in both the House and Senate.

Table 4. Top Five House and Senate Committee Bill Passage Rates in Texas' 81st.

House Committee	Bills Referred	Bills Passed	Passage rate	Senate Committee	Bills Referred	Bills Passed	Passage rate
1. Agriculture & Livestock	77	32	**0.4156**	**1.** Agriculture & Rural Affairs	76	38	**0.5000**
2. Natural Resources	364	146	**0.4011**	**2.** Intergovt. Relations	454	221	**0.4868**
3. County Affairs	236	87	**0.3686**	**3.** Jurisprudence	250	121	**0.4840**
4. Land & Resource Mgmt.	79	25	**0.3165**	**4.** International Relations & Trade	61	28	**0.4590**
5. Licensing & Admin. Procedures	186	56	**0.3011**	**5.** Health & Human Services	377	142	**0.3767**

Summary of Bills Passed in Texas' 81st

As the Great Recession continued to affect millions across the country, the state of Texas performed relatively well compared to other states suffering from high unemployment rates and other negative effects during this time (Phillips & Cañas, 2009). The attitude of state legislators for the 81st legislative session revolved around balancing the budget by cutting unnecessary spending, providing tax breaks for small businesses, addressing the growing health care, education, and transportation needs of the state at a limited cost (Accomplishments of 81st Legislature, 2009).

The state reduced general revenue spending by $1.6 billion while also accounting for billions in increased funding for public and higher education salaries (Accomplishments of 81st Legislature, 2009, p.2). As consumers proceeded with caution throughout the recession, the Legislature passed a sweep of consumer protection bills and economic development legislation that cut taxes for small businesses and provided incentives to the entertainment industry in Texas to expand.

The Legislature addressed the growing need for healthcare services and professionals by pushing a bipartisan effort to address the nursing shortage with legislation that incentivized nursing schools to bring in more students (Accomplishments of 81st Legislature, 2009, p.13-14). Medicaid buy-in programs for persons with intellectual and developmental disabilities, and as well as an expansion of women's health services through Healthy Texas Women also become available as a result of legislation passed during this session.

The special session in 2009 addressed the 2007 constitutional amendment that supplied $5 billion worth in bonds by the Texas Department of Transportation for highway improvement. This

session heavily focused on how the money would be spent throughout the state (Accomplishments of 81st Legislature, 2009, p. 32)

The following section includes data from the House Research Organization publication for the 81st Legislative Session which details the major issues of the regular and special session during 2009. Bills selections under each policy area include the top three bills as it relates to their significance during this legislative period as outlined in various legislative publications such as the Texas Legislative Council, House Research Organization, and Senate Highlights of the 81st Legislative Session.

Business Regulation & Economic Development

- State incentives for media productions
- Revising and extending local tax abatement agreement authority
- Revising eligibility for unemployment compensation

Criminal Justice

- State study on wrongful convictions
- Comprehensive offender reentry plan after prison release
- No death penalty for certain accomplices, separate trials for capital murder

Elections

- Revising voter identification requirements

Environment & Energy

- Extending deadlines to plug inactive oil or gas wells
- Carbon dioxide capture and storage
- Revising state air pollution emissions – reduction programs

Gaming

- Authorizing local-option casino gambling

Government Affairs

- Procedures for operation property owner's associations
- Standards for use of eminent domain authority
- Revising purposes for which property may be taken

Health

- CHIP eligibility revisions; CHIP buy-in program
- Medicaid buy-in for children with developmental disabilities
- Pay-for-performance, other health care payment initiatives

Higher Education

- Funding incentives to promote more tier-one research universities
- Determining student priority in awarding TEXAS grants
- Limits on increases in tuition and fees

Human Services

- Revising state system of individuals with mental retardation

Judiciary

- Reorganizing the Texas Court System
- Revising selection of state judges

Public Education

- School accountability and public-school curriculum revisions
- Formula funding for public school finance, teacher pay raises
- Sunset review of the State Board of Education

Public Safety

- Prohibiting wireless device use while driving in a school zone
- Requiring safety belts for minors in passenger vehicles
- Increasing minimum age and height for child safety seats

Taxation & Revenue

- Including foreclosed homes in homestead property appraisals
- Property appraisal revisions
- Revising small business exemption from business margins tax

Transportation

- Issuing general obligation bonds for highway improvements
- Dedication of state highway funds to construction, maintenance
- Restricting revenue from public toll roads to transportation

SOURCE: House Research Organization, 2009

Political Implications in Texas' 81st

Republican leadership in the legislature included Governor Rick Perry, Lieutenant Governor Dewhurst, and House Speaker Joe Straus. In the Senate, there were 19 Republicans and 12 Democrats. Contrastingly, the membership of the House consisted of 49% Democrats and 51% Republicans.

The 81st Legislative Session was characterized by federal policy priorities which included health care reform, financial troubles, and recovery, combatting terrorism, and addressing the

income inequality gaps for minorities and women in the workforce (Obama Administration, 2015). Legislators in Texas focused on limited spending and improving education and healthcare, with the goal of ensuring a balanced budget. Democrats in Congress held the majority, paving the way for many of these policies to be debated by Republican bodies, such as Texas, at the state level.

Health care reform became a contested political issue between Texas and the Obama Administration after the rollout of the Affordable Care Act. However, as seen with legislation passed during the legislative session in Texas, the state and the federal government had similar tactics when it came to increasing health care for citizens. The President issued an executive order on April 8, 2009, to establish the office of health reform with the goal of providing access to affordable and high-quality health care. Simultaneously, the Texas Legislature passed HB 2962 by Rep. Garnett Coleman to expand the eligibility and provide a buy-in option for children with a net family income of 300 to 400% below the federal poverty level (Coleman, 2009).

The American Recovery and Reinvestment Act of 2009 was a stimulus package in response to the great recession signed by the President in 2009. The act focused on tax cuts and unemployment benefits for families. The bill also set aside expenditures for healthcare, infrastructure and education. Republicans were concerned the massive government spending would be inefficient and were not in support of employment benefits, as reflected in the Texas Legislature with the death of SB 1569 (Eltife), which would have allowed the state to draw down federal funds for unemployment insurance. Other notable political contexts during the 2009 Texas Legislative Session include the nomination of Federal Judge Sonia Sotomayor and the Nobel Peace Prize awarded to President Obama.

Economic Implications in Texas' 81st

The Great Recession marked a period of decline in global economics from 2007 to 2009, which contributed to high unemployment rates in 2008 and 2009 for the United States. According to the Phillips and Cañas of the Federal Reserve Bank of Dallas (2009), the Texas economy continued to expand through much of 2008 while many other states were impacted. Specifically, Texas had a job growth rate of roughly 0.4%, whereas the country as a whole witnessed an employment decline of 1.9% (Phillips & Cañas, 2009).

The state biennial budget during this session increased 19.6% from the previous legislative session, growing to roughly $182 billion from $152 billion. This large gain in total funds was partly due to an increase in federal funds made available to the state, which was boosted to $38.8 billion from $25.2 billion, an increase of 53.6%.

As a result, addressing the unemployment rate or other consequences of the global recession was not a demanding priority for the legislature. However, only a couple of months after the 81st Texas Legislative Session, the unemployment rate reached its highest level of 8.3% and stayed around this level until it began to decline in mid-2011. At the start of the recession, the unemployment rate was 4.5% and was not matched until 2015, as previously shown in **Figure 3**.

Social Implications in Texas' 81st

While uncertainty during an ongoing economic crisis was inevitable, Texas' reliance on energy markets, namely oil and gas, helped place the state into relatively greener pastures as oil and gas prices reached record levels in 2008 (Yucel & Thies, 2011). Moreover, in comparison to other states, Texas had stricter regulation of mortgage lending, one of the principal causes of the Great Recession (Krugman, 2011).

Another aspect that contributed to the social implications during Texas' 81st was population growth. As Americans faced the economic crisis, Texas benefited from higher birth rates and an influx of migration from the United Mexican States but also other American states (Krugman, 2011). According to the U.S. Census Bureau (State Population Totals, 2021), Texas' population growth ranked second among the states from 2008 to 2010, behind only Utah, as Texas grew by 3.4% more than double the average across the country—population growth in the U.S. was 1.5% in this period.

82nd Texas Legislative Session (2011)

Table 5. Bills Filed & Passed in the 82nd Texas Legislative Session

Status	House Bills	Senate Bills	Total House & Senate Bills
Filed	3865	1931	5796
Passed	797 (21%)	582 (30%)	1379 (24%)

(SOURCE: Legislative Reference Library of Texas, 2021)

Following the 81st legislative session, it was apparent that the 82nd legislative session would consist of managing the state budget. Upon entering the 82nd session, legislators had begun with a record shortfall of $27 billion (TAMUS Office of Governmental Relations, 2011). The Great Recession had created an economic downturn that negatively impacted Texas's state sales tax revenue and the budget deficit. State agencies and educational institutions were ordered to reduce their budgets twice during the 81st interim. Although the 81st Legislature had benefited from the federal American Recovery and Reinvestment Act stimulus funds, legislators needed to address the $4 billion shortfall in the current 2010-2011 biennium (TAMUS Office of Governmental Relations, 2011).

The House and Senate agreed to use $3.2 billion of the estimated $9.4 billion Rainy Day Fund as well as additional spending reductions and revenues to balance the 2010-2011 budget (TAMUS Office of Governmental Relations, 2011). For the 2012-2013 budget, the House pushed for spending reductions to balance the budget while the Senate looked towards the Rainy Day Fund to pass the budget. There was no compromise made between negotiations with the House and Senate therefore the Senate passed its version of HB 1 on a party-line vote with a cut record of $15.2 billion from the current spending (TAMUS Office of Governmental Relations, 2011).

Effective Legislative Committees in Texas' 82nd

In alignment with the 80th and 81st Texas Legislative Sessions, the House committee in Texas' 82nd that had the highest number of bills that passed was the House Natural Resources Committee (122), and like the Texas 81st, the second-most was the House Judiciary and Civil Jurisprudence Committee (112). The Senate committee with the highest number of bills that passed was again the Senate Committee on Intergovernmental Relations (178), and the second-highest in this session was the Senate Committee on Criminal Justice (137). As shown in the table below, committees related to Agriculture were once again the committees with the highest bill passage rates in both the House and Senate.

Table 6. Top Five House and Senate Committee Bill Passage Rates in Texas' 82nd.

Summary of Bills Passed in Texas' 82nd

House Committee	Bills Referred	Bills Passed	Passage rate	Senate Committee	Bills Referred	Bills Passed	Passage rate
1. Agriculture & Livestock	53	26	**0.4906**	**1.** Agriculture & Rural Affairs	70	45	**0.6429**
2. Human Services	121	56	**0.4628**	**2.** Economic Development	70	43	**0.6143**
3. Natural Resources	269	122	**0.4535**	**3.** Veteran Affairs & Border Security	47	28	**0.5957**
4. Defense & Veterans' Affairs	71	30	**0.4225**	**4.** Government Organization	70	38	**0.5429**
5. County Affairs	158	64	**0.4051**	**5.** Jurisprudence	180	96	**0.5333**

During the legislative session, 5,796 bills had been filed between both chambers (Texas Legislative Council, 2011). The House had a total of 42 committees while the Senate had a total of 21 committees. The committees with the most bills in the House were: Criminal Justice, Natural

Resources, Elections, Higher Education, Judicial & Civil Jurisprudence, Public Education, Public Health, and Transportation (Texas Legislative Council, 2011). With some similarities, the Senate had the most bills in Health and Human Services, Jurisprudence, Natural Resources, Transportation, Intergovernmental Relations, Business and Commerce, and Homeland Security. By Sine Die, 1,379 bills had been enacted. Out of those 1,379 enacted bills, 24 had been vetoed by Governor Rick Perry. Eleven joint resolutions were passed that had proposed 10 amendments to the Texas Constitution (Texas Legislative Council, 2011). Following the end of the regular session, a called session continued the work on the 2012-2013 budget that had yet to be approved during the 82nd. During the called session, 114 bills had been filed, 8 were passed by both chambers, and none of those bills were vetoed. Legislators had adjourned Sine Die on June 29, 2011 (Texas Legislative Council, 2011).

The House Research Organization (2011) summarized the major issues of the 82nd legislative session. Listed below is significant legislation that made up the context for the 82nd session.

Business Regulation and Economic Development

- Regarding revising the Texas Windstorm Insurance Association
- Continuing the Texas Department of Insurance
- Requiring certain retailers to collect sales taxes
- Continuing PUC and reviewing ERCOT

Civil Justice and Judiciary

- Operation and administration of the judicial branch
- "Loser pays" and other tort reform
- Dismissing SLAPP suits on free speech grounds

Criminal Justice

- Prohibiting policies that create "sanctuary cities"
- Revising human trafficking laws
- Creating sexting offense, educational programs
- Creating the Texas Juvenile Justice Department

Elections and Redistricting

- Redistricting state and Congressional districts
- Requiring voters to present photo ID
- Implementing federal MOVE act for elections

Environment and Energy

- Continuing TCEQ, abolishing wastewater council
- Groundwater owned as real property
- Defense to greenhouse gas nuisance lawsuit
- Disposing of low-level radioactive waste

Government Regulation

- Modifying custodial arrangement for the Alamo
- Revising standards for eminent domain authority
- New requirements for homeowners' associations

Health and Human Services

- Requiring a sonogram before an abortion
- Medicaid managed care and Medicaid reform waiver
- Family planning funding; Women's Health Program

Higher Education

- Performance-based funding for higher education
- Academic standards priority for TEXAS grants
- Allowing guns on college campuses with license

Public Education

- Allowing parents to prohibit corporal punishment
- Revising financing of public schools
- Parent, school board input on school sanctions

Public Safety and Transportation

- Banning texting while driving
- Raising statewide speed limits
- Continuity the Texas Department of Transportation

Political Implications in Texas' 82nd

In 2011, there were big political moments in the federal government such as the capture of Osama bin Laden, the Congressional budget gridlock, the U.S. deficit, and Occupy Wall Street (Washington Post, 2011). In addition, the GOP presidential nomination race was occurring, and Texas Governor Rick Perry was running as a GOP candidate. At the same time as the 82nd

Legislative Session, the 112th United States Congress had convened. The administration was controlled by the Democratic president, Barack Obama. The Senate majority was Democratic while the House Majority was Republican (Zeleny, 2010). In the previous congressional session, both chambers had a Democratic majority, but they had lost their majority after the 2010 midterm elections. Since the 107th Congress (2001-2003), it was the first Congress where the House and Senate were controlled by different parties (Zeleny, 2010).

In the 2010 elections in Texas, a total of 21 incumbent Democrats that had been defeated were generally known as well-regarded veterans (TCTA, 2011). The Texas House went from a 77 Republican/72 Democratic split to a 99 Republican/51 Democratic split. The Republican Party saw a battle for political dominance for the ongoing speaker's race. Joe Straus was a compromise candidate since 2009 but challengers representing the conservative right came forward such as Representative Warren Chisum and Ken Paxton (TCTA, 2011). There had been concerns from conservative advocacy groups that Straus had moderate political leanings. Despite these concerns and challenges, Joe Straus retained his speakership for the 82nd Legislative Session (TCTA, 2011).

After the 2010 census, the Texas Legislature had to redistrict after earning four additional seats in Congress. In 2011 after the state had drafted the new congressional boundaries, legal battles had begun (Jarvie, 2017). Many civil rights groups had filed lawsuits challenging the redistricting thus delaying the primary races. In August 2012, a federal court struck down Texas's redistricting plans and concluded that the plans discriminated against Texas Latino and African-American voters (Barnes, 2012). Before the 2012 elections, the federal judges drafted temporary maps that were approved by Governor Rick Perry and then-Attorney General Greg Abbott and subsequently adopted by the Legislature in 2013 (Pollock, 2017).

Economic Implications in Texas' 82nd

In fiscal 2011, the Texas economy had added 253,200 jobs throughout the year. Texas had recovered 406,000 of the 433,400 jobs that had been lost during the Great Recession (Combs, 2011). As of post-recession recovery, Texas accounted for 19% of the nation's jobs added during the Texas fiscal year 2011. The Texas labor force grew more quickly than the supply of jobs leading the unemployment rate to rise to 8.5% from 8.2% at the beginning of the year (Combs, 2011). Yet, the unemployment rate remained below the national jobless rate which was 9.1 % in 2011.

A first in modern history, Texas' 82nd was the first legislative session that appropriated fewer total funds than the previous session. The state biennial budget during this session decreased by 5.4% from the 81st, shrinking to about $172.3 billion from $182.3 billion. This decrease in total funds was largely due in part to fewer federal funds made available to the state, which decreased to $30.8 billion from $38.8 billion in Texas' 81st.

Regarding economic influences on the 82nd Texas Legislature, it is hard to account only for the Great Recession. Texas had a diverse economy, but abundant oil and gas remained its best asset. The reality is that Texas' growth in its economy results from other factors outside of politics such as its plentiful land, international immigration, trade, and abundance of resources (McNichol & Johnson, 2012).

Social Implications in Texas' 82nd

The major statewide issues around the time of the 82nd Legislature involved healthcare, property, elections, immigration, redistricting, agencies, and public education (Aguilar, 2011) Within the health care industry of Texas, requiring a sonogram before an abortion was a pressing issue for pro-life organizations (Aguilar, 2011). In regard to property, one of Governor Rick

Perry's emergency items was for eminent domain. Texans were fearful of the government expropriating their private property for public use and did not know the legalities behind the rights to refuse eminent domain (Aguilar, 2011).

For elections, voter identification and integrity within elections had emerged as an issue. Sanctuary cities were prominent during 2011 as many large cities had established themselves as sanctuaries for undocumented immigrants through municipal ordinances (Aguilar, 2011). Following the 2010 U.S. Census, redistricting was being considered for the 82nd Texas Legislature. Several state agencies were under sunset review. One, the Texas Windstorm Insurance Association, was under heavy consideration following the issues that occurred during Hurricane Ike. The Electric Reliability Council of Texas (ERCOT) was another agency under sunset review (State Impact, 2011). To make matters worse, Texans had experienced a severe winter storm in February that left many homes and businesses frustrated with the power outages. ERCOT's plants were poorly efficient to generate electricity leading to blackouts. ERCOT was accused of manipulating the market by raising the price caps before the blackouts had occurred (State Impact, 2011).

86th Texas Legislative Session (2019)

Table 7. Bills Filed & Passed in the 86th Texas Legislative Session

Status	House Bills	Senate Bills	Total House & Senate Bills
Filed	4765	2559	7324
Passed	969 (20%)	460 (18%)	1429 (20%)

(SOURCE: Legislative Reference Library of Texas, 2021)

Effective Legislative Committees in Texas' 86th

In Texas' 86th Legislative Session, the House committee with the highest number of bills that passed was the House Land and Resource Management (123), followed by the House Transportation Committee (92). Akin to the previous sessions analyzed, the Senate committee with the highest number of bills that passed was again the Senate Committee on Intergovernmental Relations (229). The committee with the second-highest number of bills passed was the Senate Committee on Business and Commerce (214). Policies in the areas of resources and intergovernmental affairs received the highest bill passage rates in both House and Senate committees. The ensuing table reveals the committees with the most effectiveness.

Table 8. Top Five House and Senate Committee Bill Passage Rates in Texas' 86th.

House Committee	Bills Referred	Bills Passed	Passage rate	Senate Committee	Bills Referred	Bills Passed	Passage rate
1. Land & Resource Mgmt.	211	123	**0.5829**	**1.** Administration	65	40	**0.6154**
2. County Affairs	207	88	**0.4251**	**2.** Intergovt. Relations	410	229	**0.5585**
3. Natural Resources	156	61	**0.3910**	**3.** Water & Rural Affairs	185	83	**0.4486**
4. Defense & Veteran's Affairs	83	30	**0.3614**	**4.** Transportation	279	119	**0.4265**
5. Culture, Recreation, & Tourism	104	34	**0.3269**	**5.** Veteran Affairs & Border Security	63	23	**0.3651**

Summary of Bills Passed in Texas' 86th

The 86th session of the Texas Legislature witnessed a significant increase in legislative activity from the 85th session filing over 9% more bills. Legislators in the 86th legislature filed 7,324 bills, compared to the 6,631 bills filed in the 85th legislature (HRO, 2019). Even adding the 508 bills filed in the 85th's 1st Called Session, with only 12 passed, does not bring the 85th to the level of the 86th's activity. The 86th legislature also brought bills into law slightly more successfully, enacting 1,429 laws (20% passage rate) to the 85th's 1,211 laws (18% passage rate). The major bills as listed by the House Research Organization 2019 Report are the following:

Business Regulation and Economic Development

- Regulating the production of hemp, hemp products
- Continuing Texas Alcoholic Beverage Commission
- Modifying massage therapy licensing
- Revising TWIA operations
- Continuing plumbing regulation under TDLR; discontinuing TSBPF
- Establishing governor's office review of occupational licensing rules

Civil Jurisprudence and Judiciary

- Enforcing rights of a child born alive after abortion
- Modifying judicial pay and retirement systems
- Limiting arrests for fine-only Class C misdemeanors
- Creating criminal, civil penalties for damage to critical infrastructure
- Transferring driver's license, other programs from the Department of Public Safety

Disaster Response

- Disaster prevention, protection, and mitigation
- Disaster response
- Disaster recovery
- Disaster relief
- Disaster-related appropriations

Elections

- Requiring election cybersecurity training
- Modifying election rules; creating and increasing offenses

General Government

- Raising the age to 21 to purchase tobacco products
- Prohibiting transactions between governmental entity, an abortion provider
- Banning local governments from using public funds to lobby certain bills
- Revising determination of ESF sufficient balance, reinvestment of fund
- Expanding public disclosure requirements for certain government contracts
- Prohibiting certain communications outside of open meetings
- Regulating the removal, relocation, and alteration of historical monuments
- Preventing adverse government actions based on religious affiliations
- Preempting certain local regulations on private businesses

Health and Human Services

- Medicaid funding
- Changing disclosure requirements for freestanding ER facilities
- Requiring human trafficking prevention training for health care practitioners
- Establishing opioid prescription limits and requiring e-prescribing
- Expanding eligibility for medical use of low-THC cannabis
- Establishing Child Mental Health Care Consortium
- Revising human trafficking, prostitution statues
- Expanding maternal care through the Healthy Texas Women program
- Prohibiting balance billing and creating arbitration and mediation systems

Higher Education

- Increasing assistance for physician education loan repayment program
- Protecting expressive activities at public higher education institutions
- Facilitating college course credit transferability
- Requiring the reporting of sexual assault allegations

Natural Resources and Environment

- Extending TERP surcharges, creating TERP trust fund
- Dedicating sporting goods sales tax to parks and historical sites
- Creating state flood plan, financing flood control projects
- River authority Sunset bills

Public Education

- Modifying public school financing
- Changing school mental health training and curriculum requirements
- Shortening assessment times for students
- Improving school safety, promoting mental health
- Increasing contributions to the Teacher Retirement System

Taxation and Revenue

- Increasing sales tax to decrease property tax
- Collecting sales taxes from certain online purchases
- Amending the property tax system and reducing the rollback tax rate

Transportation

- Prohibiting red light cameras
- Revising toll road billing and enforcement
- Repealing the Driver Responsibility Program
- Financing transportation projects for counties affected by oil, gas production
- Continuing the Texas Department of Motor Vehicles

The two headline achievements of the 86th Texas Legislature were school finance reform and property tax relief (Ramsey, 2019). HB 3 provided more money to classrooms, increased teacher compensation, reduced recapture, and cut local property taxes (TEA, 2019). SB 2 put restrictions on how local governments can raise property taxes, requiring an election for an increase of more than 3.5% (Najambadi, 2019). Texas lawmakers have attempted to rein in Texas's high property taxes for decades but cannot directly dictate the tax rate to localities (Ramsey, 2019). This measure represented the state's attempt to limit property taxes if it cannot lower them.

The Legislature passed two significant recreational substance bills. The minimum age to purchase tobacco products, including cigarettes and e-cigarettes, was raised to twenty-one, except for those with a military ID (Texas State Comptroller, 2019). On the other hand, Texas joined many states legalizing hemp production and low-THC hemp products (McGaughy, 2019).

In the wake of Hurricane Harvey, the legislature approved several backward and forward-looking bills (Collier, 2019). Senate Bill 6 enjoined the Texas Division of Emergency Management to create guides for local officials on disaster response and recovery, including managing debris removal. Senate Bill 8 created a statewide flood plan, including a plan to study how to repair and maintain unsafe dams in the state. Senate Bill 7 allocated $1.6 billion for flood control and recovery, including money for Hurricane Harvey relief.

Social conservatives advanced two major abortion bills, with one success and one failure. A bill that prevents cities from entering into contracts with abortion providers was signed into law (Sundaram, 2019). An attempt to establish harsher penalties for doctors who do not treat babies

who are born despite an abortion failed, though (TLO, 2019). The other major social conservative victory saw Republicans rushing to the defense of restaurant Chick-Fil-A, against what they viewed as discrimination by the San Antonio City Council (Woomer, 2019), passing a law against retaliation based on religious convictions.

The legislature addressed several recent social issues surrounding harassment and sexual assault, including a "revenge porn" bill, a "cyberbullying" bill, and increased requirements and penalties regarding sexual assault and trafficking (TLO, 2019).

Political Implications in Texas' 86th

The recent tightening in the balance of power between Republicans and Democrats may have encouraged moderation within the legislature for the 86th Session. In the 2018 election, Republicans lost two seats to the Democrats in the Senate. From a supermajority of 21 Republicans to 10 Democrats, the Republican majority declined to 19-12 (Ballotpedia, 2018). Republicans also lost 10 seats in the Texas House to Democrats.

This narrowing occurred nationally as well, with Democrats achieving about a 5% swing in all legislative seats across the country in the midterm elections (Ballotpedia, 2018). Republicans held 56.8% of the legislative seats before the election to the Democrats' 42.6%. After the election, the Republicans only held 52.3% of the seats. Likewise, the midterm elections did not go well for Republicans at the federal level, with the Republicans losing a total of 40 seats, giving the Democrats a 17 seat majority and control of the House. The Republicans did gain two U.S. Senate seats, though, increasing their majority in the senate from 51 to 53. In the election for U.S. Senator, Republican incumbent Ted Cruz defeated challenger Democrat Beto O'Rourke by only 250,000 votes (Ballotpedia, 2018), compared to his previous election win by over a million votes (Ballotpedia, 2012).

Legislators seemed more interested in addressing important budgetary and governance issues than political grandstanding. The two banner achievements—school finance reform and property tax reform—were both accomplished through bipartisan effort. The moderate mood may have made some legislators skittish, though, as they balked at raising sales taxes (TLC, 2019).

The actions of the Texas Legislature reflected the national political landscape. The Republican Party controlled the Presidency and both chambers of Congress from 2016-2018 and only lost the House in the 2018 elections (Ballotpedia, 2018). The Texas Legislature, thus, saw less need to contradict national policies, abortion law excepted. The efforts to lower taxes mirrored national legislation. In 2017, the U.S. Congress passed a massive tax code overhaul—the Tax Cuts and Jobs Act—which included tax breaks for many segments of the country, especially businesses (Investopedia, 2019). Likewise, the national mood has been for less draconian criminal justice. In late 2018, Congress passed the FIRST STEP Act, which reduced some prison sentences (Lau, 2018).

Economic Implications in Texas' 86th

Texas state revenue dipped in the 2016-2017 fiscal years, before rapid recovery and growth in the years of 2018-2019 (Comptroller, 2019). From 2015's high of $240 billion, state revenue had fallen to $222 billion in 2017, but rebounded to $250.5 billion in 2018 and increased to $273 billion in 2019. Taxes from oil and natural gas production also rose an astounding 56% in 2018, for a revenue of $4.82 billion, and continued to rise to a total of $5.5 billion in 2019. Strong expansion on both the consumer, in the form of sales taxes, and production sides—including oil and natural gas, manufacturing, and construction—also contributed to increased revenues.

These trends reflected general economic growth in the state in the post-Great Recession era. While the nation continued to grow by many measures, Texas performed exceptionally

well. Texas outperformed most states in personal income growth since the Great Recession, being one of only three states that have kept up with the historical growth rates of the United States (Mantell & Fleming, 2018). While the population growth of the country slowed overall, Texas gained the highest number of new residents between 2008 and 2019, growing by 4.4 million residents over the decade (Rosewicz, 2019). This rate of growth of 1.68% per year almost tripled the national median rate of 0.63%

Social Implications in Texas' 86th

The gains made by Democrats in the 2018 elections may have made Republicans wary of pushing some social conservative issues. That did not stop them from passing a largely symbolic ban on a future state income tax, though. The House Joint Resolution went onto the November 2019 ballot and was adopted with a vote of 1,477,373 to 509,547 (Legislative Reference Library, 2019).

The legislature addressed several recent social issues surrounding harassment and sexual assault, including a "revenge porn" bill, a "cyberbullying" bill, and increased requirements and penalties regarding sexual assault and trafficking. The session also saw the thawing of some taboo issues. Bipartisan support for the relaxation of marijuana prohibition, especially for medical purposes, has grown, and the session saw an increase in attempts to broach the topic.

87th Texas Legislative Session (2021)

Table 9. Bills Filed & Passed in the 87th Texas Legislative Session

Status	House Bills	Senate Bills	Total House & Senate Bills
Filed	4671	2256	6927
Passed	587 (13%)	486 (22%)	1073 (15%)

(SOURCE: Legislative Reference Library of Texas, 2021)

Effective Legislative Committees in Texas' 87th

In this session, no single House committee passed triple-digit bills, a first in the sessions we analyzed. However, similar to the 86th Texas Legislative Session, the House committee in Texas' 87th with the highest number of bills that passed was the House Land and Resource Management Committee (77), down by 46 bills compared to the 86th session, and again followed by the House Transportation Committee (67), down by 25 bills. The Senate committee with the highest number of bills that passed was the Senate Committee on Local Government (157), which was previously named the Senate Committee on Intergovernmental Relations, which had 229 committee bills that passed both chambers in the 86th. The Senate Committee on Business and Commerce, similar to the 86th, again passed the second-highest number of bills (125), roughly 41% less than the 214 bills from the previous session.

As shown in the table below, the policy area of agriculture, followed by veteran's affairs, received the highest bill passage rates in both the House and Senate.

Table 10. Top Five House and Senate Committee Bill Passage Rates in Texas' 87th.

House Committee	Bills Referred	Bills Passed	Passage rate	Senate Committee	Bills Referred	Bills Passed	Passage rate
1. Agriculture & Livestock	41	22	0.5366	**1.** Veteran Affairs & Border Security	55	24	**0.4364**
2. Land & Resource Mgmt.	179	77	0.4302	**2.** Water, Agriculture & Rural Affairs	140	54	**0.3857**
3. Defense & Veteran's Affairs	78	26	0.3333	**3.** Transportation	214	78	**0.3645**
4. Natural Resources	126	39	0.3095	**4.** Local Government	449	157	**0.3497**
5. Transportation	237	67	0.2827	**5.** Natural Res. & Econ. Development	212	70	**0.3302**

Summary of Bills Passed in Texas' 87th

As compared to every other session analyzed in this paper, Texas' 87th witnessed the lowest bill passage rate and the lowest number of bills passed overall. Only 1,073 bills were passed in the 87th session, down 25% from the 1429 bills passed in the 86th. Bills were less likely to pass as the bill passage rate in Texas' 87th was roughly 15%, whereas the 86th had a bill passage rate of 20%. Interestingly, compared to the previous legislative session, the Texas Senate appears to have been more effective as the passage rate of bills that originated in the Texas Senate was 22% in the 87th, whereas such bills in the 86th had a passage rate of 18%. While the House Research Organization has yet to release a report of major legislation passed, we provide a synopsis of key legislation below.

Business Regulation and Economic Development

- Provide liability protection in time of a pandemic
- Protection of the Texas trucking industry
- Prohibit a local government from requiring certain employment benefits or policies

Civil Jurisprudence and Judiciary

- Appellate Court reorganization
- Reevaluation of deadly force such as chokeholds
- Establishing a duty for officers to intervene when another officer is breaking the law or harming another person
- Data and information collection transparency
- Reduction of penalties for drug offenses

Elections

- Election integrity relating to the preservation of the ballot box
- Increasing and creating criminal offenses for ballot tampering
- Creating an election period to replace gaps between early voting and election day
- Establishment of a Texas Redistricting Commission

General Government

- Restricting abortions after a heartbeat is detected
- Authorizing an administrative penalty for abortions
- Prohibition of discriminatory abortions
- Recognition that the right to life begins at fertilization
- Enforcing religious freedom and prohibited closure of places of worship
- Ending taxpayer-funded lobbying
- Protection of free speech on social media platforms
- Removal of racist restriction from real estate deeds

Health and Human Services

- Delivery of healthcare services under Medicaid using information technology
- Administration of the Medicaid managed care program, including requirements for and reimbursement of managed care organizations.
- Protection of underaged children from surgical sex-mutilation

Higher Education

- Continued funding post-COVID-19
- Financial aid expansion
- Workforce development

Natural Resources and Environment

- ERCOT reform in response to Winter Storm Uri
- Power grid stability
- Statewide broadband access
- Oil & gas investment protections
- River authorities sunset review
- Water needs proposals
- Gaming & wildlife licensing reevaluation

Public Education

- Elimination of all non-federally mandated STARR tests
- Protection of women and girls in competitive sports
- Promotion of patriotism in public schools
- Integration of home school students into UIL extra-curricular activities
- School finance post-COVID-19
- Online learning/virtual school platforms

Transportation

- Project financing
- New revenues from electric-powered vehicles
- Toll roads
- High-speed rail
- Autonomous vehicles and emerging technology

Political Implications in Texas' 87th

At the Federal level, the Biden Administration with the support of a Democratically-controlled Congress issued executive orders for stronger COVID-19 restrictions and safety precautions nationwide. Within the first 100 days of the new administration, additional executive orders initiated reversals of major foreign and domestic policies placed under the Trump administration. Some executive actions affected abortion funding, transgender rights, immigration approaches, gun ownership restrictions, etc.

In continuation with CDC COVID-19 guidelines, a travel ban was reinstated to areas of Europe, Africa, and regions of China to mitigate the viral spread. Mandates placed on federal buildings, airports, and transportation hubs required masks being worn at all times and social distancing (CDC, 2021). It was highly encouraged for all Americans to wear a mask for the first 100 days of the Biden presidency to further eliminate the spread amongst communities. The U.S was reinstated into the World Health Organization after President Trump broke the partnership.

The newly Democratically-controlled Congress passed legislation strengthening background checks when purchasing a firearm (Cowan, 2021). This also supported President Biden's executive order to stop the sale of unmarked firearms on the streets and markets. The surge

in gun violence has caused many Democratic officials to put more pressure on the issue. Lifting protections set to keep gun manufacturers from being liable in shooting incidents is a priority the Biden administration promises to pursue over the course of his presidency. The limit on the type of firearms and ammunition is also being addressed in the president's initiative to stop gun violence.

The Texas legislature had staunch reactions to the executive orders and legislation put forth by the U.S. Congress and President Biden. Some of the concerns have resulted in legislation to protect state rights and sovereignty. The Texas legislature considered new laws that fought back against the mandates and infringement of states. The winter super storm that hit much of the U.S. and Texas caused a new set of problems as the state's power grid and facilities failed, and the economy again was forced to close for nearly a week.

Economic Implications in Texas' 87th

The impact of COVID-19 on the Texas economy is a full-on recession according to the analysis of Comptroller Glenn Hegar (The Office of the Texas Comptroller, 2020). Difficult financial decisions played a role in the allocation of funds during the legislative budgeting process. The immediate economic impact will be based on damage assessment and the businesses that need government assistance to stay open.

As mandatory shutdowns began, the unemployment rate in Texas jumped to 12.9% in April 2020, the highest rate in recent history. By April 2021, the job market recovered significantly as the Texas unemployment rate decreased to 6.7%. But this lower unemployment rate is nearly double the average unemployment rate in all of 2019, which was roughly 3.5%

As compared to the 86th legislative session, the total state budget appropriated in Texas 87th decreased by 5.2%, falling by a total of $13.5 billion to $248.6 billion from $262.1 billion.

This decrease is largely due to approximately $15.5 billion fewer federal funds being made available to the state.

Social Implications in Texas' 87th

Legislative redistricting occurs in late 2021 and is subject to strengthening the Republican majority and further weakening an equal number of Democratic representation. The Houston and Dallas areas are seeing the most increase in populations, giving Texas two new congressional seats (U.S. Census Bureau, 2021). The social implications of this is the potential disenfranchisement of typical Democratic strongholds, a claim made by many equality advocates. Other social implications of the 87th legislative session are that transgender youth are not allowed to participate in cross-gender sports in public schools. Immigration policy will affect families at the border and the future involvement of those groups to participate in the political process as families are still being detained for lengthy periods of time after capture.

State legislation made abortion policies stronger as heartbeat detection is now considered the official start to life. Second Amendment activists lobbied for stronger restrictions against federal laws about gun rights, the legislature passed a concealed carry bill that would eliminate a carrying permit.

III. COMPARING TEXAS SESSIONS TO OTHER STATES

California

In this section, we examine the responses of the state legislature of California in dealing with the two most recent recessions in the United States—the Great Recession (2007 - 2009) and the COVID-19 Recession (2020 - 2021)—and use the responses as a comparative tool to contextualize the response of the Texas State Legislature in dealing with the same two recessions. The rationale for selecting the state of California, as opposed to another state, is that it has a large, robust, and diversified economy with a diverse working population, similar to that of Texas. The chart below displays a breakdown of both state's populations.

Table 11. Population Characteristics in Texas and California

	Texas	**California**
Population Estimate (2019)	28,995,881	37,254,519
% Population Change (2010-2019)	15.3%	6.1%
White Alone (2019)	41.2%	36.5%
Hispanic (2019)	39.7%	39.4%
Black (2019)	12.9%	6.5%
High School graduates, % of persons aged 25+	83.7%	83.3%

(U.S. Census Bureau, California; Texas, 2021)

In 2007, Texas had a gross state product (GSP) of nearly $1.2 trillion and California had a GSP of nearly $2 trillion (Bureau of Economic Analysis, 2021). A seemingly large discrepancy until one considers that 47 of the 50 states had a gross domestic product of fewer than $1 trillion (Bureau of Economic Analysis, 2021). Moreover, the two states receive comparable revenue streams by way of their taxes on their various industries, such as manufacturing, oil & gas production, and private industries (Bureau of Economic Analysis, 2021.). Unlike Texas, the

California State Legislature is a professional legislature meaning that lawmakers meet for the entire year as opposed to only a few months and are highly paid. Observing the differences in intensity and breadth of the legislature's response between a professional and part-time legislature will further provide context to the analysis.

This section will be organized into two parts. The first will examine the Great Recession and the second the COVID-19 Recession. To conform this section's structure to that of the rest of the paper, the two parts will be organized in chronological order (i.e., the analysis will examine the efficiency and effectiveness of the state legislature before, during, and after the recessions). However, first, we give an overview of the structure of the California legislature.

The California State Legislature

Similar to nearly all state assemblies, California has a bicameral legislature that consists of an upper and lower chamber. The lower chamber is named the California State Assembly and is made up of 80 members serving two-year terms. The upper chamber, the California State Senate, is composed of 40 senators serving staggered four-year terms. This construction differs from that of Texas in terms of numbers, with the lower chamber consisting of 150 seats and the upper chamber being made up of 31.As mentioned earlier, California's assembly is a professional legislature that meets throughout the year. This professionalization means that membership in the body is a full-time job. This status is compensated with a salary of over $114,000 and a per diem. This differs sharply from the Texas legislature, which only meets for one hundred and forty days every two years and is compensated with an annual salary of $7,200 and a per diem stipend.

The political structure of the law-making body has been dominated by the Democratic Party for some time. The lower chamber has been under Democratic control since 1996 and the upper chamber since the 1970s. Currently, the State Assembly consists of sixty Democrats,

nineteen Republicans, and one independent. The State Senate consists of thirty Democrats, nine Republicans, and one vacant seat. This of course differs from the ruby-red state of Texas, which has been held under Republican control for well over a decade.

The Economic Fallout of the Great Recession

The Great Recession was a worldwide economic-financial crisis that began in late 2007 and ended in 2009. The economic fallout of the recession was of a magnitude not seen since the turmoil of the Great Depression. At its zenith, one in five people would lose their employment, and consumer spending dropped precipitously (Bureau of Labor Statistics, 2014; University of Pennsylvania, 2018). California was not spared its share of the economic plight. The average family income fell by 6.5% between the period of 2007 - 2009, with the poorest 10% of families suffering a pecuniary decrease of 15.2% on average (Bohn & Schiff, 2011).

California's economic industries faced a similar economic upheaval. From the first quarter of 2008 until the end of the recession in the final quarter of 2009, the total gross domestic product between all industries fell by nearly 4% or the equivalent of over a quarter of a trillion dollars. The industries that were most starkly affected were natural resource extraction (e.g. oil, natural gas, and mining) with a decrease in GSP of 30%, wholesale trade with a decrease of 9%, and manufacturing with a decrease of nearly 7%. In the following section, this paper will examine the California State Legislature's response to the Great Recession. Similar to Texas, the analysis in this subsection will examine the efficiency and the major pieces of legislation passed by the end of the fiscal year (June 30th) for 2007, 2009, and 2011.

2007- 2008 Session

All things considered, 2007 was a fairly standard year for the state of California. The state's gross domestic product was over $1.9 trillion, and its unemployment rate was 5.3% (FRED

Unemployment, 2021; FRED GDP, 2021), making California an economic powerhouse for the United States. As a result, the California State Legislature's priorities were focused on issues that dealt more with public health and safety such as environmental safety, education, and health policy (California Senate Office of Research, 2007). This is as expected since the effects of the Great Recession would not make themselves visible in the state until the following year. Thus, similar to Texas, the year 2007 was a standard year for legislation. However, an interesting difference between the two legislative bodies that warrants consideration is the sheer magnitude of legislation that is passed by both chambers when compared to Texas. As a legislative body, both chambers passed nearly 58% of the bills that were introduced (California Senate Office of Research, 2007) This is a stark contrast to the conservative nature of the Texas legislature, in which only a little of 26% of bills pass out of both the house and senate. As we will see in the following subsection, these legislative preferences diverge further in times of economic crisis.

2009-2010 California Session

By the year 2009, California was in the grips of a financial and economic crisis. By year's end, the unemployment rate reached over 12%, the average home lost 30% of its value, and the state was facing a $40 billion deficit (League of California Cities, 2009). Facing such bleak economic conditions, lawmakers were eagerly awaiting the start of the 2009-2010 legislative session. However, before lawmakers could introduce their first piece of legislation, they would have to overcome inter-party warfare. Since the beginning of the recession, there had been disagreements on the best course of action to take to provide Californians with relief. Governor Schwarzenegger and the Republican faction within the legislative branch wanted to cut tax rates on businesses and reduce government spending to tackle the issue of the budget deficit and the lackluster performance in the private sector. Democrats, on the other hand, wanted to increase

government spending by strengthening California's safety net and providing relief to businesses that were failing (League of California Cities, 2009).

The ideological warfare notwithstanding, the legislature quickly went to work introducing and enrolling new laws and budget solutions to lowering the budget deficit. In fact, the body of lawmakers introduced more bills than the preceding session and enrolled a larger share of them. Approximately 62% of the proposed legislation was signed into law (California State Assembly, 2010). In this session, a major theme found in the laws passed dealt with protecting vital community services, economic and infrastructure investment, and governance, budget, and fiscal reform (California State Assembly, 2010). Again, this was in stark contrast to the Texas Legislature, which during the Great Recession passed fewer bills as a body than the previous session, 27% and 33% respectively (Texas Legislature Online, 2021). This difference should not be understated. During the Great Recession, the worst economic downturn since the Great Depression, the California Legislature passed well over twice as many bills (as a percentage) than the Texas Legislature despite having fewer total bills and fewer legislative members. These diametrically opposed approaches to governance can largely be attributed to the different ideologies and makeup of the two legislatures. The Texas legislature is dominated by a conservative body while the California legislature is controlled by a much more active body. As we will see in the following sections, these opposing ideologies will remain present throughout each session.

2011-2012 California Session

The official end of the Great Recession occurred in June 2009 (Taylor, 2011). However, this fact belies the true social and financial impact the recession had on the country. As the effects of the Great Recession were felt for years after its end - particularly, in the areas of unemployment

and deflated property values and homeownership (Crump & Schuetz, 2021). In California, unemployment rates hovered over 11% (Bureau of Labor Statistics, 2012) and property values and homeownership reached their lowest values in 2012 (Crump & Schuetz, 2021). The state—despite the fact that the Great Recession was officially over—was still suffering from the fallout of the recession. The state legislature thus continued to face the daunting task of navigating the state with the largest economy and the largest population in the country out of a severe budget deficit. At the start of the 2011 session, California was facing a twenty-five billion dollar deficit (Taylor, 2011). To overcome this obstacle, the state legislature continued to take an active problem-solving approach.

First, the legislature reduced the budget deficit by shifting responsibility of criminal justice, behavioral health, and health services programming on to local governments. Further, the state dissolved its redevelopment agencies - agencies whose purpose was to address urban blight. Lastly, the state moved to increase the tax rates, temporarily increasing its state sales tax and moving to increase the income tax on the state's highest earners (Taylor, 2011). This approach bore fruit when in June 2012 the state was no longer facing a deficit and in December 2012 California's unemployment rate fell below 10% (Taylor, 2011). In all, California's legislature took a pro-government-action approach by passing over 58% of all proposed legislation. This is in line with what had been seen in the session prior. Namely, California having twice as high of a bill passage rate (.25 and .58 for Texas and California, respectively) and Texas becoming more conservative during times of economic hardship, and California becoming prone to government intervention. In the following section, this paper will examine if this trend in the California legislature continued during the COVID-19 recession of 2020.

COVID-19 Response in California

California's Department of Public Health announced its first case of the COVID-19 infection on January 26, 2020. (Castillo, 2020). Within 15 days of California's first reported coronavirus death, Governor Gavin Newsom issued the first shelter-in-place mandate in the United States. In addition, the state worked with local governments to coordinate regional lockdowns, secure shelters for the homeless, and procure hospital beds (Castillo, 2020).

At the request of the state, those who were out-of-state visitors were required to test a couple of days before their arrival and quarantine for seven days before traveling around the state regardless of the test being negative or positive. In addition, California had an advisory stating that Californians should not travel more than 120 miles away from their home (Argon & Newsom, 2021).

As of May 2021, California has seen a total of 3,689,994 positive cases and 62,470 deaths (California All, 2021). There have been 66,582,653 administered COVID-19 tests, and a total of 38,429,927 vaccines administered throughout the state (California All, 2021).

The Impact of COVID-19 on California's Economy

Before COVID-19, California had an unemployment rate of 4.3% and an estimated 17,660,900 Californians on a payroll job (Levy & Henry, 2021). During the first six months of the COVID-19 pandemic, the unemployment rate for the state of California was at a historical high of 16% (U.S. Bureau of Labor Statistics, 2021). An estimated 2.6 million Californians had lost their jobs as a result of the pandemic. Through the ongoing COVID-19 recession, millions of Californians struggle to pay for housing and food. As of May 2021, the unemployment rate remained higher than the national unemployment rate at 8.3% (U.S. Bureau of Labor Statistics,

2021). California had lost 400,000 more jobs during the pandemic than it had lost during the Great Recession (Anderson, 2020).

According to the California Budget & Policy Center (2020), the industries that were impacted the most by COVID-19 were leisure and hospitality, health care and social assistance, and retail trade. Between February 2020 and April 2020, the leisure and hospitality industry lost 982,000 jobs, health care and social assistance lost an estimated 310,000 jobs and retail trade lost an estimated 290,000 jobs (Anderson, 2020). Much of these job losses are a reflection of the restrictions that the state imposed that affected many industries as COVID-19 cases increased.

COVID-19 Impact on California State Budget

For the 2021-2022 State budget, the Governor of California proposed a $227.2 billion fiscal budget to provide immediate funding and COVID-19 relief for Californians (Newsom, 2021). There is a proposed allocation of $372 million for safe vaccine distribution to speed up the administration of vaccines in the state. It includes a $14 billion investment into economic recovery and $600 direct cash support for Californians known as the "Golden State Stimulus" (Newsom, 2021). Other actions include $575 million in grant funding for small businesses and nonprofits impacted by COVID-19 and $4.5 billion in equitable recovery for California businesses and jobs (Newsom, 2021).

The Legislature expects a $26 billion surplus for the 2021-2022 California state budget. There is uncertainty in the fiscal picture of the California budget. The analysis done by the Legislative Analyst's Office (2021) suggests that the revenue can be $10 billion above or below the forecast for the upcoming budget. The estimated surplus is driven by three factors-- higher revenues, higher spending on schools and community colleges, and lower caseload-related costs.

In contrast, the Texas Legislature approved a $248 billion biennial budget including $116 billion in general revenue (Pollock, 2021). The approved budget showed a $13.5 billion decrease from the previous fiscal year due to appropriating it towards coronavirus relief. Due to an improving economy and legislative choices, the budget will not use Texas' rainy day fund. (Pollock, 2021). The Texas budget differs from California's budget priorities in which Texas continues to spend largely on public education and health care while California has redirected itself to provide huge relief from the pandemic to its residents by promoting economic recovery and improving rapid health care (Pollock, 2021).

Overview of the 2019-2020 California Legislative Session

On January 7, 2019, the California legislative session convened and remained in session until September 13, 2019. For this session, the Democrats held a veto-proof supermajority. Following the election in 2018, the Democrats had a (29-11) majority in the Senate as well as a (60-20) majority in the Assembly (Ballotpedia, 2019). At this time, California was one of the 22 state legislatures that had a veto-proof supermajority in both chambers. The veto-proof supermajority allows for the majority party to override an executive veto issued by the governor (Ballotpedia, 2019).

At the end of the session, 2,600 proposals were introduced. Of those proposals, 1,037 bills were sent to Governor Newsom (Good Government, 2019). The highlights of the session regarding healthcare, employment, housing, criminal justice, education, and environment are as follows:

- Expands Medi-Cal for ages 19-26 regardless of immigration status
- Requiring student health centers to offer medical abortions
- Changes employment status for one million California workers
- Limit rent increases of 5% plus inflation
- Mandated policy guidelines for use of force for law enforcement agencies
- Requesting gun violence restraining orders for a person outside immediate family
- Endorsement deals for student-athletes in four-year colleges
- New environmental regulations

(SOURCE: Good Government, 2019)

Overview of the 2020-2021 California Legislative Session

For the 2020 Legislative session, the Democratic party had a veto-proof supermajority as they had previously in 2019. The California State Senate was a Democratic majority (29-10-1) with only one vacancy (Ballotpedia, 2020). The California State Assembly held a (61-18-1) Democratic majority as well. In 2020, the California State Legislature was set to convene on January 6th and adjourn by August 31st. Yet, the session was suspended in March due to Governor Gavin Newsom's statewide quarantine order (Ballotpedia, 2020). During that time period before the suspension, California lawmakers were quick to approve $1 billion in funding in response to COVID-19 (Gutierrez & Myers, 2020). The bill had appropriated $500 million from the emergency response from California's general fund as well as an additional $500 million. From January 2020 to March 2020, the two COVID-19 related bills were the only action taken by the state legislature (Gutierrez & Myers, 2020).

On May 4, 2020, the legislature reconvened. Major legislation according to Calmatters (2020) included:

- Expanding paid family leave (SB 1383)
- Avoiding evictions (AB 3088)
- Policing the police (AB 1506/AB 1196)
- Expanding mental health parity (SB 855)
- Creating a reparations committee (AB 3121)
- Banning flavored tobacco (SB 793)
- Overseeing workplace COVID-19 outbreaks (AB 685)
- Producing lower-cost generic drugs (SB 852)
- Expanding aid for emergency groceries (AB 826)
- Creating a homelessness czar (AB 1845)
- Extending tax credits to undocumented workers (AB 1876)
- Ensuring workers' compensation (SB 1159)

Other notable legislation listed by Calmatters (2020) that was abandoned due to the COVID-19 response:

- Police intervention while using excessive force
- Homeowner forbearance on their mortgages
- Green New Deal

Overview of the 2021-2022 California Legislative Session

On December 7, 2020, the California Legislature convened. Following the 2020 elections, the Democrats hold the Senate (31-9) and House (60-19) majority (Ballotpedia, 2021). The governor of California also is a Democrat creating a Democratic state government trifecta. For the 2020-2021 session, California is one of the six state legislatures with a veto-proof supermajority for Democrats in both chambers (Ballotpedia, 2021). Just like the Texas legislature, California is drawing new congressional and state districts through the redistricting process. As of 2020, California is one of the four states where an independent commission is responsible for redistricting (Ballotpedia, 2021). The difference between both states is that Texas boundaries are drawn by the state legislators. Yet, if the Texas legislature fails to approve the redistricting plan, a backup commission must draw the lines. For the current session, these are the major pieces of legislation being debated (Lane, 2020):

- Supporting workers displaced by the COVID-19 pandemic (SB 93)
- Decertify police for misconduct and killings (SB 2)
- COVID-19 related tenant protections (AB 15)
- Affordable housing finance (ACA 1)
- Broadband access (SB 4)
- Zero-emission standards for new construction (SB 30, 31, 32)
- Wildfire response (SB 12)

Other notable legislation that will be considered in California's 2022 ballot propositions (Ballotpedia, 2021):

- Limits on public health emergency powers initiative
- Child custody determination by jury initiative
- Environmental and sustainability education initiative
- Packaging waste reduction regulations
- Changes to medical malpractice lawsuits
- Legalize sports betting on American Indian land
- Flavored tobacco products ban referendum

California was the first state to take action against the COVID-19 pandemic. The past two legislative sessions have focused heavily on responses to preventing the transmission of the virus and reducing the number of deaths. In addition, the state legislature has allocated an abundance of resources from the state budget totaling over a billion dollars. California's actions were able to limit some impacts of the virus, but the state still continues to face issues such as housing, vaccination administration, and employment.

Nevada

We chose to compare Nevada and Texas for a few reasons. First, they are two of only four state legislatures in the United States that have biennial regular legislative sessions. Moreover, Nevada and Texas are two of the nine U.S. states that do not have state income taxes. Lastly, while Texas has a population almost ten times that of Nevada, they share similar demographics, as shown in the table that follows.

Table 12. Population Characteristics in Texas and Nevada

	Texas	Nevada
Population Estimate (2019)	28,995,881	3,080,156
% Population Change (2010-2019)	15.3%	14.1%
White Alone (2019)	41.2%	48.2%
Hispanic (2019)	39.7%	29.2
Black (2019)	12.9%	10.3%
High School graduates, % of persons aged 25+	83.7%	86.7%

(U.S. Census Bureau, Nevada; Texas, 2021)

The Nevada State Legislature

Similar to the rest of the states except for Nebraska, the Nevada Legislature is a bicameral legislative body. The lower house in the Nevada Legislature referred to as the Nevada Assembly consisting of 42 members. The upper chamber is named the Nevada Senate and consists of 21 members. With a combined total of only 63 members, the Nevada Legislature is the third smallest state legislature. As previously mentioned, state legislative sessions in Nevada are similar to Texas in that they are held biennially, but they are also similar to Texas sessions as they occur at the beginning of odd-numbered years. In Nevada, state legislative sessions have a constitutional limit of 120 days—Texas' sessions are limited to 140 days.

Nevada and The Great Recession

Nevada was impacted perhaps more than any other state by the Great Recession of 2008. As a state with heavy real estate development and dependent on tourism, the collapse of the housing market and general economic malaise took a severe toll on Nevada's economy (Puppel, 2018). Nevada led the nation in foreclosure rates, with a rate of 9.6% in December 2010 (Hogan, 2016). Nevada also experienced the worst unemployment rates in the country- 15% at its peak.

This economic turmoil cost the state billions of dollars in GSP. Even in the opening stages of the recession, Las Vegas alone lost $2.3 million in GSP in the 2007-08 fiscal year, with that number growing to $7.6 million in 2008-09 (Hogan, 2016). Meanwhile, the state of Nevada reached a high of a GSP of $139 billion in the fourth quarter of 2007 before falling over $20 billion to $118 billion in Q1 of 2010 (Guinn, 2010). Contributions to the state GSP show that the construction industry was hit hardest by the recession, shrinking from 10% to 5% of the state's total GSP. Most other sectors remained steady, but the government did increase moderately, from 10% to 12%.

24th and 25th Special Sessions

Even before the official beginning of the recession, Nevada experienced budget shortfalls, partly due to the slowing of the housing market. State spending doubled, from $3.9 billion to $7.9 billion, from the 2003-05 budget to the 2009-11 budget (Lawrence, 2009). The state depended on continued state growth to fund these budgets, guaranteeing that even a slowdown would lead to inadequate revenues. In late June of 2008, with Nevada's Economic Forum estimating that revenues would be $275 million less than budgeted for, Governor Jim Gibbons called a two-day special session (State of Nevada Office of the Governor, 2008). The main piece of legislation to come from the 24th Special Session appropriated two sets of funds, in the amounts of $195 million

and $72 million, from the state "rainy day fund" to the State General Fund (Nevada Legislature, 2008).

The governor called a second special session in December, to deal with the continued fallout of the budget shortfall. The major bill, AB1, shuffled money among various needy agencies, with most of the amounts in the low millions (Nevada Legislature, 2008). The other three bills allowed the state to borrow money and for public schools to receive and use larger sums.

2009 Nevada Legislative Session

Unlike the circumstances of Nevada's 2021 legislative session—which prompted responses to healthcare, education, and tourism—fiscal matters were the overriding concern of Nevada's 2009 legislative session. The session began with a projected shortfall of $513 million with Governor Gibbons' conservative $6.2 billion budget (Lawrence, 2009). He proposed to make up this deficit by raising $292 million in "room taxes" and redirecting another $192 million to the State General Fund. Democrats, who controlled both the State Assembly and Senate proposed a more ambitious budget of $6.86 billion and to raise taxes by over a billion dollars through the room tax, modified business tax, sales tax, and vehicle license and registration taxes. Democrats were able to convince enough Republicans in the Assembly to vote for the budget by including public employee entitlement reform, securing the 2/3rds votes required to override the governor's veto.

Despite the severe blow to state revenues, the Nevada Legislature kept most of the government on even ground, but some agencies suffered cuts (Nevada Legislature, 2009). It was necessary to create a $323 million appropriation for the public school system to prevent a shortfall. Higher education took a 12.5% reduction in funding and the Department of Cultural Affairs received 27% less than their previous allotment. Another notable agency, the Nevada Department

of Health and Human Services received full funding, although the Department of Mental Health and Developmental Services had its funding cut by 6.5%. Overall, the Nevada Legislature largely preserved the status quo in the government but at the cost of a nearly 20% increase in tax burden for the state (Lawrence, 2009).

COVID-19 Response in Nevada

Nevada followed many other states in implementing restrictions in March 2020 to combat the spread of the COVID-19 virus. On March 17th, the state closed all casinos and hotels (Etehad, 2020), a measure that was particularly impactful for a state whose greatest attraction is Las Vegas. Casinos and hotels remained closed until June 16th, 2020. On March 31st, the governor asked that out-of-state travelers self-quarantine for 14 days (Ballotpedia, 2021). Although this was not legally enforceable, the announcement reflected the general discouragement of leisure travel. When most public places reopened, they were limited to 50% capacity, and gatherings were limited to 50 people. These restrictions are scheduled to be lifted as of the time of writing on June 1st, 2021 (Kling, 2021).

Nevada landed in the middle of the states in terms of COVID-19 cases and deaths. Though rankings vary based on type data considered, Nevada ranks about 24th in cases per capita in the United States, with 10,282 cases per 100,000 people (Carbajal, 2021). Nevada ranked slightly worse in deaths, with 181 deaths per 100,000, ranking 22nd in the country (Bean, 2021).

Impact of COVID-19 Response on Nevada's Economy

The restrictions put in place in response to the pandemic had a devastating effect on the Nevada economy, crippling the gambling and resort centers of Las Vegas and Reno. By April of 2020, the Las Vegas unemployment rate was a staggering 34%, the highest in the nation at that point (Wallace, 2021). By March 2021, the Las Vegas Metro area's unemployment had declined

to a more modest 8.8%, still the third-highest in the nation (USBLS, 2021). Much of this unemployment stems directly from fewer visitors because of pandemic restrictions as well as nationwide fears. In November 2020, only 47% of Las Vegas hotel rooms were occupied, down from 88% the previous November (Klein, 2021). The major Las Vegas airport, McCarran International, saw 59% fewer visitors in November 2020 compared to November 2019, and reports show that 52% fewer tourists visited the city overall.

This economic disruption led to many industries contracting and shedding workers, with part-time and low-income workers disproportionately affected (Klein, 2021). Statewide, Accommodation & Food Services, as the backbone of the tourism industry, lost a massive 90,700 jobs between February 2020 and April 2021 (Ettlinger, 2021). Administration & Support & Waste Services also lost 11,000 jobs while Arts, Entertainment & Recreation contributed another 9,000 to the unemployment statistics. Like many states, though, Nevada saw growth in Transportation, Warehousing & Utilities, adding 9,000 jobs over that year. With restrictions and pandemic fears limiting retail shopping, online retail sales increased by 44% (Ali, 2021).

COVID-19 Impact on Nevada State Budget

Nevada's statewide revenue increased moderately from the 2017-2019 biennium to the 2019-2021 biennium. The general fund, which represents 30% of the total state revenues, grew from $8 billion to almost $9 billion (Guinn, 2019). The federal fund, the largest revenue source at 34%, also increased from $9 billion to $10 billion. Other revenue sources, the Other Fund, Highway Fund, Interagency Transfer, and Balance Forward, saw less dramatic but still significant growth.

The breakdown of the $9 billion in General Fund Revenues in the 2019-2021 biennium highlights Nevada's dependence on gaming and tourism. Like many states, a large portion of General Fund Revenues come from state sales tax, 29% in Nevada's case. Nevada, though, receives a large amount of its revenue, 17.4%, from gaming, i.e., gambling in casinos.

December 2020 projections forecast a reduction in state General Funds revenues, presumably due to the COVID-19 restrictions, from the previous $8.85 billion in the current 2019-2021 biennium to only $8.5 billion for the 2021-2022 biennium (Rindels, 2020). Although the Nevada gaming industry has recovered somewhat, an almost 3-month layoff cost the state over $200 million in gaming tax revenues. Likewise, the state sale tax revenues are projected to drop by over $120 million. By May of 2021, however, this number had been revised (Martin, 2021). A faster than expected reopening due to the speedy vaccine distribution and an influx of federal monies resulted in an additional estimated $910 million being available to the General Fund over the next three years. This year alone, the General Funds are expected to have $586 million more than what the December report predicted. Even a pandemic could not stop the collection, or indeed growth, of state revenues.

Overview of 2019 Nevada Legislative Session

The 80th (2019) Session of the Nevada Legislature had a "trifecta" government, with Democrats controlling all three branches of the government, giving them free rein over much of the legislative process (Ballotpedia, 2021). The legislation passed generally reflected a moderate to slightly Progressive tinge. There were not many extreme outliers, though. Major legislation included:

- Criminal Justice Reform
    - 77,000 felons had their voting rights restored.
    - Those convicted of an ounce or less of marijuana may ask a court to have their records sealed.
    - The 20-year statute of limitations in sexual assault cases is eliminated in cases where DNA evidence can identify a suspect.
- An Overhaul of transparency of public records.
- An Equal Rights Amendment for the Nevada state constitution.
- A Campaign finance overhaul.
- Changes to the eviction process and tenant rights.
- A ban on child marriage.
- Funding to fight wildfires.
- Allows local governments to waive impact fees and building permit fees for affordable housing.
- Provided $10 million in transferable tax credits per year to encourage more affordable housing.

SOURCES: Sebelius, 2019; Snyder, 2019.

Overview of 2020 Nevada Special Sessions

While the Texas & Nevada governors have the constitutional power to call a special legislative session, no such sessions were held in Texas in 2020. On the other hand, Nevada Governor Steve Sisolak called two special sessions of the Nevada Legislature in 2020. The proclamation cited the declaration of a nationwide emergency by President Donald J. Trump. The first session ran from July 8th to July 19th (Ballotpedia, 2021). The bills considered (Legiscan, 2021):

- Increased leave time that could be rolled over for state employees.
- Removed restrictions on school district funds carried over to the next year.
- Created some budget reductions while authorizing more money to be released to the Department of Health and Human Services.
- Revised the formula for mineral taxation.
- Issued a resolution urging the President and Congress of the United States to provide flexible funding for state, local and tribal governments to account for anticipated public budget shortfalls as a result of the COVID-19.
- Revising the funding for certain capital improvement projects
- Authorized the Board of Regents of the University of Nevada to waive certain requirements for the Governor Guinn Millennium Scholarship Program.
- Accelerated the collection of mineral taxes.
- Authorized the state to issue bonds for the General Fund.

Most of these bills did directly or indirectly relate to COVID-19 or the difficulties caused by it. The only less direct bills related to mineral taxation.

The second special session ran from July 31st until August 5th. In the proclamation, the Governor cited the impact of COVID-19 restriction on the state, the need to adjust voting, and the national discussion on policing (Sisolak, 2020). During this session, the Nevada legislature considered 9 substantive bills and resolutions (Legiscan, 2021):

- Created a duty for peace officers to report on instances of excessive force.
- Established procedures for voting during a public health emergency.
- Authorized courts to grant stays of eviction.
- Two bills regarding mineral extraction taxation, including a tax increase
- Amended the rights of a peace officer in an investigation, including the use of compelled statements in civil cases.
- Allow for electronic transmission of unemployment documents.
- Allows the Department of Health and Human Services to set standards for cleaning in public accommodation facilities.
- Declared racism a public health crisis.

The second session was much less focused. Four of the bills related directly or indirectly to the pandemic. Two related to policing, in light of the nationwide unrest concerning police use of force. Failing to get the mineral taxation bills through in the previous special session, the Democrats brought two more bills up in the second special session. The Legislature's resolution on public health and racism, though, fell on party lines and could be described as political window-dressing.

Overview of 2021 Nevada Legislative Session

Democrats lost a few seats in the 2020 elections, but it was not enough to threaten their grip on the Nevada Legislature (Ballotpedia, 2021). Democrats lost one seat in the Senate, for a majority of 12-9, and 3 seats in the State Assembly, their lead dropping to 26-16. The governorship was not part of the 2020 election, so Democrat Steve Sisolak remained in the office, completing the Democratic "trifecta" government.

Important bills proposed (Legiscan, 2021):

- Banned firearm frames and receivers without serial numbers
- Requires operators of Internet websites to establish a designated address through which a consumer may request the operator not to sell their information
- Established procedures and requirements for mail-in ballots.
- Expands list of classes that are considered “social studies”.
- Allows category B felons to have credits deducted from the minimum terms imposed by a sentence.
- Sealed records for certain summary evictions.
- An amendment to the Nevada Unfair Trade Practice Act, regarding health carriers and business entities consisting of health care practitioners.
- Banning prohibitions against unpackaged produce at licensed farmers’ markets.
- Banned housing discrimination based on certain criteria such as criminal history.

The Nevada 2021 Legislative session featured a few remarkable bills. Outside of the budget, no bill substantively addressed the COVID-19 pandemic. The Legislature also revisited criminal justice issues and mail-in ballots.

IV. QUANTITATIVE ANALYSIS OF RECENT TEXAS SESSIONS

Methodology

To gauge the priorities of contemporary Texas legislative sessions, we examine the bill passage rates of committees in both chambers in the Texas Legislature—the Texas House and the Texas Senate. In our analysis, "*bill passage rate*" means the percentage of the total bills referred to a committee that passed both the Texas House and Senate. As such, our key research interest is whether being part of a session associated with an economic recession affects a committee's bill passage rate, controlling for variables such as the committee's policy area, partisan makeup, and size.

It is well known that the bulk of legislative work in state legislatures occurs at the committee level (Gaines et al., 2019; McGrath & Ryan, 2019; Francis, 1989; Ray 1986; Francis & Riddlesperger, 1982). In relation to their parent chambers, legislative committees typically have a significant level of autonomy (Martorano, 2006). Party leaders in state legislatures usually have command over legislation concerning major party issues. But state legislative committees will typically have command over everything else (Francis, 1985). The percentage of a committee's bills that is passed by both chambers gives insights into the quality and compromise of a committee's bills, and the limited literature on state legislative committees offers that a committee's bill passage rate is one of the most intrinsic aspects of its legislative effectiveness (Weingast 1989; Ray 1986; Lewis, 1978).

Our analysis aims to explore the relationships that can explain the variation in the passage rates for bills referred to committees in the Texas Legislature, which can give insights into the legislative effectiveness of varied policy areas in contemporary legislative sessions. Given this

goal, we apply a statistical approach nested in least-squares regression. Using this approach not only enables us to identify the key variables that can explain the variance in the passage rates of committees in the legislature but also allows us to engage in hypothesis testing.

Data & Processing

We gather data from the 349 committees that passed at least 10 bills in both the Texas House and Senate from the eight regular legislative sessions since 2007. The data used in this analysis is obtained from Texas Legislature Online (TLO). To find the total number of bills referred to a committee for each session, we use the '*Bills By…Reports*' tool on the TLO website (2021). To find the total number of bills passed by each chamber that came out of each session's committees, we utilize the TLO '*Bill Search*' tool (2021) and select the appropriate action criteria: *Passed (H555)* and *Passed (S576)*.

Variables

Referred:Passed

The dependent variable in this analysis is the bill passage rate of committees and is represented by '*referred:passed*'. To calculate this variable for each committee, we divide the number of a committee's bills that passed both the Texas House and Senate by the total number of bills that were referred to that committee.

Table 13. Summary Statistics of Total Legislative Committees Bill Passage Rate

N	Mean	Min	Median	Max
349	**30%**	**6%**	**29%**	**68%**

Fixed-Session (Time) Effects

Using a fixed-session approach allows our analysis to account for changes through time—e.g., federal and state controlling party, intergovernmental relations, partisanship and experience of Senate presiding officer (Texas Lieutenant Governor), ideology and tenure of House presiding officer (Speaker of the House), etc. To utilize this approach, we create dummy variables to represent each legislative session. Given that the 81st Legislative Session was just after the Great Recession and the 87th Legislative Session follows the recession related to COVID-19, we code the 81st and 87th sessions as recession sessions to provide the basis for a joint, comparative analysis.

Thus, we effectively couple recession sessions—i.e., 81st and 87th— and analyze them against every other session in our analysis—i.e., 80th, 82nd, 83rd, 84th, 85th, and 86th. An advantage of this approach is that it allows our model to control for lingering differences between the sessions not already considered in our model.

Table 14. Summary Statistics: Committee Bill Passage Rates by Legislative Session

Texas Legislative Session	*N*	Mean	Min	Median	Max
80th	***49***	**31%**	**11%**	**30%**	**57%**
81st	***44***	**28%**	**9%**	**28%**	**50%**
82nd	***45***	**35%**	**14%**	**33%**	**64%**
83rd	***46***	**35%**	**6%**	**33%**	**68%**
84th	***41***	**31%**	**10%**	**28%**	**55%**
85th	***41***	**28%**	**10%**	**28%**	**67%**
86th	***41***	**29%**	**12%**	**26%**	**62%**
87th	***42***	**25%**	**7%**	**24%**	**54%**

As shown in the table above, the number of committees in a given legislative session is variable. Thus, utilizing fixed-session time effects allows us to control for this variability. Other independent variables in our analysis are detailed in the sections below.

Chamber

We create a dummy variable to reflect whether a committee is in the House or Senate. A dummy variable created to account for whether a committee is a temporary select committee—rather than a permanent, standing committee—is utilized in preliminary analysis but had no effect and reduced the prediction accuracy of all models constructed.

Table 15. Summary Statistics: Committee Bill Passage Rates by Chamber

Chamber	*N*	Mean	Min	Median	Max
Texas House	***227***	**26%**	**6%**	**26%**	**58%**
Texas Senate	***122***	**39%**	**16%**	**38%**	**68%**

Ideology/Partisanship

To control for the influence of ideology and the political parties—i.e., Republican and Democrat—we account for the partisanship of the chair and vice-chair of each committee.

Table 16. Summary Statistics: Committee Bill Passage Rates by Chair/Vice Chair Party

Variable	*N*	Mean	Min	Median	Max
Committee Chair (R)	***238***	**29%**	**6%**	**28%**	**67%**
Committee Chair (D)	***111***	**33%**	**12%**	**30%**	**68%**
Committee Vice Chair (R)	***182***	**33%**	**10%**	**31%**	**68%**
Committee Vice Chair (D)	***167***	**28%**	**6%**	**27%**	**64%**

Moreover, we construct a variable that represents the ratio of the number of Republicans to Democrats of each committee, and to account for a committee's size, a variable that considers the number of committee members.

Fixed-Policy Area Effects

The Texas Legislative Budget Board (LBB) is a nonpartisan permanent joint committee of the Texas Legislature that provides analysis and reviews of legislation. Given that the LBB breaks down legislation into 11 policy areas (LBB, 2021), we code each of the 349 committees to an LBB policy area, listed below.

1. Economic Development & Regulation
2. Fiscal Policy & Analysis
3. Government Operations & Employees
4. Health & Human Services
5. Higher Education
6. Natural & Cultural Resources
7. Public Education
8. Justice & Public Safety
9. School Performance Review
10. Technology
11. Transportation

The only change made in this regard is LBB specifies a policy area for *School Performance Review*, and we couple this policy area with *Public Education*. Thus, our analysis consists of committees coded to 10 different policy areas.

Table 17. Summary Statistics: Committee Bill Passage Rates by 10 LBB Policy Areas

Policy Area	*N*	Mean	Min	Median	Max
Econ Development & Regulation	***31***	**30%**	**14%**	**30%**	**61%**
Fiscal Policy & Analysis	***50***	**25%**	**6%**	**23%**	**49%**
Govt. Operations & Employees	***90***	**33%**	**7%**	**32%**	**68%**
Health & Human Services	***21***	**28%**	**16%**	**27%**	**46%**
Higher Education	***16***	**32%**	**20%**	**29%**	**50%**
Justice & Public Safety	***59***	**30%**	**12%**	**29%**	**53%**
Natural & Cultural Resources	***52***	**34%**	**10%**	**33%**	**64%**
Public Education	***16***	**22%**	**10%**	**19%**	**38%**
Technology	***3***	**33%**	**20%**	**31%**	**49%**
Transportation	***16***	**35%**	**23%**	**34%**	**52%**

Model

The regression model with the strongest prediction power in our analysis—**Model 3**—uses the following equation.

$$\hat{Y}_i\, PCT_{Referred:Passed} = \beta_0 + \text{Fixed-Session Effects}\{\delta_1 S_1 + \cdots + \delta_n S_i\} + \beta_9 X_9 Chamber_s + \beta_{10} X_{10} Chair_r + \beta_{11} X_{11} Vice\text{-}Chair_r + \beta_{12} X_{12} Committee_{r:d} + \beta_{13} X_{13} Committee_n + Fixed\text{-}Policy\ Area\ Effects\ \{\gamma_{14} PA14_i + \cdots + \gamma_n PAi_i\} + \varepsilon_i$$

Whereas, $\hat{Y}_i PCT_{Referred:Passed}$ represents the dependent variable—the percentage of the total number of bills referred to a committee that passed both chambers, β_0 is the intercept, *Fixed-Session Effects* $\{\ \delta_1 S_1 + \cdots + \delta_n S_i\ \}$ represents fixed-time effects that account for differences between the legislative sessions, $\beta_9 X_9 Chamber_s$ denotes whether a committee is in the Texas Senate, $\beta_{10} X_{10} Chair_r$ and $\beta_{11} X_{11} Vice\text{-}Chair_r$ represent if a committee chair or vice-chair is a member of the Republican Party, $\beta_{12} X_{12} Committee_{r:d}$ symbolizes the ratio of Republicans to Democrats in a committee, $\beta_{13} X_{13} Committee_n$ accounts for the number of committee members,

Fixed-Policy Area Effects $\{\gamma_{14}PA14_i + \cdots + \gamma_nPAi_i\}$ embodies fixed-effects between the 10 LBB policy areas, and ε_i represents the error term.

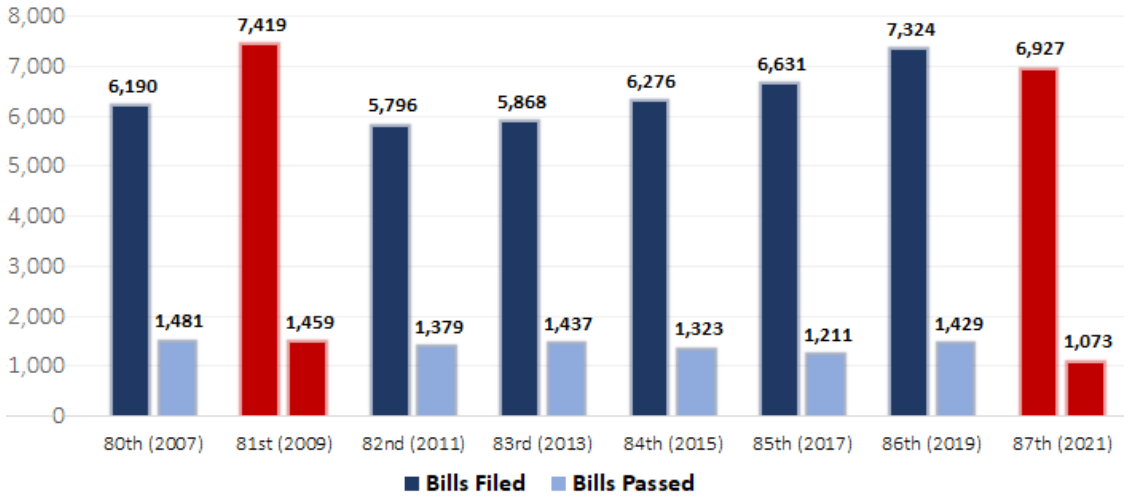
Hypothesis

Given that we apply a statistical approach nested in least-squares regression modeling, we are able to carry out hypothesis testing. Our hypothesis of interest is as follows.

> **Hypothesis**: *Committees in legislative sessions related to an economic recession are less effective than committees in sessions with economic stability*.

The rationale behind our hypothesis is centered on the fact that legislative sessions associated with a recession witness more bills filed than normal, as shown in the figure below. While Texas' 81st Legislative Session had the second-most bills passed out of the sessions analyzed, it also has the highest number of bills filed, leading to a lower passage rate. Moreover, the 87th Legislative Session had the lowest number of bills passed.

Figure 6. Graph of Bills Filed & Passed by Texas Legislative Sessions (Recessions in Red.)



(SOURCE: Legislative Reference Library of Texas, 2021)

Results Table

Table 18. Results from Regression Modeling

Dependent variable = % of committee's bills passed by both chambers of total bills referred to committee.

N = 349	Variable	(1)	(2)	(3)
Fixed-Time Effects	Recession Legislative Sessions 81st & 87th (*omitted for comparison*)	———	———	———
	80th Legislative Session	0.040* (0.021)	0.028* (0.016)	0.031** (0.016)
	82nd Legislative Session	0.089*** (0.022)	0.091*** (0.017)	0.094*** (0.016)
	83rd Legislative Session	0.089*** (0.022)	0.094*** (0.017)	0.096*** (0.016)
	84th Legislative Session	0.046** (0.023)	0.069*** (0.018)	0.076*** (0.017)
	85th Legislative Session	0.011 (0.023)	0.031* (0.017)	0.036** (0.017)
	86th Legislative Session	0.021 (0.023)	0.032* (0.017)	0.036** (0.016)
$\beta_6X_9 : \beta_{13}X_{13}$	Senate Committee	———	0.124*** (0.011)	0.134*** (0.01)
	Committee Chair (R)	———	-0.022* (0.012)	-0.024** (0.012)
	Committee Vice-Chair (R)	———	0.026** (0.011)	0.021** (0.011)
	Committee % (R)	———	-0.137*** (0.051)	-0.164*** (0.051)
	Total # Committee Members	———	-0.010*** (0.002)	-0.008*** (0.002)
Fixed-Policy Area Effects	Econ. Dev./Regulation	———	———	0.070** (0.028)
	Govt. Operations & Employees	———	———	0.050** (0.025)
	Health & Human Services	———	———	0.090*** (0.024)
	Higher Education	———	———	0.065** (0.029)
	Justice & Public Safety	———	———	0.074** (0.031)
	Natural & Cultural Resources	———	———	0.088*** (0.025)
	Fiscal Policy	———	———	0.137*** (0.025)
	Technology	———	———	0.138** (0.062)
	Transportation	———	———	0.118*** (0.03)
	Public Education (*omitted for comparison*)	———	———	———
	Intercept	0.266*** (0.013)	0.389*** (0.031)	0.300*** (0.039)
	Adjusted R^2	**0.061**	**0.465**	**0.516**

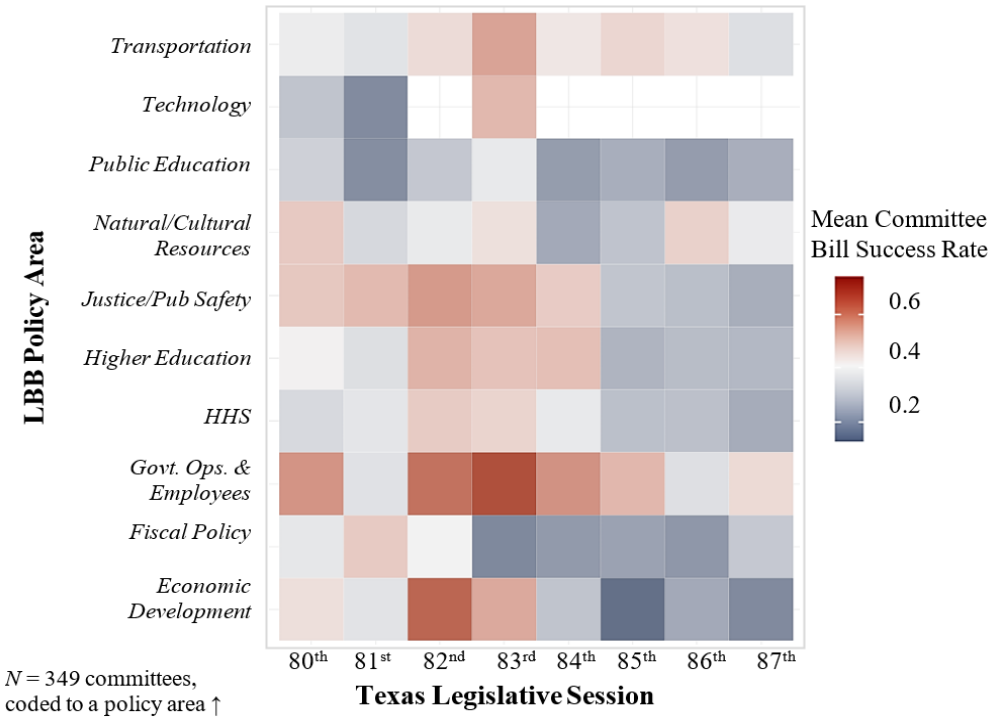
Note: Coefficients are reported with standard errors in parentheses. Two-tailed tests, ***= >.01, **= >.05, *= >.10

Findings

We find support for our hypothesis; in comparison to committees in a non-recession legislative session, committees in sessions associated with an economic recession bear a significant negative relationship with the passage rate of bills. As shown in the results table above, the model with the strongest prediction power, **Model 3**, reveals that committees in the 80th, 82nd, 83rd, 84th, 85th, and 86th Texas legislative sessions each have a strong relationship with a higher bill passage rate as compared to committees in the 81st and 87th sessions. Most significantly, this outcome augments the qualitative section of this paper in that it reveals how committees in the Texas Legislature have significantly less legislative effectiveness during times of economic downturn, even when considering the committees' policy areas.

Another finding from our analysis is that when analyzed against every other LBB policy area, the bill passage rates of committees coded to the policy area *Public Education* have a significant negative association. This conclusion is backed by the heatmap we produce below.

Figure 7. Heatmap of Mean Committee Bill Passage Rate by Policy Area and Session



Through engaging in additional analysis of this finding, we discover that of the 10 LBB policy areas, committees related to public education had the highest number of bills referred to them. Public education committees averaged roughly 350 referred bills across the eight sessions in our analysis, whereas the median number of bills referred to committees in this period is 178. The high number of bills referred to public education committees is likely due to the fact that the states—as opposed to the federal government—bear responsibility for implementing and sustaining an educational system, thus the high workload and dismay regarding education policy in state legislatures is inevitable (Canfield-Davis & Jain 2010; Campbell et al., 1990).

Lastly, we also find that the size and partisan makeup of committees are significantly related to committees' bill passage rates, and Texas Senate committees are significantly more effective when scrutinized against Texas House committees.

Limitations

A key limitation of our empirical study is that it can be the case that bills are not passed as filed yet the bill's intent is enacted because the bill's language is added on to other bills. As revealed in the flowchart in **Figure 1**, this is possible when the bill is inside the committee stage through a committee substitute or while the bill is being considered on the entire chamber of the Texas House or Senate via a floor amendment.

Another limitation with our data is the case of companion bills—i.e., bills filed that are identical to a bill filed in the opposite chamber (Texas House, 2021). Companion bills are utilized by lawmakers to accelerate the passage of the bill. For instance, a bill filed in the Senate can be heard in committee and left pending to wait for the House companion bill to be sent to the Senate after it passes the House. The rules of the Texas Legislature then allow the Senate author to motion to have the House companion bill voted out in lieu of the pending Senate version. As the Senate

version was already heard in committee, this saves time by not having to hear the House companion bill in committee.

The discretion of referring bills to a committee, given to the Speaker of the House and the Lieutenant Governor, may propose another limitation. For example, it can be the case that a bill is better suited for a committee other than the committee it was referred to. However, coding the committees to LBB policy areas and integrating fixed-policy area effects into our model seeks to address this limitation.

V. CONCLUSION & REGARDS FOR FURTHER EXAMINATION

A state's legislature holds tremendous responsibility for the citizens it governs. There is an expectation among a legislature's constituency that in times of crisis, their elected officials will act in their best interests. Over the past two decades, the State of Texas has faced two daunting international economic crises: the Great Recession and the COVID-19 Recession.

The purpose of this paper was to analyze the response of the Texas Legislature to both economic crises. In particular, we find that as compared to fiscally stable legislative sessions, sessions related to economic recessions pass major legislation regarding spending cutbacks, economic incentives, and providing tax exemptions. Moreover, we found that the most effective committees in Texas legislative sessions related to an economic downturn are the committees related to agriculture and natural resources.

From our substantive research, this paper found that the social and political climate of the country and state have a strong impact on the substance of legislative initiatives. This can be most evidently seen in the passage of bills related to social issues such as religious freedom, social conservatism, and second amendment rights during the 81st and 87th legislative sessions - sessions in which the Texas government played an adversarial role against the federal government.

In our interstate analysis, we found that the state legislatures of California and Nevada responded to the recession related to the COVID-19 pandemic more rapidly than the Texas Legislature. We suggest this is the case because Texas legislative sessions occur on odd-numbered years, COVID-19 began in 2020, and Texas Governor Abbott utilized existing administrative procedures, which alleviated the need to call a special session.

In our empirical analysis, we explore the legislative effectiveness of policy areas in contemporary Texas Legislatures by placing a focus on committees. The limited literature on

legislative committees conveys that measuring the success and effectiveness of committees relies on bill passage rates on chamber floors (Weingast 1989; Ray 1986; Lewis, 1978). Of the 349 committees we analyzed, we proposed a hypothesis that committees in Texas state legislative \ affected by an economic downturn will become less effective—pass a lower rate of bills—when compared to committees that meet during non-recession years. Controlling for appropriate variables, we find strong evidence to support the hypothesis through the leading model we develop. This key finding amplifies the qualitative section of this paper by virtue of exhibiting, definitively, that while major legislation during recessions relates to spending, incentives, and tax exemptions, committees in the Texas Legislature bear less legislative effectiveness during times of economic downturn, regardless of a committee's policy area.

Moreover, we found that the size and partisan makeup of a committee are significant explanatory variables that can help explain the variation of the legislative effectiveness of committees. Additionally, committees in the Texas Senate bear more legislative effectiveness in comparison to House committees. Lastly, integrating a fixed-policy area approach, we found that committees in the policy area of public education have a significant negative bill passage rate in comparison to committees in each of the other LBB policy areas.

Consideration for further research that can add to our finding that committees in sessions associated with an economic recession are less effective is that Texas state lawmakers may have a higher sense of urgency to get legislation passed after an economic downturn—evident by the higher number of bills filed in such sessions—yet, Section 24(b), Article 3 of the Texas Constitution mandates a 140-day limit to regular sessions (Texas Constitution, 2021). To this end, Texas legislative committees being less effective during sessions associated with a recession may be spelled out by simply running out of time, per the 140-day limit.

Another explanation for this finding can be attributed to the governing philosophy of the Texas Legislature. Namely, that strong government involvement in the private and public sectors is a hindrance to economic progress and civil liberties. However, the quantitative conservatism seen in recession years does not impact the qualitative substance of the bills which are passed, a point that cannot be overstated.

On the other hand, a closer examination of the contents of bills, rather than committees' bill passage rates, may also reveal a case in which although more bills are typically filed in recession sessions, perhaps they are of lower quality or do not mobilize sufficient ideological compromise to pass. Moreover, the State of Texas—akin to most U.S. states—operates on a balanced budget requirement, which places a limit on the number of bills with fiscal implications to the state that can be passed in one of the state's legislative sessions.

Replication Materials

The data spreadsheet and the *R* script file created for the quantitative analysis in this paper can be found in the Harvard Dataverse at https://doi.org/10.7910/DVN/WFSOF9.

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