

Bexar County Executive Committee

Resolution to Censure Joseph R. Straus, III

WHEREAS, Rule 44 of the Republican Party of Texas allows the Party to sanction a Republican office holder who takes three or more actions during a biennium in opposition to the core principles of the Republican Party of Texas platform; and

WHEREAS, Rep. Joseph R. Straus, III, as Speaker of the Texas House of Representatives, has abused the power of his office and his authority as speaker to usurp the power of the people's duly elected representatives of the Texas House of Representatives, obstructed the agenda of Governor Abbott, and, taken more than three actions during this current biennium that are in opposition to the core principles of the Republican Party of Texas; and

WHEREAS, In disregard of House rules and the Texas Constitution Art. III, Sec 12(c), an act described by Governor Abbott and Lieutenant Governor Patrick as "walking off the job," Straus unilaterally adjourned the Texas House of Representatives early on August 15, 2017 during the First Called Session of the Texas Legislature without a vote of our duly elected Representatives despite the objections and demands for a record vote of at least 17 members of the House of Representatives; and

WHEREAS, During the 85th legislative session, Straus repeatedly refused to recognize proper motions and amendments made by the people's duly elected representatives, only allowing motions and amendments to proceed when he consented to their substance; likewise Straus set aside parliamentary procedure to deny representatives the right to appeal his parliamentary rulings; and

WHEREAS, Such actions impede and make a mockery of representative government and thereby contradict the principles enshrined in the Texas Constitution and in opposition to the first and fourth core principles of the Republican Party of Texas removing the people from control of their government through their representatives by sabotaging those representatives' sworn duty to control the legislature through orderly motions and votes, and thereby violating the third core principle of the Republican Party of Texas; and

WHEREAS, Straus acted during the 85th legislative session in opposition to the second core principle of the Republican Party of Texas by repeatedly obstructing legislation designed to protect the right to life; the foremost right for which governments are established to protect; and

WHEREAS, For the 85th Legislature, he appointed as Chairman of the House State Affairs Committee State Representative Byron Cook, who has been outspoken in his defense of certain third trimester abortions, who repeatedly killed pro-life bills, with likely majority support, in past regular sessions, with many pro-life bills referred by the Speaker to Cook's committee blocked including amongst these, House Bill 14 during the First Called Session, which Cook obstructed administratively for 17 days, causing its demise; and

WHEREAS, Straus acted repeatedly during the 85th legislative session in opposition to the seventh core principle of the Republican Party of Texas by obstructing legislation designed to secure the freedom of choice for Texas parents in the education of their children, appointed as Chairman of the House Public Education Committee State Representative Dan Huberty, who has vociferously opposed all legislation that would give parents choice in their child's education; and

WHEREAS, After his appointment, Huberty publicly announced all school choice bills "dead on arrival" in his committee, yet Straus proceeded to refer all bills giving greater parental choice in education to Huberty's committee; Huberty and Straus did proceed to kill such bills, including legislation designed to give greater choice to the parents of children with special needs; and

WHEREAS, Straus has taken actions in opposition to the sixth, eighth, and ninth core principles of the Republican Party of Texas by unilaterally obstructing the Texas Privacy Act, legislation designed to protect the privacy, safety, and dignity of Texas women and children and honor the principles of the free market by refusing to refer the bill to any committee for the duration of the regular session and refusing to allow members to make motions to refer the bill themselves ; and

WHEREAS, Texas House Rule 13, Section 2, provides that "[s]enate bills announced [in the House] as passed shall be read for the first time and referred to the appropriate committee as soon as practicable," and Texas House Rule 7 reserves to the members of the House the right to refer and re-refer bills to a committee of the body's choosing; and

RESOLVED, In accordance with Rule 44 of the Rules of the Republican Party of Texas, the Executive Committee of the Republican Party of Bexar County, meeting December 11, 2017, a quorum being present, by a vote of at least two-thirds present and voting, hereby censure Joseph R. Straus, III, a public office holder representing a portion of Bexar County; and be it further

RESOLVED, We request that the State Republican Executive Committee and the delegates to the next State Convention of the Republican Party of Texas concur in this resolution of censure and impose on Joseph R. Straus, III, the penalties provided in Rule 44 of the Rules of the Republican Party of Texas; and be it further

RESOLVED, That an official copy of this resolution be prepared and transmitted to the Chairman of the Republican Party of Texas.

SREC SPONSOR: Mark Dorazio, SD 25, Bexar County

SREC CO-SPONSOR: Gail Stanart, SD 15, Houston County

**AUTHORS and CO-AUTHORS: Joe Bissett 1065, Charlotte Folsom 4046, Paula Moore 3058,
Michael O'Donnell 2087, Phil Sevilla 2115, Don Varella 2040**

Bexar County Executive Committee

Addendum to Resolution to Censure Joseph R. Straus, III

1. WHEREAS, Rep. Joseph R. Straus, III, as Speaker of the Texas House of Representatives, has abused the power of his office and taken over three actions during this current biennium that, cumulatively, are in opposition to the core principles of the Republican Party of Texas;

REFERENCE: [Ten core principles of the Republican Party of Texas](#)¹

PRINCIPLES

We, the 2016 Republican Party of Texas, believe in this platform and expect our elected leaders to uphold these truths through acknowledgement and action. We believe in:

1. “The laws of nature and nature’s God” and we support the strict adherence to the original intent of the Declaration of Independence and the Constitutions of the United States and of Texas.
2. The sanctity of innocent human life, created in the image of God, should be protected from fertilization to natural death.
3. Preserving American and Texas sovereignty and freedom.
4. Limiting government power to those items enumerated in the United States and Texas Constitutions.
5. Personal accountability and responsibility.
6. Self-sufficient families, founded on the traditional marriage of a natural man and a natural woman.
7. Having an educated population, with parents having the freedom of choice for the education of their children.
8. Americans having the right to be safe in their homes, on their streets, and in their communities; and the unalienable right to defend themselves.
9. A free enterprise society unencumbered by government interference or subsidies.
10. Honoring all of those that serve and protect our freedom.

¹[Republican Party of Texas Platform](#)

<http://tlipa.org/wp-content/uploads/RPT-PLATFORM-2016.pdf>

2. WHEREAS, In disregard of House rules and the Texas Constitution Art. III, Sec 12(c), an act described by Governor Abbott and Lieutenant Governor Patrick as “walking off the job,” Straus unilaterally adjourned the Texas House of Representatives early on August 15, 2017 during the First Called Session of the Texas Legislature without a vote despite the objections and demands for a record vote of at least 17 members of the House of Representatives;

[Texas Legislature ends special session without passing property tax measure](#), The Texas Tribune, 8/15/2017

<https://www.texastribune.org/2017/08/15/texas-house-adjourns-sine-die/>

3. WHEREAS, During the 85th legislative session, Straus repeatedly refused to recognize proper motions and amendments made by the people’s duly elected representatives, only allowing motions and amendments to proceed when he consented to their substance; likewise Straus set aside parliamentary procedure to deny representatives the right to appeal his parliamentary rulings;

[Exchange between State Rep. Tony Tinderholt \(Dist. 94\) and Speaker Straus](https://www.facebook.com/tonytinderholtfortexas/videos/724496364395165/), Regular Session (video) <https://www.facebook.com/tonytinderholtfortexas/videos/724496364395165/>

Video Caption:

"Yesterday I asked the speaker several questions about his policy that members won't be recognized to make motions to refer bills that he is killing by refusing to refer them. Some legislation has been sitting on his desk for nearly 2 months. My constituents didn't send me here to sit idly by and watch conservative reforms die on the desk of the speaker." Rep. Tinderholt

Summary:

Rep. Tinderholt asked to make a routine motion to refer a bill. Speaker Straus responds that his intention was to make all the referrals.

4. WHEREAS, Straus obstructed the agenda of Governor Abbott, denying members of both parties an opportunity to vote on the proposed legislation;

REFERENCE: [Governor Abbott's Special Session Agenda](#) [85(1)]

<https://gov.texas.gov/news/post/governor-abbott-announces-special-session>

[Exchange between State Rep. Tony Tinderholt and Speaker Straus](https://www.facebook.com/tonytinderholtfortexas/videos/778386665672801/), Special Session, July 2017 (video) <https://www.facebook.com/tonytinderholtfortexas/videos/778386665672801/>

Video Caption:

"Conservatives, Texas Democrats are already talking about leaving the state to keep the legislature from doing the work you sent us here to do. You deserve property tax reform, pro-life legislation, and additional conservative legislation that Texans have asked for."

"I filed HR 35 which, if passed, will give my colleagues and I the option to take away Democrats' seniority and chairmanships if they flee the state. I will keep you updated on the status of the resolution. I'm honored to work on your behalf and grateful for Governor Abbott giving us the opportunity to address such important issues. #20for20 #PassThemAll"

Summary:

Tinderholt asks that the resolution be put to a floor vote if the Democrat chairman stops the resolution. Are there specific ways? Impose penalties for quorum breaking? The Speaker responds that it is a hypothetical question. He was not sure that it was a parliamentary question. He did not answer the question directly.

[Exchange between State Rep. Tony Tinderholt and Speaker Straus](https://www.facebook.com/tonytinderholtfortexas/videos/784030908441710/), Special Session, July 2017 <https://www.facebook.com/tonytinderholtfortexas/videos/784030908441710/>

Video Caption:

"House leadership and some committee chairs are stalling conservative priorities on the special session agenda. When I asked simple rules questions, Speaker Straus again refused to answer. Many of us are here to do the people's work, but apparently, House leadership is not. He is failing Texans and disrespecting you, the voter. We will continue to work hard, using the rules, to hold him accountable."

Summary:

Rep. Tinderholt asked the Speaker if there was anything in the rules that give the body a way to compel committees to act on the Governor's priority bills that have been referred. Speaker Straus did not respond directly; instead he urged the representative to talk to the chairmen of the committees. Tinderholt asked the question again for the Speaker and parliamentarian to consider if there was anything in the rules to allow the body to compel the committees to act on the bills. The speaker repeated his first response.

Third request from Rep. Tinderholt asking for assistance to break through committee roadblocks. Speaker Straus responded that the representative talk with the authors of the bills. Rep. Tinderholt then asked if the Speaker was refusing to answer the question. Again the Speaker did not answer the direct question and suggested the representative talk with the authors of the bills.

The representative asked five times for a direct answer about what rule could be applied to compel the committee chairmen to hear three bills which were designated as The Governor's priorities. Speaker Straus refused to give a direct answer in all instances.

[Gov. Abbott slams House, doesn't rule out second special session](https://www.texastribune.org/2017/08/16/abbott-blames-house-special-session-shortcomings-doesnt-rule-out-secon/), The Texas Tribune, 8/16/2017
<https://www.texastribune.org/2017/08/16/abbott-blames-house-special-session-shortcomings-doesnt-rule-out-secon/>

[Lt. Gov. Dan Patrick Press Conference](http://tlcsenate.granicus.com/MediaPlayer.php?view_id=42&clip_id=12943), 8/15/2017
http://tlcsenate.granicus.com/MediaPlayer.php?view_id=42&clip_id=12943

5. WHEREAS, Straus acted repeatedly during the 85th legislative session in opposition to the second core principle of the Republican Party of Texas by obstructing legislation designed to protect the right to life; the foremost right for which governments are established to protect;

[Bill massacre: Texas House kills its own proposals with late-night talkfest](https://www.dallasnews.com/news/texas-legislature/2017/05/11/bill-massacre-texas-house-kills-proposals-late-night-talkfest), Dallas Morning News, 5/30/2017
<https://www.dallasnews.com/news/texas-legislature/2017/05/11/bill-massacre-texas-house-kills-proposals-late-night-talkfest>

[Where Did the Senate Bills Go?](https://www.texasrighttolife.com/where-did-the-senate-bills-go/), Texas Right to Life Site, August 15, 2017
<https://www.texasrighttolife.com/where-did-the-senate-bills-go/>

6. WHEREAS, For the 85th Legislature, he appointed as Chairman of the House State Affairs Committee State Representative Byron Cook, who has been outspoken in his defense of certain third trimester abortions and has repeatedly killed pro-life bills in past regular sessions, necessitating special sessions in order for such legislation to pass; and

[Bill massacre: Texas House kills its own proposals with late-night talkfest](https://www.dallasnews.com/news/texas-legislature/2017/05/11/bill-massacre-texas-house-kills-proposals-late-night-talkfest), Dallas Morning News, 5/30/2017
<https://www.dallasnews.com/news/texas-legislature/2017/05/11/bill-massacre-texas-house-kills-proposals-late-night-talkfest>

[Does Byron Cook still hold a death grip on Pro-Life Bills?](https://www.texasrighttolife.com/will-byron-cook-be-allowed-to-keep-his-death-grip-on-pro-life-bills/) Texas Right to Life, 7/19/2017
<https://www.texasrighttolife.com/will-byron-cook-be-allowed-to-keep-his-death-grip-on-pro-life-bills/>

[Rep. Byron Cook Kills Pro-Life Legislation](https://crtxnews.com/rep-byron-cook-kills-pro-life-legislation/), CRTXNews, 8/3/2017
<https://crtxnews.com/rep-byron-cook-kills-pro-life-legislation/>

7. WHEREAS, Straus referred many pro-life bills to Cook's committee and Cook did proceed to obstruct those bills, delaying some of them and preventing others from passing; included amongst these was House Bill 14 during the First Called Session, which Cook obstructed administratively for 17 days, causing its demise;

[Exchange between State Rep. Jonathan Strickland \(Dist. 92\) and Speaker Straus](https://www.facebook.com/votejs/videos/1474594112625838/), Special Session (video) <https://www.facebook.com/votejs/videos/1474594112625838/>

Video Caption:

"It's not Democrats holding up pro-life legislation in the Texas House. It's the Republicans that are stopping their passage... #passthemall #onward"

Summary:

Rep. Strickland inquired if Chairman could be asked questions regarding a meeting on SB13 for the benefit of the public. Straus said question was not in order. Rep. Strickland asked about HB14, on the Governor's call list. The pro-life bill was voted out of committee (Senate) 14 days ago (7/27/17) . Paperwork did not made it to the calendar's committee. The Speaker said the question was answered earlier in the day. Rep. Strickland said no it was not. What can the members do to make Chair Cook send the bill to the calendar's committee? Speaker said he had answered the question earlier.

Rep. Strickland asked if the Speaker was aware that there were 80 co-sponsors of HB 14. Is there any procedural move to get Chairman Cook to move the bill to the calendar committee to act on this bill and do his duty? Speaker Straus advised the representative to speak to the chairman (Cook) and the parliamentarians.

Rep. Strickland asked again if there were any procedural moves to force Chairman Cook to submit the paperwork (to calendars committee). The speaker did not answer the question. Rep. Strickland asked the same question. Speaker responded that the question was asked four times and again did not answer the question directly. Rep. Strickland asked if there was a way to remove the chairman or put in a temporary chairman so they can act to do the people's business. The speaker answered no.

Rep. Strickland asked if the Speaker could do it (remove the chairman or put in a temporary chairman). The Speaker advised the representative to speak to the parliamentarians. Rep. Strickland asked if the chairman is removable by the Speaker at will, at any point. The Speaker responded "No, not by this Speaker, no."

Rep. Strickland asked if the rules permit the Speaker, if he so chooses (to remove the Chairman). The Speaker responded that he had enough of the conversation. Rep. Strickland asked if the Speaker selected Chair Byron Cook who sat on HB14 for 14 days. The speaker did not answer. Rep. Strickland asked again if the Speaker selected Chair Byron Cook for State Affairs. The speaker said yes.

Rep. Strickland asked if there was anyone else on State Affairs that could get the paperwork to the calendars committee (the bill) on the Governor's priority that has 80 co-sponsors on it. The Speaker advised the representative to speak to the chair and committee members. Rep. Strickland inquired if the Speaker asked State Affairs Chair Cook to move the bill (to calendars for a hearing). The Speaker responded that the question was not a proper parliamentary inquiry.

[So...what did happen to House Bill 14?](https://www.texasrighttolife.com/so-what-did-happen-to-house-bill-14/), Texas Right to Life, 8/23/2017
<https://www.texasrighttolife.com/so-what-did-happen-to-house-bill-14/>

8. WHEREAS, Straus acted repeatedly during the 85th legislative session in opposition to the seventh core principle of the Republican Party of Texas by obstructing legislation designed to secure the freedom of choice for Texas parents in the education of their children;

[Texas House repudiates vouchers, Senate kills school funding bill](https://networkforpubliceducation.org/2017/05/texas-house-repudiates-vouchers-senate-kills-school-funding-bill/), The Network for Public Education, 5/29/2017
<https://networkforpubliceducation.org/2017/05/texas-house-repudiates-vouchers-senate-kills-school-funding-bill/>

[Texas House Votes to Nix Vouchers](https://www.usnews.com/news/best-states/texas/articles/2017-04-06/texas-house-votes-to-nix-vouchers-maybe-dooming-senate-bill), Maybe Dooming Senate Bill, US News, 4/6/2017
<https://www.usnews.com/news/best-states/texas/articles/2017-04-06/texas-house-votes-to-nix-vouchers-maybe-dooming-senate-bill>

[Texas House Kills School Choice Funding Bill](http://www.breitbart.com/texas/2017/05/25/texas-house-kills-school-choice-funding-bill/), Breitbart News, 5/25/2017
<http://www.breitbart.com/texas/2017/05/25/texas-house-kills-school-choice-funding-bill/>

9. WHEREAS, He appointed as Chairman of the House Public Education Committee State Representative Dan Huberty, who has vociferously opposed all legislation that would give parents choice in their child's education;

[School choice already dead in Texas House, says public education chair](https://www.texastribune.org/2017/02/28/school-choice-already-dead-texas-house-says-public-ed-chair-video/), The Texas Tribune 2/28/17
<https://www.texastribune.org/2017/02/28/school-choice-already-dead-texas-house-says-public-ed-chair-video/>

10. WHEREAS, After his appointment, Huberty publicly announced all school choice bills "dead on arrival" in his committee, yet Straus proceeded to refer all bills giving greater parental choice in education to Huberty's committee; Huberty and Straus did proceed to kill such bills, including legislation designed to give greater choice to the parents of children with special needs;

[House education leaders won't budge on school finance, private school choice](https://www.star-telegram.com/2017/06/25/house-education-leaders-wont-budge-on-school-finance-private-school-choice/), Star-Telegram, 6/25/2017

<http://www.star-telegram.com/news/politics-government/state-politics/article158183729.html>

11. WHEREAS, Straus has taken actions in opposition to the sixth, eighth, and ninth core principles of the Republican Party of Texas by unilaterally obstructing the Texas Privacy Act, legislation designed to protect the privacy, safety, and dignity of Texas women and children and honor the principles of the free market;

[Texas Republican Bucks His Party To Block 'Bathroom Bill'](http://www.npr.org/2017/08/03/541135960/texas-republican-bucks-his-party-to-block-bathroom-bill), Texas Public Radio (NPR), 8/3/2017
<http://www.npr.org/2017/08/03/541135960/texas-republican-bucks-his-party-to-block-bathroom-bill>

[Straus condemns "bathroom bill," talks local control](https://www.texastribune.org/2017/03/24/straus-fiercely-condemns-bathroom-bill-talks-local-control/) *The Texas Tribune*, 3/24/2017
<https://www.texastribune.org/2017/03/24/straus-fiercely-condemns-bathroom-bill-talks-local-control/>

[Texas House Speaker Won't Block Bathroom Bill Despite His Opposition](http://dfw.cbslocal.com/2017/03/23/texas-house-speaker-wont-block-bathroom-bill-despite-his-opposition/), 3/23/2017
<http://dfw.cbslocal.com/2017/03/23/texas-house-speaker-wont-block-bathroom-bill-despite-his-opposition/>

12. WHEREAS, Texas House Rule 13, Section 2, provides that “[s]enate bills announced [in the House] as passed shall be read for the first time and referred to the appropriate committee as soon as practicable,” and Texas House Rule 7 reserves to the members of the House the right to refer and re-refer bills to a committee of the body’s choosing;

[Exchange between State Rep. Tony Tinderholt \(Dist. 94\) and Speaker Straus](https://www.facebook.com/tonytinderholtfortexas/videos/782359381942196/), Special Session (Video)
<https://www.facebook.com/tonytinderholtfortexas/videos/782359381942196/>

Video Caption:

"I will not stand by while Speaker Joe Straus, acting in a dictatorial fashion, refuses to allow fellow Republican members to represent their districts. I fought to defend representative government and our way of life for over 21 years in military, and I will continue to do so in the TX House.

"Note how Speaker Straus takes direction from Democrat Representative Joe Moody, who is standing behind me, to end the discussion between the speaker and myself. It's no secret that Speaker Straus must cater to the 50+ Democrats to keep his position."

Summary:

Tinderholt asked for HB 35 (quorum busting) to be moved to the committee of the whole. "What could be done", he asked? Speaker Straus asked the representative to visit with the parliamentarian without directly answering the question. Rep. Tinderholt then asked the Speaker to recognize him to make a motion for the bill to be heard by the committee of the whole. The Speaker said no.

Tinderholt addressed HB 510 concerning government collusion regarding payroll deduction referred to State Affairs, expressing his concern that the bill would be killed in that committee. He asked what options were available to redirect the bill to another committee to force it to come to

the floor. Speaker Straus responded as before urging the representative to speak to the parliamentarian and members of the (State Affairs) committee.

Tinderholt asked the Speaker if he knew that the State Affairs heard only one bill the day before (HB 156) which was not on the Governor's call. Speaker Straus did not answer the question directly and responded that the question was not a parliamentary inquiry. Tinderholt referred to House Rule 1 Section 4 - referrals are subject to correction by a majority vote of the Texas House. Would a motion to correct the bill referral be in order today, he asked. Speaker Straus responded that the chair of the State Affairs had proper jurisdiction.

Tinderholt made a motion to correct the referral of the bill (HB 156) from State Affairs to Government Transparency and Operation. Speaker Straus responded that the referral was proper.

Tinderholt restated that he was making a motion to move the referral. Tinderholt corrected the rule reference to Rule 7, Section 19, rule section 4. Straus responded that the bill was properly referred to State Affairs. Tinderholt responded that the bill did not move and the rules allow the House representatives to make a motion to re-refer or re-commit the bill. He asked if the Speaker recognize the representative's motion to re-refer or re-commit the bill. The Speaker responded no. Tinderholt asked to be recognized to make a motion which the Speaker denied.

See further the [exchange between Rep. Jonathan Strickland and Speaker Joe Straus](https://www.facebook.com/votejs/videos/1474594112625838/). (Video)
<https://www.facebook.com/votejs/videos/1474594112625838/>

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