

**Dr. Butler's Replacement Credit Option PRACTICE EXAM
TEXAS CONSTITUTION**

Instructions: *Multiple Choice.* Each question has four or five possible answers. Read carefully and then mark your answer on your SCANTRON. Select only one answer per question. If you select two or more answers to the same question, your response will be counted as incorrect. *PLEASE DO NOT WRITE ON THIS EXAM PAPER. Use only the SCANTRON form for your answers.*

- 1) How does the preamble to the Texas Constitution differ from the preamble to the United States Constitution?
 - a) It is shorter
 - b) It is longer
 - c) It invokes the name of God
 - d) It does not invoke the name of God
 - e) Both A and C above

- 2) What is the subject of the first article of the Texas Constitution?
 - a) The office of Governor
 - b) The Texas Courts
 - c) The Texas State Legislature
 - d) A Bill of Rights

- 3) True (A) or False (B): Although it is a free and independent state, Texas is subject to the Constitution of the United States.

- 4) The Texas Constitution states that all political power is inherent in:
 - a) God
 - b) The Governor
 - c) The People
 - d) The Legislature

- 5) What form of government does the Texas Constitution establish?
 - a) A republic
 - b) An oligarchy
 - c) A dictatorship
 - d) A theocracy

- 6) In Texas, all people are free and equal before the law regardless of:
 - a) Sex
 - b) Race or Color
 - c) Creed
 - d) National Origin
 - e) All the above

- 7) What does Article I, Section 4 of the Texas Constitution do?
- It states that there shall be no religious test to hold public office.
 - It states that no one shall be excluded from public office on account of his religious sentiments.
 - It states that anyone who holds public office must believe in a supreme being.
 - It contradicts itself by requiring a religious test after stating there shall not be one.
 - All the above
- 8) True (A) or False (B): In Texas, although a person who does not believe in a supreme being may not hold public office, he or she may give testimony in a courtroom.
- 9) Which one of these lines from Article I, Section 6 of the Texas Constitution appears to contradict the requiring of belief in a supreme being to hold public office?
- All men have a natural and infeasible right to worship Almighty God according to the dictates of their own consciences.
 - No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent.
 - No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion.
 - No preference shall ever be given by law to any religious society or mode of worship.
- 10) True (A) or False (B): In Texas, public money may be used to aid religious groups.
- 11) True (A) or False (B): The Texas Constitution guarantees freedom of speech.
- 12) True (A) or False (B): Texas citizens are protected from unlawful searches or seizure by the Texas Constitution.
- 13) True (A) or False (B): If charged with a crime, Texas citizens have the right to due process of law.
- 14) True (A) or False (B): In Texas, even if a person is found not guilty of a crime, he or she can be tried again for the exact same offense.
- 15) True (A) or False (B): In Texas, no one can be judged to be of unsound mind without the testimony of competent medical or psychiatric testimony.
- 16) Which of these does the Texas Constitution prohibit?
- Ex Post Facto laws
 - Bills of Attainder
 - Retroactive laws
 - Laws impairing the obligation of contracts
 - All the above

- 17) True (A) or False (B): In Texas, a person's private property can be taken for public use without any compensation being made.
- 18) True (A) or False (B): In Texas, a person can be imprisoned for debt.
- 19) True (A) or False (B): In Texas, if a person commits suicide, his or her heirs may inherit his or her estate the same as if he or she had died naturally.
- 20) True (A) or False (B): In Texas, two witnesses are necessary to convict a person of treason.
- 21) True (A) or False (B): Under the Texas Constitution, the state has no right to regulate the wearing of arms.
- 22) True (A) or False (B): In Texas, soldiers may be quartered in private homes.
- 23) True (A) or False (B): Texas citizens have the right of assembly.
- 24) True (A) or False (B): In Texas, crime victims have certain special rights.
- 25) True (A) or False (B): Same sex marriage is lawful in Texas.
- 26) True (A) or False (B): All Texas citizens have a right to access public beaches.
- 27) True (A) or False (B): Section II of the Texas Constitution provides for the division of powers between three branches of government.
- 28) Which has more members: The Texas House of Representatives (A) or the Texas Senate (B)?
- 29) What is the term of office for Texas Senators?
- a) One year
 - b) Two years
 - c) Four years
 - d) Six years
- 30) True (A) or False (B): All Texas Senators are elected at the same time.
- 31) What is the term of office for members of the Texas House of Representatives?
- a) One year
 - b) Two years
 - c) Four years
 - d) Six years

- 32) How often does the Texas Legislature meet in regular session?
- a) Once a year
 - b) Twice a year
 - c) Once every two years
 - d) Continually throughout each year except on holidays
- 33) Who has the authority to convene special sessions of the legislature?
- a) The Speaker of the Texas House of Representatives
 - b) The President of the Texas Senate
 - c) The Lieutenant Governor
 - d) The Governor
- 34) What are the qualifications for a Texas Senator?
- a) Must be a U.S. citizen
 - b) Must have lived in Texas five years
 - c) Must be at least 26 years of age
 - d) Must be a qualified voter
 - e) All the above
- 35) What are the qualifications for a member of the Texas House of Representatives?
- a) Must be a U.S. citizen
 - b) Must have lived in Texas two years
 - c) Must be at least 21 years of age
 - d) Must be a qualified voter
 - e) All the above
- 36) What does the President Pro-Tempore of the Texas Senate do?
- a) Nothing; it is simply a ceremonial title
 - b) Performs the duties of the Lieutenant Governor in his or her absence
 - c) Performs the duties of the Governor in his or her absence
 - d) Casts a vote in the House of Representatives in the case of a tie
- 37) What constitutes a quorum in both houses of the Texas Legislature?
- a) One third
 - b) Two thirds
 - c) More than one-half
 - d) Three quarters
- 38) What happens if the President Pro-Tempore of the Senate must perform the duties of Lieutenant Governor?
- a) The Senators choose a new President Pro-Tempore from among themselves
 - b) The Governor appoints a new President Pro-Tempore
 - c) Texas voters choose a new President Pro-Tempore
 - d) Nothing happens

- 39) True (A) or False (B): The votes in each house of the Texas Legislature must be recorded in a journal.
- 40) True (A) or False (B): Except in certain cases, Texas Legislators are exempt from arrest during legislative sessions.
- 41) True (A) or False (B): Anyone who disrupts a session of the Texas Legislature can be imprisoned for up to 48 hours.
- 42) True (A) or False (B): *All* sessions of the Texas Legislature must be open.
- 43) True (A) or False (B): Texas Legislators can hold more than one office at the same time.
- 44) True (A) or False (B): Any Texas Legislator who has a private interest in a proposed bill must disclose his or her interest and refrain from voting on the bill.
- 45) How much are Texas Legislators paid?
a) \$7,200 per year
b) \$35,000 per year
c) \$75,000 per year
d) \$150,000 per year
- 46) True (A) or False (B): Texas Legislators receive a *per diem* allowance when the Legislature is in session, in addition to their regular salary.
- 47) What is the length of a regular session of the Texas Legislature?
a) 30 days
b) 60 days
c) 90 days
d) 140 days
- 48) True (A) or False (B): The Texas Ethics Commission has the power to set the *per diem* of members of the Legislature.
- 49) How many Texas Senators are there per Senatorial District?
a) One
b) Two
c) Three
d) Four
- 50) True (A) or False (B): Members of the Texas House of Representatives are apportioned among the counties according to population.

- 51) How often are Texas Senate and House of Representatives districts re-drawn?
- a) Every year
 - b) Every two years
 - c) Every five years
 - d) Every ten years
- 52) True (A) or False (B): Proposed amendments to the Texas Constitution can only originate in the Texas House of Representatives.
- 53) True (A) or False (B): Bills for raising revenue can only originate in the Texas House of Representatives.
- 54) True (A) or False (B): Special sessions of the Texas Legislature can last no longer than 30 days.
- 55) True (A) or False (B): Only legislation regarding subjects specified by the Governor can be considered at special sessions of the Texas Legislature.
- 56) True (A) or False (B): The Texas Legislature has no authority to regulate Bingo games conducted by non-profit organizations.
- 57) True (A) or False (B): The Texas Legislature has the authority to authorize a state lottery.
- 58) True (A) or False (B): It is unconstitutional for the State of Texas to have any debts.
- 59) True (A) or False (B): The Texas Constitution specifically provides for the city of Austin, Texas to be the seat of the Texas government.
- 60) Which one of these is NOT specified as an officer of the Executive branch of the Texas government?
- a) The Governor
 - b) The Lieutenant Governor
 - c) Secretary of State
 - d) Comptroller of Public Accounts
 - e) Speaker of the Texas House of Representatives
- 61) What is the term of office for the Governor of Texas?
- a) Two years
 - b) Four years
 - c) Six years
 - d) Eight years

- 62) What are the qualifications for the office of Governor of Texas?
- Must be a U.S. citizen
 - Must be at least 30 years of age
 - Must have lived in Texas at least 5 years
 - All the above
- 63) True (A) or False (B): The Governor of Texas receives no compensation.
- 64) True (A) or False (B): The Governor of Texas is the commander-in-chief of the state militia, except when the militia is called into the service of the United States.
- 65) True (A) or False (B): The Governor of Texas is prohibited from recommending legislation.
- 66) True (A) or False (B): On certain specific occasions, the Governor of Texas must give a “state of the State” address to the Legislature.
- 67) True (A) or False (B): The Governor’s power to pardon or grant reprieves is unconditional.
- 68) True (A) or False (B): The Governor of Texas has the power to fill vacancies in the state Legislature.
- 69) True (A) or False (B): Unless otherwise authorized by the Texas Legislature, the Governor must reside in the seat of government during legislative sessions.
- 70) True (A) or False (B): In order for a bill passed by the Texas Legislature to become law, the Governor must approve it.
- 71) What percentage of a vote of both houses of the Texas Legislature is necessary to override the Governor’s disapproval of a bill?
- One third
 - One half
 - Two thirds
 - Three quarters
- 72) Which one of the following statements about the Lieutenant Governor is **NOT** true?
- The Lieutenant Governor is President of the Texas Senate.
 - The Lieutenant Governor *acts* as Governor in case of the Governor’s temporary inability to exercise the duties of that office.
 - The Lieutenant Governor becomes the Governor in case of the Governor’s temporary inability to exercise the duties of that office.
 - The Lieutenant Governor becomes the Governor in case of the Governor’s permanent inability to exercise the duties of that office.

- 73) Who replaces the Lieutenant Governor if he or she is unable to perform the duties of his or her office?
- a) The Comptroller of Public Accounts
 - b) The Speaker of the Texas House of Representatives
 - c) The Texas Secretary of State
 - d) The President Pro-Tempore of the Texas Senate
- 74) Which one of these is **NOT** a component of the Seal of the State of Texas?
- a) A picture of the Alamo
 - b) A five pointed star
 - c) Olive branches
 - d) Live Oak branches
 - e) The words "The State of Texas"
- 75) What does the Texas Secretary of State do?
- a) Authenticate the publication of the laws
 - b) Keep a register of all official acts of the Governor
 - c) Provide both houses of the Legislature with minutes, papers, etc.
 - d) All the above
- 76) True (A) or False (B): One of the duties of the Texas Attorney General is to represent the State of Texas in all lawsuits.
- 77) Who appoints all Notaries Public in the State of Texas?
- a) The Governor
 - b) The Lieutenant Governor
 - c) The Comptroller of Public Accounts
 - d) The Texas Secretary of State
- 78) What sort of courts does Article V (5) of the Texas Constitution create?
- a) A Supreme Court
 - b) A Court of Criminal Appeals
 - c) District and County Courts
 - d) All the above
- 79) True (A) or False (B): The determination of the Texas Supreme Court is final in all matters except in criminal law matters.
- 80) Which of the following are not permitted to vote in Texas.
- a) Persons under the age of 18
 - b) Convicted felons
 - c) Persons declared mentally incompetent by a court of law
 - d) All the above
- 81) True (A) or False (B): A person who is not specifically excluded from voting in Texas must be a U.S. citizen in order to vote.

- 82) True (A) or False (B): In Texas, qualified voters are required to register in order to exercise their right to vote.
- 83) True (A) or False (B): In Presidential elections, Texas voters actually cast ballots for electors to vote for a particular candidate, not for the candidate himself or herself.
- 84) True (A) or False (B): The State of Texas is constitutionally mandated to provide public free schools.
- 85) True (A) or False (B): The State of Texas is constitutionally mandated to provide for the University of Texas.
- 86) True (A) or False (B): The Constitution of the State of Texas allows the state government to place a tax on property.
- 87) True (A) or False (B): The Constitution of the State of Texas allows the state government to place a tax on personal income only if voters approve.
- 88) True (A) or False (B): Subject to certain restrictions, the Constitution of the State of Texas allows the State Legislature to create new counties.
- 89) True (A) or False (B): In order for a County Seat that is less than 5 miles from the geographic center of the county to be moved, what percentage of county's voters must approve?
- a) One third
 - b) A simple majority
 - c) Two thirds
 - d) Three quarters
- 90) The State Legislature has the authority to create Hospital Districts in counties with a population of at least how many people?
- a) 10,000
 - b) 100,000
 - c) 190,000
 - d) One Million
- 91) True (A) or False (B): The Texas Constitution allows counties to establish poor hours or poor farms for the care of indigent people.
- 92) True (A) or False (B): Railroads in Texas are considered public highways.
- 93) True (A) or False (B): The Legislature may pass laws to regulate railroads in Texas.
- 94) True (A) or False (B): The Legislature may pass laws to regulate private corporations in Texas.

- 95) True (A) or False (B): The Texas General Land Office must be self-sustaining.
- 96) Which house of the Texas Legislature has the power of impeachment?
a) The House of Representatives
b) The Senate
- 97) Which house of the Texas Legislature tries cases of impeachment?
a) The House of Representatives
b) The Senate
- 98) What vote is required to convict an impeached official?
a) A simple majority
b) Two thirds
c) Three quarters
d) The vote must be unanimous
- 99) What is the punishment for a convicted official?
a) Removal from office
b) Disqualified to hold any other public office in Texas
c) Denied the right to vote
d) All the above
e) Only A and B above
- 100) Amendments to the Texas Constitution can only be approved by:
a) Two thirds of both houses of the Legislature
b) The Governor
c) A majority of voters who exercise their right to vote on the amendment
d) All the above