

## **BILL ANALYSIS**

H.B. 1498  
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Judicial Affairs  
Committee Report (Amended)

### **BACKGROUND AND PURPOSE**

The Texas Supreme Court has discretion whether to hear a petition for review or an application for writ of error. Under existing rules, four justices must vote grant an application for a writ of error, and five must vote to grant leave to file a writ of mandamus. Currently, the supreme court is not required to disclose how each justice voted on whether to hear a case, although individual justices may disclose their own votes if they choose.

The supreme court receives about 1,200 petitions annually, and hears roughly 10% of these. Some parties believe that the supreme court would choose to hear certain other cases if votes regarding whether to hear such cases were made public. H.B. 1498 requires the disclosure of each justice's vote on petitions for review or applications for writs of error.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1498 amends the Government Code to provide that in an order granting or denying a petition for review or application for writ of error, the supreme court shall state how each member voted on the petition or application.

### **EFFECTIVE DATE**

September 1, 2003.

### **EXPLANATION OF AMENDMENTS**

Committee Amendment No. 1 provides that in an order granting, refusing, dismissing, or denying a petition for review or application for writ of error, the supreme court shall state how each member voted on the petition or application.