

BILL ANALYSIS

H.J.R. 64
By: Farabee
Judicial Affairs
Committee Report (Amended)

BACKGROUND AND PURPOSE

The Constitution currently provides that the State Commission on Judicial Conduct (the “Commission”) is composed of 11 members. These are as follows:

- 1 justice of a court of appeals
- 1 district judge
- 2 members of the state bar (with certain experience requirements)
- 4 non-lawyer citizens (who also do not hold public office)
- 1 justice of the peace
- 1 municipal court judge
- 1 county court at law judge

Constitutional county court judges are subject to the jurisdiction of the Commission, but are not represented on the Commission. H.J.R. 64 proposes a constitutional amendment to include a constitutional county court judge on the membership of the Commission.

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.J.R. 64 proposes a constitutional amendment to include a constitutional county court judge on the membership of the State Commission on Judicial Conduct, whose membership will then increase to 12 members.

H.J.R. 64 contains the language of the proposed constitutional amendment and states that the proposed amendment shall be submitted to the voters at an election to be held on November 4, 2003.

FOR ELECTION

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003. If the voters approve the amendment, House Joint Resolution 64 takes effect January 1, 2004.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1 adds a Statutory Probate Judge to the membership of the State Commission on Judicial Conduct, increasing the Commission’s total membership to 13 members.