

By: Ellis

H.B. No. 1768

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the recovery by the State Commission on Judicial
3 Conduct of certain costs, fees, and expenses on a finding of
4 misconduct of a judge.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 33.031, Government Code, is amended to
7 read as follows:

8 Sec. 33.031. ~~[NO AWARD OF]~~ COSTS, FEES, AND EXPENSES. (a)
9 Except as provided by Subsection (b), court ~~[Court]~~ costs or
10 attorney's fees may not be awarded in a proceeding under this
11 chapter.

12 (b) On a finding of misconduct of a judge in formal
13 proceedings before a special master or the commission, the
14 commission is entitled to recover from the judge court costs,
15 attorney's fees, and reasonable expenses related to the
16 proceedings.

17 SECTION 2. The change in law made by this Act applies only
18 to formal proceedings instituted on or after the effective date of
19 this Act. Formal proceedings instituted before the effective date
20 of this Act are governed by the law in effect at the time the
21 proceedings were instituted, and the former law is continued in
22 effect for that purpose.

23 SECTION 3. This Act takes effect September 1, 2003.