By: Farabee H.J.R. No. 64

A JOINT RESOLUTION

proposing a constitutional amendment to include a constitutional county judge on the membership of State Commission on Judicial Conduct.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-a(2), Article V, Texas Constitution, is amended to reads as follows:

(2) The State Commission on Judicial Conduct consists of [~~eleven (11)~~] twelve (12) members, to wit: (i) one (1) Justice of a Court of Appeals; (ii) one (1) District Judge; (iii) two (2) members of the State Bar, who have respectively practiced as such for over ten (10) consecutive years next preceding their selection; (iiii) four (4) citizens, at least thirty (30) years of age, not licensed to practice law nor holding any salaried public office or employment; (v) one (1) Justice of the Peace; (vi) one (1) Judge of a Municipal Court; [~~and,~~] (vii) one (1) Judge of a County Court at Law; and (viii) one (1) Judge of a Constitutional County Court; provided that no person shall be or remain a member of the Commission, who does not maintain physical residence within this State, or who resides in, or holds a judgeship within or for, the same Supreme Judicial District as another member of the Commission, or who shall have ceased to retain the qualifications above specified for his respective class of membership, except that the Justice of the Peace and the Judges of a Municipal Court and or a County Court at Law shall be selected at large without regard to

whether they reside or hold a judgeship in the same Supreme Judicial District as another member of the Commission. Commissioners of classes (i), (ii), [~~and~~] (vii)<u>, and (viii)</u>, above shall be chosen by the Supreme Court with advice and consent of the Senate, those of class (iii) by the Board of Directors of the State Bar under regulations to be prescribed by the Supreme Court with advice and consent of the Senate, those of class (iiii) by appointment of the Governor with advice and consent of the Senate, and the commissioners of classes (v) and (vi) by appointment of the Supreme Court as provided by law, with the advice and consent of the Senate.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to include a constitutional county judge on the membership of the State Commission on Judicial Conduct."

COMMITTEE AMENDMENT NO. 1

Amend HJR 64 as follows: On page 1, line 8, after "~~[eleven (11)]~~", strike "twelve (12)" and insert "thirteen (13)".

On page 1, line 16, after "Court;" insert "and (ix) one (1) Statutory Probate Judge;"

On page 2, line 3, strike "and".

On page 2, line 3, after "(viii)," insert "and (ix), ".

On page 2, line 15, after "judge", insert "and statutory probate judge".

Hartnett