

By: Heflin

H.J.R. No. 97

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the membership of
2 the State Commission on Judicial Conduct.

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

4 SECTION 1. Subsection (2) of Article V, Section 1-a of the
5 Texas Constitution is amended to read as follows:

6 (2) The State Commission on Judicial Conduct consists of
7 thirteen (13) [~~eleven (11)~~] members, to wit: (i) one (1) Justice of
8 a Court of Appeals; (ii) one (1) District Judge; (iii) three (3)
9 [~~two (2)~~] members of the State Bar, who have respectively practiced
10 as such for over ten (10) consecutive years next preceding their
11 selection; (iiii) four (4) citizens, at least thirty (30) years of
12 age, not licensed to practice law nor holding any salaried public
13 office or employment; (v) one (1) Justice of the Peace; (vi) one (1)
14 Judge of a Municipal Court; [~~and,~~] (vii) one (1) Judge of a County
15 Court at Law; and (viii) one (1) Statutory Probate Judge; provided
16 that no person shall be or remain a member of the Commission, who
17 does not maintain physical residence within this State, or who
18 resides in, or holds a judgeship within or for, the same Supreme
19 Judicial District as another member of the Commission, or who shall
20 have ceased to retain the qualifications above specified for his
21 respective class of membership, except that the Justice of the
22 Peace and the Judges of a Municipal Court, and or a County Court at
23 Law and or Statutory Probate Judge shall be selected at large
24 without regard to whether they reside or hold a judgeship in the

1 same Supreme Judicial District as another member of the Commission.
2 Commissioners of classes (i), (ii), ~~and (vii)~~, and (viii) above
3 shall be chosen by the Supreme Court with advice and consent of the
4 Senate, those of class (iii) by the Board of Directors of the State
5 Bar under regulations to be prescribed by the Supreme Court with
6 advice and consent of the Senate, those of class (iiii) by
7 appointment of the Governor with advice and consent of the Senate,
8 and the commissioners of classes (v) and (vi) by appointment of the
9 Supreme Court as provided by law, with the advice and consent of the
10 Senate.

11 SECTION 2. Subsection (5) of Article V, Section 1-a of the
12 Texas Constitution shall be amended to read as follows:

13 (5) The Commission may hold its meetings, hearings and other
14 proceedings at such times and places as it shall determine but shall
15 meet at Austin at least once each year. It shall annually select
16 one of its members as Chairman. A quorum shall consist of seven (7)
17 [~~six (6)~~] members. Proceedings shall be by majority vote of those
18 present, except that recommendations for retirement, censure,
19 suspension, or removal of any person holding an office named in
20 Paragraph A of Subsection (6) of this Section shall be by
21 affirmative vote of at least seven (7) [~~six (6)~~] members.

22 SECTION 3. This proposed constitutional amendment shall be
23 submitted to the voters at an election to be held September 13,
24 2003. The ballot shall be printed to permit voting for or against
25 the proposition: "The constitutional amendment expanding the
26 membership of the State Commission on Judicial Conduct from 11 to
27 13."