

## **BILL ANALYSIS**

C.S.H.J.R. 87  
By: Farabee  
Judiciary  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, the State Commission on Judicial Conduct, which is responsible for investigating allegations of judicial misconduct, disability, and the disciplining judges, is comprised of 11 members. These members are brought together for the purpose of bringing a broad array of perspectives to the Commission. One group that is under the jurisdiction of the Commission, but is not given any representation, is that of County Judges. H. J. R. 87 amends Sec. 1-a(2), Art. V of the State Constitution by adding one member to the Commission who is a County Court Judge, making a total of 12 members.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

HJR 87 proposes a constitutional amendment which amends Article V of the Texas Constitution to allow the State Commission on Judicial Conduct to consist of thirteen (13) members. Those members will include, 1 Justice of a Court of Appeals; 1 District Judge; 2 members of the State Bar, who have respectively practiced as such for over 10 consecutive years next preceding their selection; 4 citizens, at least thirty years of age, not licensed to practice law nor holding any salaried public office or employment; 1 Justice of the Peace; 1 Judge of a Municipal Court; 1 Judge of a County Court at Law; and 1 Judge of a Constitutional County Court and 1 judge of a statutory probate court.

### **EFFECTIVE DATE**

Upon passage

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute increases the membership of the commission by two, whereas the original only had a one member increase. The substitute also addresses a change in the quorum and majority vote provisions of subsection (5). The substitute is in Legislative Council form.