

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. Sections 1-a(2) and (5), Article V, Texas  
5 Constitution, are 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) two (2)  
9 members of the State Bar, who have respectively practiced as such  
10 for over ten (10) consecutive years next preceding their selection;  
11 (iv) five (5) [~~(iiii) four (4)~~] citizens, at least thirty (30) years  
12 of 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) Judge of a Constitutional County  
16 Court; provided that no person shall be or remain a member of the  
17 Commission, who does not maintain physical residence within this  
18 State, [~~or who resides in, or holds a judgeship within or for, the~~  
19 ~~same Supreme Judicial District as another member of the~~  
20 ~~Commission,~~] or who shall have ceased to retain the qualifications  
21 above specified for that person's [~~his~~] respective class of  
22 membership, and provided that a Commissioner of class (i), (ii),  
23 (iii), (vii), or (viii) may not [~~except that the Justice of the~~  
24 ~~Peace and the Judges of a Municipal Court and or a County Court at~~

1 ~~Law shall be selected at large without regard to whether they]~~  
2 reside or hold a judgeship in the same court of appeals district  
3 ~~[Supreme Judicial District]~~ as another member of the Commission.  
4 Commissioners of classes (i), (ii), ~~[and]~~ (vii), and (viii) above  
5 shall be chosen by the Supreme Court with advice and consent of the  
6 Senate, those of class (iii) by the Board of Directors of the State  
7 Bar under regulations to be prescribed by the Supreme Court with  
8 advice and consent of the Senate, those of class (iv) ~~[(iii)]~~ by  
9 appointment of the Governor with advice and consent of the Senate,  
10 and the commissioners of classes (v) and (vi) by appointment of the  
11 Supreme Court as provided by law, with the advice and consent of the  
12 Senate.

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 2. This proposed constitutional amendment shall be  
23 submitted to the voters at an election to be held November 8, 2005.  
24 The ballot shall be printed to provide for voting for or against the  
25 proposition: "The constitutional amendment to include one  
26 additional public member and a constitutional county court judge in  
27 the membership of the State Commission on Judicial Conduct."

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President of the Senate

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Speaker of the House

I certify that H.J.R. No. 87 was passed by the House on April 25, 2005, by the following vote: Yeas 131, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 87 on May 23, 2005, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.J.R. No. 87 was passed by the Senate, with amendments, on May 20, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

RECEIVED: \_\_\_\_\_

Date

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Secretary of State