

BILL ANALYSIS

Senate Research Center
81R3907 KFF-D

S.B. 780
By: Watson et al.
Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

One of the important functions of the Texas Supreme Court is to make the decision of whether to grant a petition for review. Public access to judicial decisions, including votes on petitions for review, plays a significant positive role in the functioning of the judiciary. Public interest in disclosure is heightened by the selection of judges through privately funded elections and thus, secrecy prevents the voting public from holding the justices accountable for their voting record while in office.

The Supreme Court has no valid interest in keeping the voting records secret, given that the votes themselves do not reveal internal deliberations of the justices or confidential information about parties to the case.

As proposed, S.B. 780 requires the Texas Supreme Court to disclose how each member voted on a petition for review or application in an order granting, refusing, dismissing, or denying a petition for review.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 22, Government Code, by adding Section 22.0071, as follows:

Sec. 22.0071. DISCLOSURE OF INDIVIDUAL VOTES OF MEMBERS. Requires the supreme court, in an order granting, refusing, dismissing, or denying a petition for review, to state how each member voted on the petition or application.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.