

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 2, 2009**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB1436** by Watson (Relating to the appeal of a censure issued by the State Commission on Judicial Conduct.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1436, Committee Report 1st House, Substituted: a negative impact of (\$12,000) through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2010	(\$12,000)
2011	\$0
2012	(\$6,000)
2013	\$0
2014	(\$6,000)

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable (Cost) from General Revenue Fund 1</b>
2010	(\$12,000)
2011	\$0
2012	(\$6,000)
2013	\$0
2014	(\$6,000)

**Fiscal Analysis**

The bill would amend the Government Code relating to the appeal of a censure issued by the State Commission on Judicial Conduct (SCJC). The bill would allow a judge or justice receiving a censure from the commission to appeal the ruling to a special court of review. The bill would take effect immediately if it receives a two-thirds vote from both houses. If it does not receive the two-thirds vote the bill would take effect September 1, 2009.

**Methodology**

According to the SCJC, currently two formal proceedings are pending which could result in a censure with a subsequent appeal in fiscal year 2010. SCJC indicates that on average an appeal costs \$6,000. This estimate assumes the two cases each will result in a censure appealed in fiscal year 2010, with

subsequent censures appealed on average one for every other year thereafter.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 242 State Commission on Judicial Conduct

**LBB Staff:** JOB, MN, JP, TB