

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 8, 2009

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

IN RE: SJR44 by Duncan (Proposing a constitutional amendment for filling vacancies in appellate judicial offices by appointment, for partisan elections for all judicial offices, and for subsequent nonpartisan retention elections for all judicial offices.), **As Introduced**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$90,882.

The resolution would propose an amendment to Article V of the Texas Constitution for filling vacancies in appellate judicial offices by appointment, partisan elections for all judicial offices, and nonpartisan elections for the retention or rejection for all judicial offices. The proposed amendment would authorize the Legislature to allow non-partisan retention elections for the state's appellate justices and judges along with the state's district court judges.

The proposed amendment would be submitted to voters at an election to be held November 3, 2009.

Local Government Impact

Local governments would have to change procedures and forms for holding judicial elections, which would result in additional costs; however according to the Texas Association of Counties, those costs are not anticipated to be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 307 Secretary of State

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