

Amend SB 891 on third reading as follows:

(1) Add the following appropriately numbered ARTICLE to the bill and renumber ARTICLES and SECTIONS of the bill accordingly:

ARTICLE _____. RETIRED AND FORMER JUDGES

SECTION _____.01. Section 74.055(c), Government Code, is amended to read as follows:

(c) To be eligible to be named on the list, a retired or former judge must:

(1) have served as an active judge for at least 96 months in a district, statutory probate, statutory county, or appellate court;

(2) have developed substantial experience in the judge's area of specialty;

(3) not have been removed from office;

(4) certify under oath to the presiding judge, on a form prescribed by the state board of regional judges, that the judge has not:

(A) in the preceding 10 years [~~the judge has never~~] been publicly reprimanded or censured by the State Commission on Judicial Conduct in relation to behavior on the bench or judicial duties, provided the judge served as an active judge for at least four terms of office; or [~~and~~]

(B) been convicted of a felony or a crime involving domestic violence or moral turpitude [~~the judge:~~

~~[(i) did not resign or retire from office after the State Commission on Judicial Conduct notified the judge of the commencement of a full investigation into an allegation or appearance of misconduct or disability of the judge as provided in Section 33.022 and before the final disposition of that investigation; or~~

~~[(ii) if the judge did resign from office under circumstances described by Subparagraph (i), was not publicly reprimanded or censured as a result of the investigation];~~

(5) annually demonstrate that the judge has completed in the past state fiscal year the educational requirements for active district, statutory probate, and statutory county court judges; and

(6) certify to the presiding judge a willingness not to appear and plead as an attorney in any court in this state for a period of two years.

SECTION _____.02. Section 74.055(c), Government Code, as amended by this Act, applies only to the appointment of a retired or former judge that occurs on or after the effective date of this Act. The appointment of a retired or former judge before the effective date of this Act is governed by the law in effect when the judge was appointed, and that law is continued in effect for that purpose.

(2) In SECTION 13.02 of the bill, insert the following appropriately numbered subdivision and renumber subsequent subdivisions of the SECTION accordingly:

(____) Section 74.055(f);