

BILL ANALYSIS

C.S.H.B. 4344
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

State law currently provides no deadline for the State Commission on Judicial Conduct (SCJC) to resolve complaints it receives. As such, complaints filed with SCJC can remain open for years without resolution for the parties involved. C.S.H.B. 4344 seeks to provide for the timely resolution of complaints by imposing a deadline by which SCJC must dismiss certain complaints while providing for an extension if lack of action on the complaint is due to extenuating circumstances.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4344 amends the Government Code to require the State Commission on Judicial Conduct (SCJC) to dismiss each complaint that it has not formally dismissed or for which it has not imposed sanctions or instituted proceedings on or before the first Monday following the 455th day after the date it receives the complaint. SCJC's chairperson may determine on the executive director's recommendation that extenuating circumstances, including a need for further investigation, require additional time not to exceed 120 days for disposal of the complaint subject to dismissal. The bill applies only to a complaint filed on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4344 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original applied the dismissal deadline to complaints for which SCJC has not commenced an informal hearing or initiated formal proceedings. The substitute applies the dismissal deadline to complaints SCJC has not formally dismissed or for which SCJC has not imposed sanctions or instituted proceedings and clarifies the deadline language.

The substitute contains a procedural provision not included in the original clarifying the bill's prospective applicability.