

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 13, 2021

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3966 by Morales, Eddie (Relating to the eligibility of certain retired or former district court judges for assignment as a visiting judge.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to provide that former and retired district judges are eligible to sit on assignment after leaving office provided they certify under oath that, during the 12 years preceding assignment, the judge was not publicly reprimanded or censured by the State Commission on Judicial Conduct (SCJC) and the judge did not resign or retire after the SCJC notified the judge of the commencement of a full investigation into an allegation or appearance of misconduct or disability and before the final investigation was concluded or, if the judge did resign or retire as described above, the judge was not publicly reprimanded or censured as a result of the investigation.

Under the bill's provisions, former and retired district court judges would be ineligible for assignment only if during the 12 years preceding appointment they had been identified in a public statement issued by the SCJC as having resigned or retired in lieu of discipline.

Based on the analysis of the Office of Court Administration and SCJC, it is assumed that duties and responsibilities associated with implementing the bill could be accomplished utilizing available resources. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

Local Government Impact

The Texas Association of Counties does not anticipate a significant fiscal impact to counties from HB 3966, as introduced.

Source Agencies: 212 Office of Court Admin, 242 Comm On Judicial Conduct

LBB Staff: JMc, SLE, BH