**BILL ANALYSIS**

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| Senate Research Center | H.B. 367 |
| 88R1200 ANG-F | By: Jetton (Zaffirini) |
|  | State Affairs |
|  | 5/5/2023 |
|  | Engrossed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There is an inherent unfairness in judicial elections in which a candidate runs for judicial office against an incumbent, considering that judges are subject to the Texas Code of Judicial Conduct while candidates are not. H.B. 367 would ensure that judicial elections are fair by granting the State Commission on Judicial Conduct the authority to enforce the same actions on judicial candidates as on sitting judges.

H.B. 367 amends current law relating to the powers and duties of the State Commission on Judicial Conduct.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 33, Government Code, by adding Section 33.02105, as follows:

Sec. 33.02105. CANDIDATE FOR JUDICIAL OFFICE. Authorizes the State Commission on Judicial Conduct (SCJC) to accept complaints, conduct investigations, and take any other action authorized by Chapter 33 (State Commission on Judicial Conduct) or Section 1-a (Retirement, Compensation, Discipline, and Removal of Justices and Judges; State Commission on Judicial Conduct), Article V (Judicial Department), Texas Constitution, with respect to a candidate for judicial office who is subject to Subchapter F (Judicial Campaign Fairness Act), Chapter 253, Election Code, in the same manner SCJC is authorized to take those actions with respect to a judge.

SECTION 2. Effective date: September 1, 2023.