

BILL ANALYSIS

Senate Research Center
88R1200 ANG-F

H.B. 367
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.