

BILL ANALYSIS

Senate Research Center
88R20174 AMF-F

C.S.S.B. 930
By: Middleton
State Affairs
3/28/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently the state constitution allows for per curiam or silent decisions. That is, there is no public record of how each judge voted. In the case of the Texas Supreme Court, if 6 or more judges agree they can issue a per curiam decision. In recent years there has been increased calls for transparency throughout all levels of government. S.B. 930 helps bring more transparency to court decisions in the state by eliminating per curiam decisions and treating them as public information. Texas judges are elected to their positions. Voters have a say in who is serving them on the bench. Texans elect district and appellate judges, which includes the Texas Supreme Court. The per curiam decision has become a shield that prevents voters from knowing who authored certain opinions. Judges should not be able to prevent accountability by hiding the author's identity with a per curiam decision.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 930 amends current law relating to the publication of opinions by a court.

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 Chapter 21, Government Code, by adding Section 21.013, as follows:

Sec. 21.013. PUBLICATION OF OPINIONS. Provides that the authorship of an opinion published by a court is public information. Requires a court to list the authors of any opinion published by the court.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.