

By: Murr

H.J.R. No. 202

A JOINT RESOLUTION

proposing a constitutional amendment regarding the composition of the State Commission on Judicial Conduct.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-a(2) and Section 1-a(5), Article V, Texas Constitution, is amended to read as follows:

(2) The State Commission on Judicial Conduct consists of thirteen (13) members, to wit: (i) one (1) Justice of a Court of Appeals; (ii) one (1) District Judge; (iii) ~~two (2) members of the State Bar, who have respectively practiced as such for over ten (10) consecutive years next preceding their selection,~~ [(iv)] seven (7) ~~[five (5)]~~ citizens, at least thirty (30) years of age, not ~~[licensed to practice law nor]~~ holding any salaried public office or employment; (iv) ~~[(v)]~~ one (1) Justice of the Peace; (v) ~~[(vi)]~~ one (1) Judge of a Municipal Court; (vi) ~~[(vii)]~~ one (1) Judge of a County Court at Law; and (vii) ~~[(viii)]~~ one (1) Judge of a Constitutional County Court; provided that no person shall be or remain a member of the Commission, who does not maintain physical residence within this State, or who shall have ceased to retain the qualifications above specified for that person's respective class of membership, and provided that a Commissioner of class (i), (ii), ~~[(iii)],~~ (vi) ~~[(vii)]~~, or (vii) ~~[(viii)]~~ may not reside or hold a judgeship in the same court of appeals district as another member of the Commission. Commissioners of classes (i), (ii), (vii), and (viii) above shall be chosen by the Supreme Court with advice and

1 consent of the Senate, [~~those of class (iii) by the Board of~~  
2 ~~Directors of the State Bar under regulations to be prescribed by the~~  
3 ~~Supreme Court with advice and consent of the Senate,~~] those of class  
4 (iii) [~~(iv)~~] by appointment of the Governor with advice and consent  
5 of the Senate, and the commissioners of classes (iv) and (v) [~~and~~  
6 ~~(vi)~~] by appointment of the Supreme Court as provided by law, with  
7 the advice and consent of the Senate.

8           (5) The Commission may hold its meetings, hearings and  
9 other proceedings at such times and places as it shall determine but  
10 shall meet at Austin at least once each year. The governor [~~It~~]  
11 shall annually select one of the Commission's [~~its~~] members as  
12 Chairman. A quorum shall consist of seven (7) members. Proceedings  
13 shall be by majority vote of those present, except that  
14 recommendations for retirement, censure, suspension, or removal of  
15 any person holding an office named in Paragraph A of Subsection (6)  
16 of this Section shall be by affirmative vote of at least seven (7)  
17 members.

18           SECTION 2. This proposed constitutional amendment shall be  
19 submitted to the voters at an election to be held November 7, 2023.  
20 The ballot shall be printed to permit voting for or against the  
21 proposition: "The constitutional amendment regarding the  
22 composition of the State Commission on Judicial Conduct and the  
23 removal of justices and judges from office."