

BILL ANALYSIS

Senate Research Center

S.B. 293
By: Huffman
Finance
8/11/2025
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The State Commission on Judicial Conduct (SCJC) was created to protect the public; promote public confidence in the integrity, independence, competence, and impartiality of the judiciary; and encourage judges to maintain high standards of conduct.

S.B. 293 modifies the judicial complaint process through the SCJC, addressing the types of complaints that can be examined, the timelines involved, and the notification process to judges subject to complaints. This bill also mandates the collection of judicial transparency information for all district court judges and increases the base pay for district judges by fifteen percent.

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

S.B. 293 amends current law relating to the discipline of judges by the State Commission on Judicial Conduct, notice of certain reprimands, judicial compensation and related retirement benefits, and the reporting of certain judicial transparency information, and authorizes an administrative penalty.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Supreme Court of Texas in SECTION 14 (Section 72.0396, Government Code) and SECTION 28 of this bill.

Rulemaking authority is expressly granted to the Texas Court of Criminal Appeals in SECTION 28 of this bill.

Rulemaking authority is expressly granted to the State Commission on Judicial Conduct in SECTION 29 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.302(a), Government Code, as follows:

(a) Authorizes the parties or their attorneys, rather than the court and the parties or their attorneys, to participate in oral argument from any location through the use of teleconferencing technology. Requires the court, unless exigent circumstances require otherwise, to participate in oral argument presented through teleconferencing technology from a courtroom or other facility provided to the court by this state.

SECTION 2. Amends Subchapter D, Chapter 23, Government Code, by adding Section 23.303, as follows:

Sec. 23.303. PROCEDURES RELATED TO MOTIONS FOR SUMMARY JUDGMENT; ANNUAL REPORT. (a) Requires the business court, a district court, or a statutory county court, with respect to a motion for summary judgment, to hear oral argument on the motion or consider the motion without oral argument not later than the 45th day after the date the response to the motion was filed and to file with the clerk of the court and provide to the parties a written ruling on the motion not later than the 90th day after the date the motion was argued or considered.

(b) Requires the court, if a motion for summary judgment is considered by a court described by Subsection (a) without oral argument, to record in the docket the date the motion was considered without argument.

(c) Requires a clerk of a court described by Subsection (a) to report the court's compliance with the times prescribed by this section to the Office of Court Administration of the Texas Judicial System (OCA) not less than once per quarter using the procedure OCA prescribes for the submission of reports under this subsection.

(d) Requires OCA to prepare an annual report regarding compliance of courts and clerks with the requirements of this section during the preceding state fiscal year. Requires OCA, not later than December 31 of each year, to submit the report prepared under this section to the governor, lieutenant governor, and speaker of the house of representatives and make the report publicly available.

(e) Prohibits Subsection (a) or (b), notwithstanding Section 22.004 (Rule of Civil Procedure), from being modified or repealed by Supreme Court of Texas (supreme court) rule.

SECTION 3. Amends Section 33.001(a), Government Code, by amending Subdivisions (8) and (9) to redefine "judge" and "review tribunal" and adding Subdivision (8-a) to define "official misconduct."

SECTION 4. Amends Section 33.001(b), Government Code, to redefine "wilful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties."

SECTION 5. Amends Section 33.0211, Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires that a file required to be maintained by the State Commission on Judicial Conduct (SCJC) on each written complaint filed with SCJC include certain information, including additional documentation supporting the complaint submitted under Subsection (a-1). Makes nonsubstantive changes.

(a-1) Authorizes a person, not later than the 45th day after the date the person files a complaint with SCJC, to submit to SCJC additional documentation to support the complaint.

SECTION 6. Amends Subchapter B, Chapter 33, Government Code, by adding Sections 33.02111 and 33.02115, as follows:

Sec. 33.02111. STATUTE OF LIMITATIONS. (a) Provides that SCJC, except as provided by Subsection (b), is prohibited from investigating and is required to dismiss a complaint filed on or after the seventh anniversary of the date the alleged misconduct occurred or the complainant knew, or with the exercise of reasonable diligence should have known, of the alleged misconduct.

(b) Authorizes SCJC to investigate and not dismiss a complaint described by Subsection (a) if SCJC determines good cause exists for investigating the complaint.

Sec. 33.02115. FALSE COMPLAINT; ADMINISTRATIVE PENALTY. (a) Authorizes SCJC to impose administrative sanctions, including an administrative penalty under Subsection (b), against a person who knowingly files a false complaint with SCJC under Subchapter B (Power and Duties).

(b) Authorizes SCJC to impose on a person described by Subsection (a) an administrative penalty in the amount of not more than \$500 for the first false

complaint, not more than \$2,500 for the second false complaint, and not less than \$5,000 but not more than \$10,000 for each false complaint filed subsequent to the second.

(c) Provides that an order imposing an administrative penalty or other sanction under this section is a public record. Requires SCJC to publish notice of the penalty or other sanction on SCJC's Internet website.

SECTION 7. Amends Section 33.0212, Government Code, as follows:

Sec. 33.0212. REPORT AND RECOMMENDATIONS ON FILED COMPLAINTS. (a) Requires SCJC staff, as soon as practicable after a complaint is filed with SCJC, to conduct a preliminary investigation of the filed complaint and draft recommendations for SCJC action.

(a-1) Authorizes SCJC staff, if, after completing a preliminary investigation under Subsection (a), SCJC staff determines that given the content of a complaint a full investigation is necessary before the next SCJC meeting, to commence the investigation. Requires SCJC staff, not less than seven business days after the date the staff commences a full investigation under this subsection, to provide written notice of the full investigation to the judge who is the subject of the complaint. Requires that notice provided under this subsection comply with the requirements of Section 33.022(c)(1)(B).

(a-2) Creates this subsection from existing text. Requires SCJC staff, not later than the 10th day before a scheduled SCJC meeting, rather than not later than the 120th day after the date a complaint is filed with SCJC, to prepare and file with each member of SCJC a report detailing:

(1) each complaint for which a preliminary investigation has been conducted under Subsection (a) but for which the investigation report has not been finalized under Subsection (b);

(2) the results of the preliminary investigation of the complaint, including whether SCJC staff commenced a full investigation under Subsection (a-1); and

(3) SCJC staff's recommendations for SCJC action regarding the complaint, including any recommendation for further investigation or termination of the investigation and dismissal of the complaint.

Makes nonsubstantive changes to this subsection.

(b) Requires SCJC, not later than the 120th day following the date of the first SCJC meeting at which a complaint is included in the report filed with SCJC under Subsection (a-2), rather than not later than the 90th day following the date SCJC staff files with SCJC the report required by Subsection (a), to finalize the investigation report and determine certain actions to be taken regarding the complaint.

(b-1) Requires SCJC, after the SCJC meeting at which an investigation report is finalized and an action is determined under Subsection (b), to provide to the judge who is the subject of a complaint:

(1) written notice of the action to be taken regarding the complaint not more than five business days after the SCJC meeting if SCJC determines no further action will be taken on the complaint or seven business days after the SCJC meeting if SCJC determines to take any further action on the complaint, including by pursuing further investigation; and

(2) as SCJC determines appropriate, published notice of the action to be taken by posting the notice on SCJC's Internet website not less than five business days after notice is provided under Subdivision (1).

(c) Authorizes SCJC, if, because of extenuating circumstances, SCJC is unable to finalize an investigation report and determine the action to be taken regarding a complaint under Subsection (b) before the 120th day following the date of the first SCJC meeting at which a complaint is included in the report filed with SCJC under Subsection (a-2), to order an extension of not more than 240 days from the date of the first SCJC meeting at which a complaint is included in the report filed with SCJC under Subsection (a-2).

Deletes existing text requiring SCJC staff, if, because of extenuating circumstances, the staff is unable to provide an investigation report and recommendation to SCJC before the 120th day following the date the complaint was filed with SCJC, to notify SCJC and propose the number of days required for SCJC and SCJC staff to complete the investigation report and recommendations and finalize the complaint. Deletes existing text authorizing the staff to request an extension of not more than 270 days from the date the complaint was filed with SCJC. Deletes existing text requiring SCJC to finalize the complaint not later than the 270th day following the date the complaint was filed with SCJC.

(c-1) Authorizes SCJC, if a complaint against a judge alleges multiple instances of misconduct or SCJC determines multiple complaints have been submitted against the judge, to order an additional extension of not more than 90 days after the date the extension under Subsection (c) expires.

(c-2) Requires each member of SCJC to certify an investigation report finalized in accordance with this section by signing the report. Authorizes the signature required under this subsection to be electronic.

(d) Redesignates existing Subsection (e) as Subsection (d). Requires SCJC, if SCJC orders an extension of time under Subsection (c) or (c-1), to timely inform certain persons of the extension.

Deletes existing text authorizing the executive director of SCJC to request that the chairperson grant an additional 120 days to the time provided under Subsection (c) for SCJC and SCJC staff to complete the investigation report and recommendations and finalize the complaint. Deletes existing text requiring SCJC, if the chairperson grants additional time under Subsection (d), to timely inform the legislature of the extension.

(e) Creates this subsection from existing text and makes a conforming change.

SECTION 8. Amends Section 33.0213, Government Code, as follows:

Sec. 33.0213. NOTIFICATION OF LAW ENFORCEMENT AGENCY INVESTIGATION. Provides that SCJC, on notice by any law enforcement agency investigating an action for which a complaint has been filed with SCJC:

(1) creates this subdivision from existing text and makes a nonsubstantive change;
or

(2) is required, rather than authorized, to continue an investigation that would not jeopardize a law enforcement investigation regarding the conduct subject to the complaint and is authorized to issue a censure or sanction based on the complaint.

Makes conforming and nonsubstantive changes to this section.

SECTION 9. Amends Section 33.022, Government Code, by amending Subsections (b) and (c) and adding Subsections (b-1) and (b-2), as follows:

(b) Requires SCJC staff, if, after conducting a preliminary investigation under Section 33.022 (Investigations and Formal Proceedings), SCJC staff determine that an allegation or appearance of misconduct or disability is unfounded or frivolous, to recommend SCJC terminate the investigation and dismiss the complaint. Deletes existing text requiring SCJC, if, after conducting a preliminary investigation under this section, SCJC determines that an allegation or appearance of misconduct or disability is unfounded or frivolous, to terminate the investigation.

(b-1) Authorizes SCJC staff, if, after conducting a preliminary investigation under this section, SCJC staff determine administrative deficiencies in the complaint preclude further investigation, to terminate the investigation and dismiss the complaint without action by SCJC.

(b-2) Requires SCJC, if a complaint is dismissed under Subsection (b) or (b-1), to notify the judge in writing of the dismissal not more than five business days after the dismissal date.

(c) Provides that, if, after conducting a preliminary investigation under this section, SCJC does not determine that an allegation or appearance of misconduct or disability is unfounded or frivolous, SCJC is:

(1) required to:

(A) makes no changes to this paragraph; and

(B) not more than seven business days after SCJC staff commences a full investigation under this subsection, notify the judge in writing of certain information, including the judge's right to attend each SCJC meeting at which the complaint is included in the report filed with SCJC members under Section 33.0212(a-2); and

(2) makes no changes to this subdivision.

Makes nonsubstantive changes to this subsection.

SECTION 10. Amends Section 33.023, Government Code, as follows:

Sec. 33.023. New heading: SUBSTANCE ABUSE; PHYSICAL OR MENTAL INCAPACITY OF JUDGE; SUSPENSION. (a) Requires SCJC, for each filed complaint alleging substance abuse by, or the physical or mental incapacity of, a judge and questioning the judge's ability to perform the judge's official duties, to conduct a preliminary investigation of the complaint and present the results of the preliminary investigation to each member of SCJC not later than the 30th day after the date the complaint is filed.

(b) Requires SCJC, if, after reviewing the results of the preliminary investigation, SCJC determines the judge's alleged substance abuse or physical or mental incapacity brings into question the judge's ability to perform the judge's official duties, to provide the judge written notice of the complaint and subpoena the judge to appear before SCJC at SCJC's next regularly scheduled meeting.

(c) Requires SCJC, if, following the judge's appearance before SCJC at the next regularly scheduled meeting, SCJC decides to require the judge to submit to a physical or mental examination, to suspend the judge from office with pay for a period not to exceed 90 days, provide the judge written notice of the suspension, order the judge to submit to a physical or mental examination by one or more qualified physicians or a mental examination by one or more qualified

psychologists selected and paid for by SCJC, and provide the judge written notice of the examination not later than 10 days before the date of the examination.

Deletes existing text authorizing SCJC, in any investigation or proceeding that involves the physical or mental incapacity of a judge, to order the judge to submit to a certain physical or mental examination. Makes nonsubstantive changes.

(d) Creates this subsection from existing text. Requires that the notice provided under Subsection (c)(4) (relating to requiring that the judge be provided written notice of the examination in a certain timeframe) include the physician's name and the date, time, and place of the examination.

(e) Redesignates existing Subsection (c) as Subsection (e) and makes no further changes.

(f) Requires SCJC, if, after receiving the written report of an examining physician or the physician's deposition testimony concerning the report, SCJC determines the judge is unable to perform the judge's official duties because of substance abuse or physical or mental incapacity, to recommend to the supreme court suspension of the judge from office or enter into an indefinite voluntary agreement with the judge for suspension of the judge with pay until SCJC determines the judge is physically and mentally competent to resume the judge's official duties.

(g) Redesignates existing Subsection (d) as Subsection (g). Authorizes SCJC, if a judge refuses to submit to a physical or mental examination ordered by SCJC under this section, to petition a district court for an order compelling the judge to submit to the physical or mental examination and recommend to the supreme court suspension of the judge from office.

SECTION 11. Amends Section 33.034, Government Code, by amending Subsection (a) and adding Subsection (j), as follows:

(a) Authorizes a judge who receives from SCJC a sanction or censure issued by SCJC under Section 1-a(8) (relating to authorizing SCJC to issue certain warnings after an investigation), Article V (Judicial Department), Texas Constitution, to request, rather than entitles a judge who receives from SCJC a sanction or censure issued by SCJC under Section 1-a(8), Article V, Texas Constitution, or any other type of sanction, to, a review of SCJC's decision as provided by Section 33.034 (Review of Commission Decision).

(j) Requires SCJC, if SCJC issues a public reprimand of a judge based on the judge's persistent or wilful violation of Article 17.15 (Rules for Setting Amount of Bail), Code of Criminal Procedure, to send notice of the reprimand to certain persons.

SECTION 12. Amends Section 33.037, Government Code, as follows:

Sec. 33.037. New heading: SUSPENSION FROM OFFICE. (a) Creates this subsection from existing text and makes no further changes.

(b) Requires SCJC, not later than the 21st day after the date SCJC initiates formal proceedings against a judge based on the judge's persistent or wilful violation of Article 17.15, Code of Criminal Procedure, to recommend to the supreme court that the judge be suspended from office pursuant to Section 1-a (Retirement, Compensation, Discipline, and Removal of Justices and Judges; State Commission on Judicial Conduct), Article V, Texas Constitution.

SECTION 13. Amends Subchapter B, Chapter 33, Government Code, by adding Section 33.041, as follows:

Sec. 33.041. JUDICIAL DIRECTORY; NOTICE. (a) Requires OCA to establish a judicial directory that contains the contact information, including the e-mail address, for each judge in this state and provide SCJC with access to the directory for the purpose of providing to a judge written notice required by this subchapter.

(b) Authorizes written notice required by this subchapter to be provided to a judge by e-mail.

SECTION 14. Amends Subchapter C, Chapter 72, Government Code, by adding Section 72.0396, as follows:

Sec. 72.0396. JUDICIAL TRANSPARENCY INFORMATION. (a) Requires each district court judge to submit to the presiding judge of the administrative judicial region in which the judge's court sits not later than July 20 or January 20, as applicable, information for the preceding six-month period in which the judge attests to:

(1) the number of hours the judge presided over the judge's court at the courthouse or another court facility; and

(2) the number of hours the judge performed judicial duties other than those described by Subdivision (1), including the number of hours the judge performed case-related duties, performed administrative tasks, and completed continuing education.

(b) Requires the presiding judge of each administrative judicial region to submit the information submitted under Subsection (a) to OCA in the manner prescribed by the supreme court.

(c) Requires OCA to provide administrative support for the submission and collection of information under Subsection (a), including providing a system for electronic submission of the information.

(d) Requires OCA, not later than December 1 of each year, to prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each presiding officer of a legislative standing committee with primary jurisdiction over the judiciary a written report compiling the information submitted under Subsection (b).

(e) Requires the supreme court to adopt rules establishing guidelines and providing instructions regarding the submission of information under Subsection (a), including rules establishing a penalty for the submission of false information under that subsection and providing guidance on the form and manner of submitting information under that subsection.

SECTION 15. Amends Section 73.003(e), Government Code, to delete existing text authorizing the court and the parties or their attorneys to participate in oral argument from any location through the use of teleconferencing technology.

SECTION 16. Amends Section 74.055(c), Government Code, as follows:

(c) Requires a retired or former judge, to be eligible to be named on the list of retired and former judges subject to assignment, to:

(1)-(3) makes no changes to these subdivisions;

(4) certify under oath to the presiding judge, on a form prescribed by the state board of regional judges, that:

(A) the judge has never been publicly reprimanded or censured by SCJC, excluding any reprimand or censure reviewed and rescinded by a special court of review under Section 33.034;

(B) the judge has not received more than one of any other type of public sanction, excluding any sanction reviewed and rescinded by a special court of review under Section 33.034; and

(C) redesignates existing Paragraph (B) as Paragraph (C) and makes no further changes; and

(5)-(6) makes no changes to these subdivisions.

SECTION 17. Amends Section 659.012, Government Code, by amending Subsections (a) and (d) and adding Subsections (b-2) and (d-1), as follows:

(a) Provides that, notwithstanding Section 659.011 and subject to certain provisions:

(1) a judge of a district court or a division of the business court is entitled to an annual base salary from the state as set by the General Appropriations Act in an amount equal to at least \$175,000, rather than \$140,000, except that the combined base salary of a district judge or judge of a division of the business court from all state and county sources, including compensation for any extrajudicial services performed on behalf of the county, is prohibited from exceeding the amount that is \$5,000 less than the maximum combined base salary from all state and county sources for a justice of a court of appeals other than a chief justice as determined under this subsection;

(2) except as provided by Subdivision (3) (relating to entitling a justice of the Court of Appeals for the Fifteenth Court of Appeals District to a certain annual base salary), a justice of a court of appeals, rather than a justice of a court of appeals other than the chief justice, is entitled to an annual base salary from the state in a certain amount;

(3) makes a conforming change to this subdivision;

(4) a justice of the supreme court, rather than a justice of the supreme court other than the chief justice, or a judge of the Texas Court of Criminal Appeals (court of criminal appeals), rather than a judge of the court of criminal appeals other than the presiding judge, is entitled to an annual base salary from the state in a certain amount; and

(5) the chief justice or presiding judge of an appellate court is entitled to additional compensation from the state in the amount equal to seven percent of the state base salary provided for the other justices or judges of the court.

Deletes existing text providing that, notwithstanding certain provisions, the chief justice or presiding judge of an appellate court is entitled to an annual base salary from the state in the amount equal to \$2,500 more than the state base salary provided for the other justices or judges of the court, except that the combined base salary of the chief justice of a court of appeals from all state and county sources is prohibited from exceeding the amount equal to \$2,500 less than the base salary for a justice of the supreme court as determined under this subsection.

(b-2) Provides that, notwithstanding any other provision of this section, the additional compensation from the state paid to a chief justice or presiding judge of an appellate court in accordance with Subsection (a)(5) is not included as part of the judge's or justice's combined base salary from all state and county sources for purposes of determining whether the judge's or justice's salary exceeds the limitation.

(d) Entitles a district judge who serves as a local administrative district judge under Section 74.091 (Local Administrative District Judge), notwithstanding any other provision in this section or other law, to an annual base salary from the state in the amount provided under Subsection (a) or (b) and an additional annual amount from the state equal to:

(1) in a county with three or four district courts, three percent of the annual base salary for a judge of a district court under Subsection (a);

(2) in a county with more than four but fewer than 10 district courts, five percent of the annual base salary for a judge of a district court under Subsection (a); or

(3) in a county with 10 or more district courts, seven percent of the annual base salary for a judge of a district court under Subsection (a).

Deletes existing text entitling a district judge who serves as a local administrative district judge under Section 74.091, notwithstanding any other provision in this section or other law, in a county with more than five district courts, to an annual base salary from the state in the amount equal to \$5,000 more than the maximum salary from the state to which the judge is otherwise entitled under Subsection (a) or (b).

(d-1) Entitles a judge of a division of the business court who serves as administrative presiding judge under Section 25A.009 (Appointment of Judges; Term; Presiding Judge; Exchange of Benches), notwithstanding any other provision in this section or other law, to an annual base salary from the state in the amount provided under Subsection (a) or (b) and an additional annual amount equal to the amount provided under Subsection (d)(3).

SECTION 18. Amends Section 665.052(b), Government Code, to redefine "incompetency."

SECTION 19. Amends Section 814.103, Government Code, by amending Subsections (a), (a-1), and (b) and adding Subsections (a-2) and (a-3), as follows:

(a) Provides that, except as provided by certain provisions and subject to Subsection (a-2), the standard service retirement annuity for service credit in the elected class of membership is an amount equal to the number of years of service credit in that class, times 2.3 percent of \$175,000, rather than the state base salary, excluding longevity pay payable under Section 659.0445 (Longevity Pay for State Judges and Justices) and as adjusted from time to time, being paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a) (relating to entitling certain judges to certain annual base salaries).

(a-1) Provides that, except as provided by Subsection (b), the standard service retirement annuity for service credited in the elected class of membership for a member of the class under Section 812.002(a)(3) (relating to providing that membership in the elected class of the retirement system is limited to district and criminal attorneys, to the extent that they receive salaries from the state general revenue fund) whose effective date of retirement is on or after September 1, 2019, is an amount equal to the number of years of service credit in that class, times 2.3 percent of the state salary, excluding longevity pay payable under Section 659.0445, rather than longevity pay payable under Section 659.0445 and as adjusted from time to time, being paid in accordance with Section 659.012 (Judicial Salaries) to a district judge who has the same number of years of contributing service credit as the member on the member's last day of service as a district or criminal district attorney, as applicable.

(a-2) Requires the Texas Ethics Commission (TEC), beginning August 31, 2030, and every fifth anniversary of that date, to consider an equitable increase in the dollar amount on which the standard service retirement annuity is based under Subsection (a) and increase the dollar amount as TEC considers appropriate. Authorizes TEC, when determining an equitable increase in the dollar amount, to consider any increase in

compensation for elected officials and officers for salaries included in the General Appropriations Act.

(a-3) Requires TEC to develop, adopt, and make public a methodology for adjusting the dollar amount on which the standard service retirement annuity is computed under Subsection (a) not later than September 1, 2026, and apply the methodology for each equitable adjustment under Subsection (a-2).

(b) Prohibits the standard service retirement annuity for service credited in the elected class from exceeding at any time 100 percent of, as applicable, certain amounts, including the dollar amount on which the annuity is based under Subsection (a), subject to adjustment under Subsection (a-2). Makes nonsubstantive changes.

SECTION 20. Amends Section 820.053(c), Government Code, as follows:

(c) Requires a member of the elected class of membership under Section 812.002(a)(2) (relating to providing that membership in the elected class of the retirement system is limited to members of the legislature), for purposes of Section 820.053 (Cash Balance Benefits for Members), to have the member's accumulated account balance computed as if the contributions to the account were based on the dollar amount on which the standard service retirement annuity is based under Section 814.103(a), subject to adjustment under Section 814.103(a-2), rather than based on the state base salary, excluding longevity pay payable under Section 659.0445, being paid a district judge as set by the General Appropriations Act in accordance with Sections 659.012(a).

SECTION 21. Amends Section 834.102, Government Code, by adding Subsections (e) and (f), as follows:

(e) Provides that, notwithstanding Subsection (a) (relating to the base service retirement annuity for certain persons) or (d) (relating to the service retirement annuity of a certain person qualifying for retirement) or any other law:

(1) any increase in the state base salary being paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012 by the 89th Legislature, Regular Session, 2025, does not apply to a service retirement annuity computed under this section of a retiree or beneficiary if the retiree on whose service the annuity is based retired before September 1, 2025; and

(2) the amount of the state base salary being paid to a district judge as set by Chapter 1170 (H.B. 1), Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), for the fiscal year ending August 31, 2025, in accordance with Section 659.012 continues to apply to the annuities described by Subdivision (1) until the effective date of legislation the 90th Legislature or a later legislature enacts that increases the state base salary being paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012.

(f) Provides that, on the effective date of legislation the 90th Legislature or a later legislature enacts that increases the state base salary being paid to a district judge, as described by Subsection (e), this subsection and Subsection (e) expire.

SECTION 22. Amends Section 837.102(a), Government Code, to prohibit a retiree who resumes service as a judicial officer other than by assignment described in Section 837.101 (Judicial Assignment) from rejoining or receiving credit in the Judicial Retirement System of Texas Plan Two (retirement system) for the resumed service, except as provided by Section 837.103 (Resumption of Full-Time Judicial Service by Certain Retirees; Optional Election to Rejoin System), rather than unless an election is made as provided by Section 837.103.

SECTION 23. Amends Section 837.103, Government Code, by amending Subsections (b) and (c) and adding Subsections (b-1), (b-2), (c-1), and (c-2), as follows:

(b) Authorizes a retiree who resumes full-time service as a judicial officer other than by assignment described in Section 837.101, notwithstanding certain provisions and subject to the requirements of this section, to elect to rejoin the retirement system as a member if, before taking the oath of office, the retiree has been separated from judicial service for at least six full consecutive months. Deletes existing text authorizing a retiree described by Section 837.102(a), notwithstanding certain provisions and subject to Subsection (d) (relating to providing that a person is authorized to make an election only once), to elect to rejoin the retirement system as a member and receive service credit in the system for resuming service as a judicial officer under certain circumstances.

(b-1) Creates this subsection from existing text. Requires the retiree to provide notice of an election to rejoin the retirement system under this section not later than the 60th day after the date the retiree takes the oath of office and in the form and manner prescribed by the system. Makes a nonsubstantive change.

(b-2) Requires a person who rejoins the retirement system under this section to resume making member contributions at the rate of 9.5 percent of the person's state compensation.

(c) Requires the retirement system, for a person who rejoins the retirement system under this section, rather than for a person who makes an election under this section, and completes at least 24 months of resumed judicial service, on the person's subsequent retirement from resumed service, rather than on the resumption of annuity payments that have been suspended under Section 837.102 (Resumption of Full-Time Judicial Service), to recompute the annuity selected at the time of the person's original retirement to reflect:

(1) the highest annual state salary earned by the person while holding a judicial office included within the membership of the retirement system; and

(2) the additional service credit established during the person's period of resumed service, rather than to include the person's additional service credit established during membership under this section.

Makes nonsubstantive changes to this subsection.

(c-1) Requires the retirement system, for a person who rejoins the retirement system under this section but who does not complete at least 24 months of resumed service, on the person's subsequent retirement from resumed service, to resume annuity payments suspended under Section 837.102 and issue the person a refund of the person's accumulated member contributions made during the person's period of resumed service.

(c-2) Creates this subsection from existing text. Requires the retirement system, if, at the time of the person's original retirement, a person described by Subsection (c) or (c-1) selected an optional retirement annuity payable under certain provisions, to reduce the number of months of payments by the number of months for which the annuity was paid before the person resumed service. Makes a nonsubstantive change.

SECTION 24. Amends Section 840.1025(b), Government Code, to require a member who elects to make contributions under Subsection (a) (relating to authorizing a judicial officer who meets certain requirements to elect to make contributions) to contribute 9.5 percent, rather than six percent, of the member's state compensation for each payroll period in the manner provided by Sections 840.102(b)-(f).

SECTION 25. Amends Section 840.1027(b), Government Code, to make a conforming change.

SECTION 26. Repealer: Section 837.103(e) (relating to requiring the retirement system to implement this section only if the system is actuarially sound), Government Code.

SECTION 27. Makes application of Section 23.303, Government Code, as added by this Act, prospective.

SECTION 28. Requires the supreme court and the court of criminal appeals, not later than March 1, 2026, to adopt rules necessary to implement Section 22.302(a), Government Code, as amended by this Act, and Section 23.303, Government Code, as added by this Act.

SECTION 29. Requires SCJC, as soon as practicable after September 1, 2025, to adopt rules to implement Section 33.001(b), Government Code, as amended by this Act.

SECTION 30. Makes application of Sections 33.001(b) and 665.052(b), Government Code, as amended by this Act, prospective to September 1, 2025.

SECTION 31. Makes application of Section 33.02111, Government Code, as added by this Act, and Section 33.023, Government Code, as amended by this Act, prospective to September 1, 2025.

SECTION 32. Requires OCA, as soon as practicable after the effective date of this Act, to prescribe procedures as required by Section 23.303(c), Government Code, as added by this Act and to establish the judicial directory required by Section 33.041, Government Code, as added by this Act.

SECTION 33. Requires the supreme court, as soon as practicable after September 1, 2025, to adopt rules for purposes of Section 72.0396, Government Code, as added by this Act.

SECTION 34. Provides that a former or retired judge on a list maintained by a presiding judge under Section 74.055(a), Government Code, who is ineligible to be named on the list under Section 74.055(c), Government Code, as amended by this Act, is required to be struck from the list on September 1, 2025, and is prohibited from being assigned to any court on or after September 1, 2025.

SECTION 35. (a) Provides that Sections 837.102 and 837.103, Government Code, as amended by this Act, except as provided by Subsection (c) of this section, apply only to:

(1) a former retiree of the retirement system who, on the effective date of this Act, holds a judicial office and has resumed membership in the retirement system; or

(2) a retiree who, on or after the effective date of this Act, resumes service as a judicial officer holding a judicial office included in the membership of the retirement system.

(b) Authorizes a person described by Subsection (a)(1) of this section to purchase service credit for resumed judicial service performed before the effective date of this Act, including service performed before June 18, 2023, by depositing with the Judicial Retirement System of Texas Plan Two, for each month of service credit, member contributions calculated by multiplying 9.5 percent by the person's monthly judicial state salary on the effective date of this Act. Requires the person, not later than September 1, 2027, to purchase service credit under this subsection and make the required deposits.

(c) Makes application of Section 837.103(b)(1), Government Code, as added by this Act, prospective.

SECTION 36. Effective date, Section 30 of this Act: upon passage. Provides that if this Act does not receive the vote necessary for immediate effect, Section 30 of this Act has no effect.

SECTION 37. Effective date, except as otherwise provided by this Act: September 1, 2025.