

By: Huffman, et al.

S.B. No. 293

A BILL TO BE ENTITLED

AN ACT

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; authorizing an administrative penalty.

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

SECTION 1. Section 33.001(a), Government Code, is amended by amending Subdivision (8) and adding Subdivision (8-a) to read as follows:

(8) "Judge" means a justice, judge, master, magistrate, justice of the peace, or retired or former judge as described by Section 1-a, Article V, Texas Constitution, or other person who performs the functions of the justice, judge, master, magistrate, justice of the peace, or retired or former judge.

(8-a) "Official misconduct" has the meaning assigned by Article 3.04, Code of Criminal Procedure.

SECTION 2. Effective January 1, 2026, Section 33.001(a)(10), Government Code, is amended to read as follows:

(10) "Sanction" means an order issued by the commission under Section 1-a(8), Article V, Texas Constitution, providing for a [~~private or~~] public admonition, warning, or reprimand or requiring that a person obtain additional training or education.

SECTION 3. Section 33.001(b), Government Code, is amended to read as follows:

(b) For purposes of Section 1-a, Article V, Texas Constitution, "wilful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties" includes:

(1) wilful, persistent, and unjustifiable failure to timely execute the business of the court, considering the quantity and complexity of the business, including failure to meet deadlines set by statute or binding court order;

(2) wilful violation of a provision of the Texas penal statutes or the Code of Judicial Conduct;

(3) persistent or wilful violation of the rules promulgated by the supreme court;

(4) incompetence in the performance of the duties of the office;

(5) failure to cooperate with the commission; ~~or~~

(6) violation of any provision of a voluntary agreement to resign from judicial office in lieu of disciplinary action by the commission; or

(7) persistent or wilful violation of Article 17.15, Code of Criminal Procedure.

SECTION 4. Section 33.0211, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The commission shall maintain a file on each written complaint filed with the commission. The file must include:

- 1 (1) the name of the person who filed the complaint;
- 2 (2) the date the complaint is received by the
- 3 commission;
- 4 (3) the subject matter of the complaint;
- 5 (4) additional documentation supporting the complaint
- 6 submitted under Subsection (a-1);
- 7 (5) the name of each person contacted in relation to
- 8 the complaint;
- 9 (6) [~~(5)~~] a summary of the results of the review or
- 10 investigation of the complaint; and
- 11 (7) [~~(6)~~] an explanation of the reason the file was
- 12 closed, if the commission closed the file without taking action
- 13 other than to investigate the complaint.

14 (a-1) Not later than the 45th day after the date a person  
15 files a complaint with the commission, the person may submit to the  
16 commission additional documentation to support the complaint.

17 SECTION 5. Subchapter B, Chapter 33, Government Code, is  
18 amended by adding Sections 33.02111 and 33.02115 to read as  
19 follows:

20 Sec. 33.02111. STATUTE OF LIMITATIONS. (a) Except as  
21 provided by Subsection (b), the commission may not investigate and  
22 shall dismiss a complaint filed on or after the seventh anniversary  
23 of the date:

- 24 (1) the alleged misconduct occurred; or
- 25 (2) the complainant knew, or with the exercise of
- 26 reasonable diligence should have known, of the alleged misconduct.

27 (b) The commission may investigate and not dismiss a

1 complaint described by Subsection (a) if the commission determines  
2 good cause exists for investigating the complaint.

3 Sec. 33.02115. FALSE COMPLAINT; ADMINISTRATIVE PENALTY.

4 (a) The commission may impose administrative sanctions, including  
5 an administrative penalty under Subsection (b), against a person  
6 who knowingly files a false complaint with the commission under  
7 this subchapter.

8 (b) The commission may impose on a person described by  
9 Subsection (a) an administrative penalty in the amount of:

10 (1) not more than \$500 for the first false complaint;

11 (2) not more than \$2,500 for the second false  
12 complaint; and

13 (3) not less than \$5,000 but not more than \$10,000 for  
14 each false complaint filed subsequent to the second.

15 (c) An order imposing an administrative penalty or other  
16 sanction under this section is a public record. The commission  
17 shall publish notice of the penalty or other sanction on the  
18 commission's Internet website.

19 SECTION 6. Section 33.0212, Government Code, is amended to  
20 read as follows:

21 Sec. 33.0212. REPORT AND RECOMMENDATIONS ON FILED  
22 COMPLAINTS. (a) As soon as practicable after a complaint is filed  
23 with the commission, commission staff shall conduct a preliminary  
24 investigation of the filed complaint and draft recommendations for  
25 commission action.

26 (a-1) If, after completing a preliminary investigation  
27 under Subsection (a), commission staff determines that given the

content of a complaint a full investigation is necessary before the next commission meeting, commission staff may commence the investigation. Not less than seven business days after the date commission staff commences a full investigation under this subsection, the staff shall provide written notice of the full investigation to the judge who is the subject of the complaint. Notice provided under this subsection shall comply with the requirements of Section 33.022(c)(1)(B).

(a-2) Not later than the 10th day before a scheduled commission meeting ~~[120th day after the date a complaint is filed with the commission]~~, commission staff shall prepare and file with each member of the commission 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 commission staff commenced a full investigation under Subsection (a-1); and

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

(b) Not later than the 120th [90th] day following the date of the first commission meeting at which a complaint is included in the report filed with the commission under Subsection (a-2) [staff files with the commission the report required by Subsection (a)],

1 the commission shall finalize the investigation report and  
2 determine any action to be taken regarding the complaint,  
3 including:

- 4 (1) a public sanction;
- 5 (2) a private sanction;
- 6 (3) a suspension;
- 7 (4) an order of education;
- 8 (5) an acceptance of resignation in lieu of  
9 discipline;
- 10 (6) a dismissal; or
- 11 (7) an initiation of formal proceedings.

12 (b-1) After the commission meeting at which an  
13 investigation report is finalized and an action is determined under  
14 Subsection (b), the commission shall provide to the judge who is the  
15 subject of a complaint:

16 (1) written notice of the action to be taken regarding  
17 the complaint not more than:

18 (A) five business days after the commission  
19 meeting if the commission determines no further action will be  
20 taken on the complaint; or

21 (B) seven business days after the commission  
22 meeting if the commission determines to take any further action on  
23 the complaint, including by pursuing further investigation; and

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

1           (c) If, because of extenuating circumstances, the  
2 commission [~~staff~~] is unable to finalize an investigation report  
3 and determine the action to be taken regarding a complaint under  
4 Subsection (b) [~~provide an investigation report and recommendation~~  
5 ~~to the commission~~] before the 120th day following the date of the  
6 first [~~the complaint was filed with the~~] commission meeting at  
7 which a complaint is included in the report filed with the  
8 commission under Subsection (a-2), the commission may order an  
9 extension [~~the staff shall notify the commission and propose the~~  
10 ~~number of days required for the commission and commission staff to~~  
11 ~~complete the investigation report and recommendations and finalize~~  
12 ~~the complaint. The staff may request an extension~~] of not more than  
13 240 [~~270~~] days from the date of the first [~~the complaint was filed~~  
14 ~~with the~~] commission meeting at which a complaint is included in the  
15 report filed with the commission under Subsection (a-2). [~~The~~  
16 ~~commission shall finalize the complaint not later than the 270th~~  
17 ~~day following the date the complaint was filed with the~~  
18 ~~commission.~~]

19           (c-1) If a complaint against a judge alleges multiple  
20 instances of misconduct or the commission determines multiple  
21 complaints have been submitted against the judge, the commission  
22 may order an additional extension of not more than 90 days after the  
23 date the extension under Subsection (c) expires.

24           (c-2) Each member of the commission shall certify an  
25 investigation report finalized in accordance with this section by  
26 signing the report. The signature required under this subsection  
27 may be electronic.

(d) ~~[The executive director may request that the chairperson grant an additional 120 days to the time provided under Subsection (c) for the commission and commission staff to complete the investigation report and recommendations and finalize the complaint.]~~

~~[(e)]~~ If the commission orders an extension of time under Subsection (c) or (c-1) ~~[chairperson grants additional time under Subsection (d)]~~, the commission must timely inform the following ~~[legislature]~~ of the extension:

- (1) the governor;
- (2) the lieutenant governor;
- (3) the speaker of the house of representatives;
- (4) the presiding officer of each legislative standing committee with primary jurisdiction over the judiciary;
- (5) the chief justice of the supreme court;
- (6) the Office of Court Administration of the Texas Judicial System; and
- (7) the presiding judge of the administrative judicial region in which is located the court the judge who is the subject of the complaint serves.

(e) The commission may not disclose to a person informed under Subsection (d) ~~[the legislature]~~ any confidential information regarding the complaint.

SECTION 7. Effective January 1, 2026, Section [33.0212\(b\)](#), Government Code, is amended to read as follows:

(b) Not later than the 120th ~~[90th]~~ day following the date of the first commission meeting at which a complaint is included in



1 the report filed with the commission under Subsection (a-2) [staff  
 2 files with the commission the report required by Subsection (a)],  
 3 the commission shall finalize the investigation report and  
 4 determine any action to be taken regarding the complaint,  
 5 including:

- 6 (1) a public sanction;
- 7 (2) ~~[a private sanction,~~
- 8 ~~[(3)]~~ a suspension;
- 9 (3) ~~[(4)]~~ an order of education;
- 10 (4) ~~[(5)]~~ an acceptance of resignation in lieu of
- 11 discipline;
- 12 (5) ~~[(6)]~~ a dismissal; or
- 13 (6) ~~[(7)]~~ an initiation of formal proceedings.

14 SECTION 8. Section 33.0213, Government Code, is amended to  
 15 read as follows:

16 Sec. 33.0213. NOTIFICATION OF LAW ENFORCEMENT AGENCY  
 17 INVESTIGATION. On notice by any law enforcement agency  
 18 investigating an action for which a complaint has been filed with  
 19 the commission, the commission:

- 20 (1) may place the commission's complaint file on hold
- 21 and decline any further investigation that would jeopardize the law
- 22 enforcement agency's investigation; or
- 23 (2) shall ~~[. The commission may]~~ continue an
- 24 investigation that would not jeopardize a law enforcement
- 25 investigation regarding the conduct subject to the complaint and
- 26 may issue a censure or sanction based on the complaint.

27 SECTION 9. Section 33.022, Government Code, is amended by

1 amending Subsections (b) and (c) and adding Subsections (b-1) and  
2 (b-2) to read as follows:

3 (b) If, after conducting a preliminary investigation under  
4 this section, ~~[the]~~ commission staff determine ~~[determines]~~ that an  
5 allegation or appearance of misconduct or disability is unfounded  
6 or frivolous, ~~[the]~~ commission staff shall recommend the commission  
7 ~~[shall]~~ terminate the investigation and dismiss the complaint.

8 (b-1) If, after conducting a preliminary investigation  
9 under this section, commission staff determine administrative  
10 deficiencies in the complaint preclude further investigation,  
11 commission staff may terminate the investigation and dismiss the  
12 complaint without action by the commission.

13 (b-2) If a complaint is dismissed under Subsection (b) or  
14 (b-1), the commission shall notify the judge in writing of the  
15 dismissal not more than five business days after the dismissal  
16 date.

17 (c) If, after conducting a preliminary investigation under  
18 this section, the commission does not determine that an allegation  
19 or appearance of misconduct or disability is unfounded or  
20 frivolous, the commission:

21 (1) shall:

22 (A) conduct a full investigation of the  
23 circumstances surrounding the allegation or appearance of  
24 misconduct or disability; and

25 (B) not more than seven business days after the  
26 commission staff commences a full investigation under this  
27 subsection, notify the judge in writing of:

- 1 (i) the commencement of the investigation;  
2 ~~[and]~~
- 3 (ii) the nature of the allegation or  
4 appearance of misconduct or disability being investigated; and
- 5 (iii) the judge's right to attend each  
6 commission meeting at which the complaint is included in the report  
7 filed with commission members under Section 33.0212(a-2); and

8 (2) may:

- 9 (A) order the judge to:
- 10 (i) submit a written response to the  
11 allegation or appearance of misconduct or disability; or
- 12 (ii) appear informally before the  
13 commission;
- 14 (B) order the deposition of any person; or
- 15 (C) request the complainant to appear informally  
16 before the commission.

17 SECTION 10. Effective January 1, 2026, Section 33.032(d),  
18 Government Code, is amended to read as follows:

19 (d) The disciplinary record of a judge~~[, including any~~  
20 ~~private sanctions,~~] is admissible in a subsequent proceeding before  
21 the commission, a special master, a special court of review, or a  
22 review tribunal.

23 SECTION 11. Effective January 1, 2026, Section 33.033(b),  
24 Government Code, is amended to read as follows:

25 (b) The communication shall inform the complainant that:

- 26 (1) the case has been dismissed;
- 27 (2) an ~~[a private sanction or]~~ order of additional

1 education has been issued by the commission;

2 (3) a public sanction has been issued by the  
3 commission;

4 (4) formal proceedings have been instituted; or

5 (5) a judge has resigned from judicial office in lieu  
6 of disciplinary action by the commission.

7 SECTION 12. Section 33.023, Government Code, is amended to  
8 read as follows:

9 Sec. 33.023. SUBSTANCE ABUSE; PHYSICAL OR MENTAL INCAPACITY  
10 OF JUDGE; SUSPENSION. (a) For each filed complaint alleging  
11 substance abuse by, or the physical or mental incapacity of, a judge  
12 and questioning the judge's ability to perform the judge's official  
13 duties, the commission shall conduct a preliminary investigation of  
14 the complaint and present the results of the preliminary  
15 investigation to each member of the commission not later than the  
16 30th day after the date the complaint is filed.

17 (b) If, after reviewing the results of the preliminary  
18 investigation, the commission determines the judge's alleged  
19 substance abuse or physical or mental incapacity brings into  
20 question the judge's ability to perform the judge's official  
21 duties, the commission shall provide the judge written notice of  
22 the complaint and subpoena the judge to appear before the  
23 commission at the commission's next regularly scheduled meeting.

24 (c) If, following the judge's appearance before the  
25 commission at the next regularly scheduled meeting, the commission  
26 decides to require the judge to submit to a physical or mental  
27 examination, the commission shall:

1           (1) suspend the judge from office with pay for a period  
2 not to exceed 90 days;

3           (2) provide the judge written notice of the  
4 suspension;

5           (3) [~~In any investigation or proceeding that involves~~  
6 ~~the physical or mental incapacity of a judge, the commission may]~~  
7 order the judge to submit to a physical or mental examination by one  
8 or more qualified physicians or a mental examination by one or more  
9 qualified psychologists selected and paid for by the commission;  
10 and

11           (4) provide[~~-~~  
12 ~~[(b) The commission shall give]~~ the judge written notice of  
13 the examination not later than 10 days before the date of the  
14 examination.

15           (d) The notice provided under Subsection (c)(4) must  
16 include the physician's name and the date, time, and place of the  
17 examination.

18           (e) [~~(c)~~] Each examining physician shall file a written  
19 report of the examination with the commission and the report shall  
20 be received as evidence without further formality. On request of  
21 the judge or the judge's attorney, the commission shall give the  
22 judge a copy of the report. The physician's oral or deposition  
23 testimony concerning the report may be required by the commission  
24 or by written demand of the judge.

25           (f) If, after receiving the written report of an examining  
26 physician or the physician's deposition testimony concerning the  
27 report, the commission determines the judge is unable to perform

1 the judge's official duties because of substance abuse or physical  
2 or mental incapacity, the commission shall:

3 (1) recommend to the supreme court suspension of the  
4 judge from office; or

5 (2) enter into an indefinite voluntary agreement with  
6 the judge for suspension of the judge with pay until the commission  
7 determines the judge is physically and mentally competent to resume  
8 the judge's official duties.

9 (g) [(a)] If a judge refuses to submit to a physical or  
10 mental examination ordered by the commission under this section,  
11 the commission may petition a district court for an order  
12 compelling the judge to submit to the physical or mental  
13 examination and recommend to the supreme court suspension of the  
14 judge from office.

15 SECTION 13. Section 33.034, Government Code, is amended by  
16 amending Subsection (a) and adding Subsection (j) to read as  
17 follows:

18 (a) A judge who receives from the commission a sanction or  
19 censure issued by the commission under Section 1-a(8), Article V,  
20 Texas Constitution, may request ~~[or any other type of sanction is~~  
21 ~~entitled to]~~ a review of the commission's decision as provided by  
22 this section. This section does not apply to a decision by the  
23 commission to institute formal proceedings.

24 (j) If the commission issues a public reprimand of a judge  
25 based on the judge's persistent or wilful violation of Article  
26 17.15, Code of Criminal Procedure, the commission shall send notice  
27 of the reprimand to:

- 1           (1) the governor;
- 2           (2) the lieutenant governor;
- 3           (3) the speaker of the house of representatives;
- 4           (4) the presiding officer of each legislative standing  
5 committee with primary jurisdiction over the judiciary;
- 6           (5) the chief justice of the supreme court;
- 7           (6) the Office of Court Administration of the Texas  
8 Judicial System;
- 9           (7) the presiding judge of the administrative judicial  
10 region in which is located the court the reprimanded judge serves;  
11 and
- 12           (8) each judge of a constitutional county court in the  
13 geographic region in which the reprimanded judge serves.

14           SECTION 14. Section 33.037, Government Code, is amended to  
15 read as follows:

16           Sec. 33.037. SUSPENSION FROM OFFICE [~~PENDING APPEAL~~]. (a)  
17 If a judge who is convicted of a felony or a misdemeanor involving  
18 official misconduct appeals the conviction, the commission shall  
19 suspend the judge from office without pay pending final disposition  
20 of the appeal.

21           (b) Not later than the 21st day after the date the  
22 commission initiates formal proceedings against a judge based on  
23 the judge's persistent or wilful violation of Article 17.15, Code  
24 of Criminal Procedure, the commission shall recommend to the  
25 supreme court that the judge be suspended from office pursuant to  
26 Section 1-a, Article V, Texas Constitution.

27           SECTION 15. Subchapter B, Chapter 33, Government Code, is

1 amended by adding Section 33.041 to read as follows:

2 Sec. 33.041. JUDICIAL DIRECTORY; NOTICE. (a) The Office of  
3 Court Administration of the Texas Judicial System shall:

4 (1) establish a judicial directory that contains the  
5 contact information, including the e-mail address, for each judge  
6 in this state; and

7 (2) provide the commission with access to the  
8 directory for the purpose of providing to a judge written notice  
9 required by this subchapter.

10 (b) Written notice required by this subchapter may be  
11 provided to a judge by e-mail.

12 SECTION 16. Subchapter C, Chapter 72, Government Code, is  
13 amended by adding Section 72.0396 to read as follows:

14 Sec. 72.0396. JUDICIAL TRANSPARENCY INFORMATION. (a) Each  
15 district court judge shall submit to the presiding judge of the  
16 administrative judicial region in which the judge's court sits not  
17 later than the 20th day of each calendar quarter information for the  
18 preceding quarter in which the judge attests to:

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

21 (2) the number of hours the judge performed judicial  
22 duties other than those described by Subdivision (1), including the  
23 number of hours the judge:

24 (A) performed case-related duties;

25 (B) performed administrative tasks; and

26 (C) completed continuing education.

27 (b) The presiding judge of each administrative judicial



1 region shall submit the information submitted under Subsection (a)  
2 to the office in the manner prescribed by the supreme court.

3 (c) The office shall provide administrative support for the  
4 submission and collection of information under Subsection (a),  
5 including providing a system for electronic submission of the  
6 information.

7 (d) Not later than December 1 of each year, the office shall  
8 prepare and submit to the governor, the lieutenant governor, the  
9 speaker of the house of representatives, and each presiding officer  
10 of a legislative standing committee with primary jurisdiction over  
11 the judiciary a written report compiling the information submitted  
12 under Subsection (b).

13 (e) The supreme court shall adopt rules establishing  
14 guidelines and providing instructions regarding the reporting of  
15 information under Subsection (a), including rules:

16 (1) establishing a penalty for the submission of false  
17 information under Subsection (a); and

18 (2) providing guidance on the form and manner of  
19 reporting under Subsection (a).

20 SECTION 17. Section 74.055(c), Government Code, is amended  
21 to read as follows:

22 (c) To be eligible to be named on the list, a retired or  
23 former judge must:

24 (1) have served as an active judge for at least 96  
25 months in a district, statutory probate, statutory county, or  
26 appellate court;

27 (2) have developed substantial experience in the

1 judge's area of specialty;

2 (3) not have been removed from office;

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

5 (A) the judge has never been publicly reprimanded  
6 or censured by the State Commission on Judicial Conduct, excluding  
7 any reprimand or censure reviewed and rescinded by a special court  
8 of review under Section 33.034;

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

12 (C) [~~(B)~~] the judge:

13 (i) did not resign or retire from office  
14 after the State Commission on Judicial Conduct notified the judge  
15 of the commencement of a full investigation into an allegation or  
16 appearance of misconduct or disability of the judge as provided in  
17 Section 33.022 and before the final disposition of that  
18 investigation; or

19 (ii) if the judge did resign from office  
20 under circumstances described by Subparagraph (i), was not publicly  
21 reprimanded or censured as a result of the investigation;

22 (5) annually demonstrate that the judge has completed  
23 in the past state fiscal year the educational requirements for  
24 active district, statutory probate, and statutory county court  
25 judges; and

26 (6) certify to the presiding judge a willingness not  
27 to appear and plead as an attorney in any court in this state for a

1 period of two years.

2 SECTION 18. Section 659.012, Government Code, is amended by  
3 amending Subsections (a) and (d) and adding Subsections (b-2) and  
4 (d-1) to read as follows:

5 (a) Notwithstanding Section 659.011 and subject to  
6 Subsections (b) and (b-1):

7 (1) a judge of a district court or a division of the  
8 business court is entitled to an annual base salary from the state  
9 as set by the General Appropriations Act in an amount equal to at  
10 least \$161,000 [~~\$140,000~~], except that the combined base salary of  
11 a district judge or judge of a division of the business court from  
12 all state and county sources, including compensation for any  
13 extrajudicial services performed on behalf of the county, may not  
14 exceed the amount that is \$5,000 less than the maximum combined base  
15 salary from all state and county sources for a justice of a court of  
16 appeals other than a chief justice as determined under this  
17 subsection;

18 (2) except as provided by Subdivision (3), a justice  
19 of a court of appeals [~~other than the chief justice~~] is entitled to  
20 an annual base salary from the state in the amount equal to 110  
21 percent of the state base salary of a district judge as set by the  
22 General Appropriations Act, except that the combined base salary of  
23 a justice of the court of appeals [~~other than the chief justice~~]  
24 from all state and county sources, including compensation for any  
25 extrajudicial services performed on behalf of the county, may not  
26 exceed the amount that is \$5,000 less than the base salary for a  
27 justice of the supreme court as determined under this subsection;

(3) a justice of the Court of Appeals for the Fifteenth Court of Appeals District ~~[other than the chief justice]~~ is entitled to an annual base salary from the state in the amount equal to \$5,000 less than 120 percent of the state base salary of a district judge as set by the General Appropriations Act;

(4) a justice of the supreme court ~~[other than the chief justice]~~ or a judge of the court of criminal appeals ~~[other than the presiding judge]~~ is entitled to an annual base salary from the state in the amount equal to 120 percent of the state base salary of a district judge as set by the General Appropriations Act; and

(5) the chief justice or presiding judge of an appellate court is entitled to additional compensation ~~[an annual base salary]~~ from the state in the amount equal to seven percent of ~~[\$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 may not exceed 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) 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) Notwithstanding any other provision in this section or other law, ~~[in a county with more than five district courts,]~~ a district judge who serves as a local administrative district judge under Section 74.091 is entitled to an annual base salary from the state in the amount provided under Subsection (a) or (b) and an additional annual ~~[in the]~~ amount from the state equal to:

(1) in a county with three or four district courts, three percent of the annual base ~~[\$5,000 more than the maximum]~~ salary for a judge of a district court ~~[from the state to which the judge is otherwise entitled]~~ 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) ~~[or (b)]~~.

(d-1) Notwithstanding any other provision in this section or other law, a judge of a division of the business court who serves as administrative presiding judge under Section 25A.009 is entitled 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 19. Section 665.052(b), Government Code, is amended to read as follows:

(b) In this section, "incompetency" means:

(1) gross ignorance of official duties;

(2) gross carelessness in the discharge of official

1 duties; ~~or~~]

2 (3) inability or unfitness to discharge promptly and  
3 properly official duties because of a serious physical or mental  
4 defect that did not exist at the time of the officer's election; or

5 (4) persistent or wilful violation of Article 17.15,  
6 Code of Criminal Procedure.

7 SECTION 20. Section 814.103, Government Code, is amended by  
8 adding Subsections (d) and (e) to read as follows:

9 (d) Notwithstanding Subsection (a) or (a-1) or any other  
10 law:

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

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

27 (e) On the effective date of legislation the 90th

1 Legislature or a later legislature enacts that increases the state  
2 base salary paid to a district judge, as described by Subsection  
3 (d), this subsection and Subsection (d) expire.

4 SECTION 21. Section 834.102, Government Code, is amended by  
5 adding Subsections (e) and (f) to read as follows:

6 (e) Notwithstanding Subsection (a) or (d) or any other law:

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

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

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

27 SECTION 22. Section 837.102(a), Government Code, is amended

to read as follows:

(a) A retiree who resumes service as a judicial officer other than by assignment described in Section 837.101 may not rejoin or receive credit in the retirement system for the resumed service, except ~~[unless an election is made]~~ as provided by Section 837.103.

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

(b) Notwithstanding Sections 837.001(c) and 837.002(2) and subject to the requirements of this section ~~[Subsection (d)]~~, a retiree who resumes full-time service as a judicial officer other than by assignment described in Section 837.101 ~~[described by Section 837.102(a)]~~ may elect to rejoin the retirement system as a member ~~[and receive service credit in the system for resuming service as a judicial officer]~~ if, before taking the oath of office, the retiree has been separated from judicial service for at least six full consecutive months.

(b-1) The retiree shall provide notice of an [the] election to rejoin the retirement system under this section:

(1) not later than the 60th day after the date the retiree takes the oath of office; and

(2) in the form and manner prescribed by the system.

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

(c) For a person who rejoins the retirement system ~~[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 ~~[the resumption of annuity payments that have been suspended under Section 837.102]~~, the retirement system shall 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) [to include] the [person's] additional service credit established during the person's period of resumed service ~~[membership under this section].~~

(c-1) 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, the retirement system shall:

(1) resume annuity payments suspended under Section 837.102; and

(2) issue the person a refund of the person's accumulated member contributions made during the person's period of resumed service.

(c-2) If, at the time of the person's original retirement, a ~~[the]~~ person described by Subsection (c) or (c-1) selected an optional retirement annuity payable under Section 839.103(a)(3) or (4), the retirement system shall reduce the number of months of payments by the number of months for which the annuity was paid before the person resumed service.

1       SECTION 24. Section 840.1025(b), Government Code, is  
2 amended to read as follows:

3       (b) A member who elects to make contributions under  
4 Subsection (a) shall contribute 9.5 [~~six~~] percent of the member's  
5 state compensation for each payroll period in the manner provided  
6 by Sections 840.102(b)-(f).

7       SECTION 25. Section 840.1027(b), Government Code, is  
8 amended to read as follows:

9       (b) A member who elects to make contributions under  
10 Subsection (a) shall contribute 9.5 [~~six~~] percent of the member's  
11 state compensation for each payroll period in the manner provided  
12 by Sections 840.102(b)-(f).

13       SECTION 26. Section 837.103(e), Government Code, is  
14 repealed.

15       SECTION 27. As soon as practicable after September 1, 2025,  
16 the State Commission on Judicial Conduct shall adopt rules to  
17 implement Section 33.001(b), Government Code, as amended by this  
18 Act.

19       SECTION 28. Sections 33.001(b) and 665.052(b), Government  
20 Code, as amended by this Act, apply only to an allegation of  
21 judicial misconduct received by the State Commission on Judicial  
22 Conduct on or after September 1, 2025, regardless of whether the  
23 conduct or act that is the subject of the allegation occurred or was  
24 committed before, on, or after September 1, 2025.

25       SECTION 29. Section 33.02111, Government Code, as added by  
26 this Act, and Section 33.023, Government Code, as amended by this  
27 Act, apply only to a complaint filed with the State Commission on

Judicial Conduct on or after September 1, 2025.

SECTION 30. As soon as practicable after the effective date of this Act, the Office of Court Administration of the Texas Judicial System shall establish the judicial directory required by Section 33.041, Government Code, as added by this Act.

SECTION 31. As soon as practicable after September 1, 2025, the Texas Supreme Court shall adopt rules for purposes of Section 72.0396, Government Code, as added by this Act.

SECTION 32. 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, shall be struck from the list on September 1, 2025, and may not be assigned to any court on or after September 1, 2025.

SECTION 33. (a) Except as provided by Subsection (c) of this section, Sections 837.102 and 837.103, Government Code, as amended by this Act, apply only to:

(1) a former retiree of the Judicial Retirement System of Texas Plan Two 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) A person described by Subsection (a)(1) of this section may purchase service credit for resumed judicial service performed before the effective date of this Act, including service performed

1 before June 18, 2023, by depositing with the Judicial Retirement  
2 System of Texas Plan Two, for each month of service credit, member  
3 contributions calculated by multiplying 9.5 percent by the person's  
4 monthly judicial state salary on the effective date of this Act.  
5 Not later than September 1, 2027, the person must purchase service  
6 credit under this subsection and make the required deposits.

7 (c) Section 837.103(b-1)(1), Government Code, as added by  
8 this Act, applies only to an election to rejoin the Judicial  
9 Retirement System of Texas Plan Two under Section 837.103,  
10 Government Code, made on or after the effective date of this Act.

11 SECTION 34. (a) Sections 2, 7, 10, and 11 of this Act apply  
12 only to a sanction issued by the State Commission on Judicial  
13 Conduct on or after January 1, 2026.

14 (b) Sections 2, 7, 10, and 11 of this Act take effect January  
15 1, 2026, but only if the constitutional amendment proposed by the  
16 89th Legislature, Regular Session, 2025, regarding the membership  
17 of the State Commission on Judicial Conduct and the authority of the  
18 commission and the Texas Supreme Court to more effectively sanction  
19 judges and justices for judicial misconduct is approved by the  
20 voters. If that amendment is not approved by the voters, Sections  
21 2, 7, 10, and 11 of this Act have no effect.

22 SECTION 35. Section 26 of this Act takes effect immediately  
23 if this Act receives a vote of two-thirds of all the members elected  
24 to each house, as provided by Section 39, Article III, Texas  
25 Constitution. If this Act does not receive the vote necessary for  
26 immediate effect, Section 26 has no effect.

27 SECTION 36. Except as otherwise provided by this Act, this

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1 Act takes effect September 1, 2025.