

## **BILL ANALYSIS**

Senate Research Center  
79R17073 RMB-F

C.S.H.J.R. 87  
By: Farabee (Lindsay)  
Jurisprudence  
5/13/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

C.S.H.J.R. 87 proposes a constitutional amendment to add one additional public member and a judge of a constitutional county court to the membership of the State Commission on Judicial Conduct. It also removes the geographical restriction that prohibits the membership of two committee members from the same supreme judicial district.

### **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 Sections 1-a(2) and (5), Article V, Texas Constitution, as follows:

(2) Increases the State Commission on Judicial Conduct (commission) membership from 11 to 13 by adding one judge of a constitutional county court and one additional public member 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), (vii) or (viii) may not reside or hold a judgeship in the same court of appeals district, rather than supreme judicial district, as another member of the commission. Makes conforming and nonsubstantive changes.

(5) Requires a quorum to consist of seven, rather than six, members. Requires proceedings to be by majority vote of those present, except that recommendations for retirement, censure, suspension, or removal of any person holding an office named in Paragraph A of Subsection (6) of this section to be by affirmative vote of at least seven, rather than six, members.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 8, 2005. Sets forth the required language for the ballot.