

BILL ANALYSIS

S.B. 2325
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The State Commission on Judicial Conduct functions like a grand jury when reviewing complaints against judges. By centuries-old law, grand juries operate in secret so that their deliberations will be honest and open. Under current law, the attorney for a judge who is facing sanctions can subpoena members of the State Commission on Judicial Conduct (commission) to disclose the identities of those commission members who voted in favor of sanctions.

As proposed, S.B. 2325 provides that certain information of the commission, its employees, special counsel, and the identity of a confidential complainant or informant are confidential and privileged unless expressly waived, in writing, by the commission, or, in the case of a confidential complainant or informant, by that individual or their legal representative.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 33.032, Government Code, by adding Subsection (i) as follows:

(i) Provides that the discussions, thought processes, or individual votes of members of the State Commission on Judicial Conduct (commission), the discussion or thought processes of employees of the commission, including special counsel for the commission, and the identity of a confidential complainant or informant are confidential and privileged unless expressly waived, in writing, by the commission or, in the case of a confidential complainant or informant, by that individual or the legal representative of the individual.

SECTION 2. Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009.