

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 1, 2013

TO: Honorable Tryon D. Lewis, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SJR42 by Huffman (Proposing a constitutional amendment relating to expanding the types of sanctions that may be assessed against a judge or justice following a formal proceeding instituted by the State Commission on Judicial Conduct.), **As Engrossed**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$108,921.

The joint resolution would amend the Texas Constitution, Article V, Sec. 1-a to authorize the State Commission on Judicial Conduct to add to its list of allowable disciplinary actions after a formal proceeding a public sanction. This sanction could take the form of an order of public admonition, warning, reprimand or a requirement for additional training or education.

At present, the Texas Constitution authorizes the Commission to hold open, formal proceedings when a complaint alleges egregious misconduct, but only authorizes three options: dismissal; public censure; or a recommendation to a Review Tribunal appointed by the Supreme Court of Texas for the removal or retirement of a judge.

The proposed constitutional amendment would be submitted to the Texas electorate through an election to be held on November 5, 2013.

For purposes of this analysis, the amendment if enacted is anticipated to have no significant fiscal impact to the state except for publication costs.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 242 State Commission on Judicial Conduct

LBB Staff: UP, CL, ZS