

BILL ANALYSIS

S.B. 306
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties point out that, aside from a sunset review, the State Commission on Judicial Conduct's annual report to the legislature remains the main instrument for the public and the legislature to determine the extent of fairness and efficiency in the commission's disciplinary process. While current law requires the report to include annual statistical information, the parties note that the law lacks sufficient specificity in this content requirement with respect to the matters for which the data are to be provided and assert that specifying the particular matters of interest for which statistical information is provided in this report would enhance the report's usefulness and increase the transparency of the commission's investigative process. To achieve these objectives, S.B. 306 seeks to require the report to include additional information.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 306 amends the Government Code to specify that the annual statistical information the State Commission on Judicial Conduct is required to include in its annual legislative report is annual statistical information for the preceding fiscal year and that such information includes, in addition to examples of improper judicial conduct, the following: the number of complaints received by the commission alleging judicial misconduct or disability; the number of complaints dismissed without commission action, other than investigation, because the evidence did not support the allegation or appearance of judicial misconduct or disability, because the facts alleged did not constitute judicial misconduct or disability, or because the allegation or appearance of judicial misconduct or disability was determined to be unfounded or frivolous; and the number of each type of judicial misconduct or disability that resulted in sanction or censure of a judge.

EFFECTIVE DATE

September 1, 2015.