

BILL ANALYSIS

Senate Research Center
87R22608 TSS-F

H.J.R. 165
By: Jetton (Zaffirini)
Jurisprudence
5/17/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There is an inherent unfairness in judicial elections when a candidate runs for judicial office against an incumbent because judges are subject to the Code of Judicial Conduct, but candidates are not. H.J.R. 165 would ensure that judicial elections are fair by granting the State Commission on Judicial Conduct the authority to enforce the same standards for judicial candidates that they do for sitting judges.

H.J.R. 165 proposes a constitutional amendment providing additional powers to the State Commission on Judicial Conduct with respect to candidates for judicial office.

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 Section 1-a, Article V, Texas Constitution, by adding Subsection (13-a), as follows:

(13-a) Authorizes the State Commission on Judicial Conduct (SCJC) to accept complaints or reports, conduct investigations, and take any other action authorized by Section 1-a (Retirement, Compensation, Discipline, and Removal of Justices and Judges; State Commission on Judicial Conduct) with respect to a candidate for an office named in Subsection (6)(A) (relating to removing justices or judges from office for certain reasons) of Section 1-a in the same manner SCJC is authorized to take those actions with respect to a person holding that office.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 2, 2021. Sets forth the required language of the ballot.