

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the membership of
2 the State Commission on Judicial Conduct.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Sections 1-a(2) and (5), Article V, Texas
5 Constitution, are amended to read as follows:

6 (2) The State Commission on Judicial Conduct consists of
7 thirteen (13) [~~eleven (11)~~] members, to wit: (i) one (1) Justice of
8 a Court of Appeals; (ii) one (1) District Judge; (iii) two (2)
9 members of the State Bar, who have respectively practiced as such
10 for over ten (10) consecutive years next preceding their selection;
11 (iv) five (5) [~~(iiii) four (4)~~] citizens, at least thirty (30) years
12 of age, not licensed to practice law nor holding any salaried public
13 office or employment; (v) one (1) Justice of the Peace; (vi) one (1)
14 Judge of a Municipal Court; [~~and,~~] (vii) one (1) Judge of a County
15 Court at Law; and (viii) one (1) Judge of a Constitutional County
16 Court; provided that no person shall be or remain a member of the
17 Commission, who does not maintain physical residence within this
18 State, [~~or who resides in, or holds a judgeship within or for, the~~
19 ~~same Supreme Judicial District as another member of the~~
20 ~~Commission,~~] or who shall have ceased to retain the qualifications
21 above specified for that person's [~~his~~] respective class of
22 membership, and provided that a Commissioner of class (i), (ii),
23 (iii), (vii), or (viii) may not [~~except that the Justice of the~~
24 ~~Peace and the Judges of a Municipal Court and or a County Court at~~

1 ~~Law shall be selected at large without regard to whether they]~~
2 reside or hold a judgeship in the same court of appeals district
3 [~~Supreme Judicial District~~] as another member of the Commission.
4 Commissioners of classes (i), (ii), [~~and~~] (vii), and (viii) above
5 shall be chosen by the Supreme Court with advice and consent of the
6 Senate, those of class (iii) by the Board of Directors of the State
7 Bar under regulations to be prescribed by the Supreme Court with
8 advice and consent of the Senate, those of class (iv) [~~(iii)~~] by
9 appointment of the Governor with advice and consent of the Senate,
10 and the commissioners of classes (v) and (vi) by appointment of the
11 Supreme Court as provided by law, with the advice and consent of the
12 Senate.

13 (5) The Commission may hold its meetings, hearings and other
14 proceedings at such times and places as it shall determine but shall
15 meet at Austin at least once each year. It shall annually select
16 one of its members as Chairman. A quorum shall consist of seven (7)
17 [~~six (6)~~] members. Proceedings shall be by majority vote of those
18 present, except that recommendations for retirement, censure,
19 suspension, or removal of any person holding an office named in
20 Paragraph A of Subsection (6) of this Section shall be by
21 affirmative vote of at least seven (7) [~~six (6)~~] members.

22 SECTION 2. This proposed constitutional amendment shall be
23 submitted to the voters at an election to be held November 8, 2005.
24 The ballot shall be printed to provide for voting for or against the
25 proposition: "The constitutional amendment to include one
26 additional public member and a constitutional county court judge in
27 the membership of the State Commission on Judicial Conduct."

David Swihurst

President of the Senate

Jim Cuddih

Speaker of the House

I certify that H.J.R. No. 87 was passed by the House on April 25, 2005, by the following vote: Yeas 131, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 87 on May 23, 2005, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Robert Harey

Chief Clerk of the House

I certify that H.J.R. No. 87 was passed by the Senate, with amendments, on May 20, 2005, by the following vote: Yeas 31, Nays 0.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:55 AM O'CLOCK

MAY 26 2005

Patsy Sew

Secretary of the Senate

RECEIVED: _____

Date

Roger Williams

Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:55 AM O'CLOCK

MAY 26 2005