

By: Rodriguez of Bexar

H.B. No. 2772

A BILL TO BE ENTITLED

1 AN ACT

2 relating to an interim study regarding the method by which district
3 judges and appellate justices and judges are selected.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. INTERIM COMMITTEE; STUDY. (a) The joint
6 interim committee on judicial selection is established to study and
7 review the method by which district judges and appellate justices
8 and judges are selected for office in this state.

9 (b) The study must consider:

10 (1) the fairness, effectiveness, and desirability of
11 selecting district judges and appellate justices and judges through
12 partisan elections;

13 (2) the fairness, effectiveness, and desirability of
14 judicial selection methods proposed or adopted by other states; and

15 (3) the relative merits of alternative methods for
16 selecting district judges and appellate justices and judges,
17 including:

18 (A) lifetime appointment;

19 (B) appointment for a term;

20 (C) appointment for a term, followed by a
21 partisan election;

22 (D) appointment for a term, followed by a
23 nonpartisan election;

24 (E) appointment for a term, followed by a

1 nonpartisan retention election;

2 (F) partisan election for an open seat, followed
3 by a nonpartisan retention election for incumbents; or

4 (G) any other method or combination of methods
5 for selecting district judges and appellate judges and justices.

6 (c) The joint interim committee shall be composed of five
7 senators and five members of the house of representatives as
8 follows:

9 (1) the chair of the senate jurisprudence committee,
10 the chair of the senate criminal justice committee, and three
11 senators appointed by the lieutenant governor; and

12 (2) the chair of the judiciary and civil jurisprudence
13 committee of the house of representatives, the chair of the
14 criminal jurisprudence committee of the house of representatives,
15 and three members of the house of representatives appointed by the
16 speaker of the house of representatives.

17 (d) The lieutenant governor and speaker of the house of
18 representatives shall each designate a co-chair from among the
19 committee members.

20 (e) The joint interim committee shall convene at the joint
21 call of the co-chairs.

22 (f) The joint interim committee has all other powers and
23 duties provided to a special or select committee by the rules of the
24 senate and house of representatives, by Subchapter B, Chapter 301,
25 Government Code, and by policies of the senate and house committees
26 on administration.

27 (g) Not later than January 6, 2015, the joint interim

1 committee shall report the committee's findings and
2 recommendations to the lieutenant governor, the speaker of the
3 house of representatives, and the governor. The committee shall
4 include in its recommendations specific constitutional and
5 statutory changes that appear necessary from the results of the
6 committee's study.

7 (h) From the contingent expense fund of the senate and the
8 contingent expense fund of the house of representatives equally,
9 the members of the joint interim committee shall be reimbursed for
10 expenses incurred in carrying out the provisions of this Act in
11 accordance with the senate and house of representatives rules of
12 procedure and the policies of the committees on administration.
13 Other necessary expenses of operation shall be paid from the
14 contingent expense fund of the senate and the contingent expense
15 fund of the house of representatives equally.

16 (i) The Texas Legislative Council shall provide legal and
17 policy research, bill drafting, and statistical analysis services
18 to the committee created under this section.

19 SECTION 2. ABOLITION OF COMMITTEE. The committee is
20 abolished and this Act expires January 12, 2015.

21 SECTION 3. EFFECTIVE DATE. This Act takes effect
22 immediately if it receives a vote of two-thirds of all the members
23 elected to each house, as provided by Section 39, Article III, Texas
24 Constitution. If this Act does not receive the vote necessary for
25 immediate effect, this Act takes effect September 1, 2013.