

CHAPTER 486

H.B. No. 1523

AN ACT

relating to certain procedures related to investigations of judges by the State Commission on Judicial Conduct.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 33.022(a), Government Code, is amended to read as follows:

(a) In the conduct of an investigation the judge shall be informed in writing that an investigation has commenced and of the nature of the matters being investigated. At the conclusion of the investigation, the commission shall determine whether formal proceedings (under Subsection (b) of this section) shall be had. If the commission decides no further proceedings are warranted, the chairman of the commission shall so notify the judge in writing. [~~A hearing before the commission may not be had during the investigatory stage.~~]

SECTION 2. Section 33.032, Government Code, is amended to read as follows:

Sec. 33.032. [~~CONFIDENTIALITY OF~~] PAPERS, RECORDS, AND PROCEEDINGS. (a) *Except as provided by Subsection (c), the [The] papers filed with and proceedings before the commission are confidential prior to the convening of a formal hearing.*

(b) *The formal hearing, and all papers, records, documents, and other evidence introduced during the formal hearing, shall be public.*

(c) *If the commission issues a public admonition, warning, reprimand, or requirement that a person obtain additional training or education, all papers, documents, evidence, and records considered by the commission, or forwarded to the commission by its staff, in the proceedings shall be public.*

SECTION 3. Section 33.033(b), Government Code, is amended to read as follows:

(b) The communication shall inform the complainant that:

- (1) the complaint has no basis and has been dismissed;
- (2) appropriate action has been taken, the nature of which will not be disclosed *unless disclosure is authorized under Section 33.032; or*
- (3) formal proceedings have been instituted.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 23, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1523 on May 31, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 28, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.