

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to increase the amount of the exemption from ad valorem taxation by a school district of the market value of the residence homestead of a person who is elderly or disabled.

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

SECTION 1. Section 1-b(c), Article VIII, Texas Constitution, is amended to read as follows:

(c) The amount of \$100,000 of the market value of the residence homestead of a married or unmarried adult, including one living alone, is exempt from ad valorem taxation for general elementary and secondary public school purposes. The legislature by general law may provide that all or part of the exemption does not apply to a district or political subdivision that imposes ad valorem taxes for public education purposes but is not the principal school district providing general elementary and secondary public education throughout its territory. In addition to this exemption, the legislature by general law may exempt an amount not to exceed \$60,000 [~~\$10,000~~] of the market value of the residence homestead of a person who is disabled as defined in Subsection (b) of this section and of a person 65 years of age or older from ad valorem taxation for general elementary and secondary public school purposes. The legislature by general law may base the amount of and condition eligibility for the additional exemption authorized by this subsection for disabled persons and for persons 65 years of age or older on economic need. An eligible disabled person who is 65 years of age or older may not receive both exemptions from a school district but may choose either. An eligible person is entitled to receive both the exemption required by this subsection for all residence homesteads and any exemption adopted pursuant to Subsection (b) of this section, but the legislature shall provide by general law whether an eligible disabled or elderly person may receive both the additional exemption for the elderly and disabled authorized by this subsection and any exemption for the elderly or disabled adopted pursuant to Subsection (b) of this section. Where ad valorem tax has previously been pledged for the payment of debt, the taxing officers of a school district may continue to levy and collect the tax against the value of homesteads exempted under this subsection until the debt is discharged if the cessation of the levy would impair the obligation of the contract by which the debt was created. The legislature shall provide for formulas to protect school districts against all or part of the revenue loss incurred by the implementation of this subsection, Subsection (d) of this section, and Section 1-d-1 of this article. The legislature by general law may define residence homestead for purposes of this section.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 89th Legislature, Regular Session, 2025, authorizing the legislature to increase the amount of the exemption from ad valorem taxation by a school district of the market value of the residence homestead of a person who is elderly or disabled.

(b) The amendment to Section 1-b(c), Article VIII, of this constitution takes effect for the tax year beginning January 1, 2025.

(c) This temporary provision expires January 1, 2027.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2025. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to increase the amount of the exemption from ad valorem taxation by a school district of the market value of the residence homestead of a person who is elderly or disabled."

SENATE JOINT RESOLUTION

proposing a constitutional amendment regarding the membership of the State Commission on Judicial Conduct, the membership of the tribunal to review the commission's recommendations, and the authority of the commission, the tribunal, and the Texas Supreme Court to more effectively sanction judges and justices for judicial misconduct.

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

SECTION 1. Section 1-a, Article V, Texas Constitution, is amended by amending Subdivisions (2), (3), (8), and (9) and adding Subdivisions (2-a), (2-b), and (8-a) to read as follows:

(2) The State Commission on Judicial Conduct consists of the following 13 [~~thirteen (13)~~] members[~~, to wit~~]:

(i) six judges or justices of courts in this state appointed by the Supreme Court with the advice and consent of the Senate, two of whom must be trial court judges [~~one (1) Justice of a Court of Appeals~~]; and

(ii) seven [~~one (1) District Judge~~]; (iii) two (2) members of the State Bar, who have respectively practiced as such for over ten (10) consecutive years next preceding their selection; (iv) five (5) citizens appointed by the Governor with the advice and consent of the Senate, who are [~~7~~] at least 35 [~~thirty (30)~~] years of age.

(2-a) A [~~not licensed to practice law nor holding any salaried public office or employment~~]; (v) one (1) Justice of the Peace; (vi) one (1) Judge of a Municipal Court; (vii) one (1) Judge of a County Court at Law; and (viii) one (1) Judge of a Constitutional County Court; provided that no person may not [~~shall~~] be appointed to or remain a member of the Commission if the person [~~who~~] does not maintain physical residence within this State [~~7~~] or has [~~who shall have~~] ceased to retain the qualifications [~~above~~] specified in Subsection (2) of this Section for that person's appointment.

(2-b) A person appointed under Subsection (2) of this Section who is a judge or justice [~~respective class of membership, and provided that a Commissioner of class (i), (ii), (iii), (vii), or (viii)]~~] may not be a judge or justice [~~reside or hold a judgeship~~] in the same type of court [~~of appeals district~~] as another member of the Commission who is a judge or justice. [~~Commissioners of classes (i), (ii), (vii), and (viii) above shall be chosen by the Supreme Court with advice and consent of the Senate, those of class (iii) by the Board of Directors of the State Bar under regulations to be prescribed by the Supreme Court with advice and consent of the Senate, those of class (iv) by appointment of the Governor with advice and consent of the Senate, and the commissioners of classes (v) and (vi) by appointment of the Supreme Court as provided by law, with the advice and consent of the Senate.~~]

(3) The regular term of office of Commissioners shall be six [~~4~~] years [~~but the initial members of each of classes (i), (ii) and (iii) shall respectively be chosen for terms of four (4) and six (6) years, and the initial members of class (iii) for respective terms of two (2), four (4) and six (6) years~~]. Interim vacancies shall be filled in the same manner as vacancies due to expiration of a full term, but only for the unexpired portion of the term in question. Commissioners may succeed themselves in office only if the commissioner has [~~having~~] served less than three [~~4~~] consecutive years.

(8) After such investigation as it deems necessary, the

Commission may, in its discretion:

(i) for a person holding an office or position specified in Subsection (6) of this Section who has never been issued an order under this subparagraph and in response to a complaint or report other than a complaint or report alleging the person engaged in conduct constituting a criminal offense, issue an order of private admonition, warning, reprimand, censure, or requirement that the person obtain additional training or education;

(ii) issue a ~~[private or]~~ public admonition, warning, reprimand, or requirement that the person obtain additional training or education; ~~[7]~~ or

(iii) if the Commission determines that the situation merits such action, ~~[it may]~~ institute formal proceedings and order a formal hearing to be held before it concerning a person holding an office or position specified in Subsection (6) of this Section, or it may in its discretion request the Supreme Court to appoint an active or retired District Judge or Justice of a Court of Appeals, or retired Judge or Justice of the Court of Criminal Appeals or the Supreme Court, as a Master to hear and take evidence in the matter, and to report thereon to the Commission and to the Supreme Court.

(8-a) A [The] Master appointed under Subsection (8) (iii) of this Section shall have all the power of a District Judge in the enforcement of orders pertaining to witnesses, evidence, and procedure. If, after formal hearing under Subsection (8) (iii) of this Section, or after considering the record and report of a Master appointed under Subsection (8) (iii) of this Section, the Commission finds the person engaged in wilful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties or other good cause therefor, the Commission:

(i) ~~[it]~~ shall issue for the person an order of public admonition, warning, reprimand, censure, or requirement that the person holding an office or position specified in Subsection (6) of this Section obtain additional training or education; ~~[7]~~ or

(ii) may ~~[it shall]~~ recommend to a review tribunal the removal or retirement ~~[, as the case may be,]~~ of the person and shall ~~[thereupon]~~ file with the tribunal the entire record before the Commission.

(9) A tribunal to review the Commission's recommendation for the removal or retirement of a person holding an office or position specified in Subsection (6) of this Section is composed of seven ~~[(7)]~~ Justices ~~[or Judges]~~ of the Courts of Appeals who are selected ~~[by lot]~~ by the Chief Justice of the Supreme Court. ~~[Each Court of Appeals shall designate one of its members for inclusion in the list from which the selection is made.]~~ Service on the tribunal shall be considered part of the official duties of a justice ~~[judge]~~, and no additional compensation may be paid for such service. The review tribunal shall review the record of the proceedings on the law and facts and in its discretion may, for good cause shown, permit the introduction of additional evidence. Within 90 days after the date on which the record is filed with the review tribunal, it shall order public censure, suspension without pay for a specified period, retirement or removal, as it finds just and proper, or wholly reject the recommendation. A Justice, Judge, Master, or Magistrate may appeal a decision of the review tribunal to the Supreme Court under the substantial evidence rule. Upon an order for involuntary retirement for disability or an order for removal, the office in question shall become vacant. The review tribunal, in an order for involuntary retirement for

disability or an order for removal, shall ~~may~~ prohibit such person from holding judicial office in the future. The rights of a person ~~[an incumbent]~~ so retired to retirement benefits shall be the same as if the person's ~~[his]~~ retirement had been voluntary.

SECTION 2. Section 1-a(6) (A), Article V, Texas Constitution, is amended to read as follows:

(6) A. Any Justice or Judge of the courts established by this Constitution or created by the Legislature as provided in Section 1, Article V, of this Constitution, may, subject to the other provisions hereof, be removed from office for willful or persistent violation of rules promulgated by the Supreme Court of Texas, incompetence in performing the duties of the office, willful violation of the Code of Judicial Conduct, or willful or persistent conduct that is clearly inconsistent with the proper performance of the person's ~~[his]~~ duties or casts public discredit upon the judiciary or administration of justice. Any person holding such office may be disciplined or censured, in lieu of removal from office, as provided by this section. Any person holding an office specified in this subsection may be suspended from office with or without pay by the Commission immediately on being indicted by a State or Federal grand jury for a felony offense or charged with a misdemeanor involving official misconduct. On the filing of a sworn complaint charging a person holding such office with willful or persistent violation of rules promulgated by the Supreme Court of Texas, incompetence in performing the duties of the office, willful violation of the Code of Judicial Conduct, or willful and persistent conduct that is clearly inconsistent with the proper performance of the person's ~~[his]~~ duties or casts public discredit on the judiciary or on the administration of justice, the Commission, after giving the person notice and an opportunity to appear and be heard before the Commission, may recommend to the Supreme Court the suspension of such person from office with or without pay, pending final disposition of the charge. The Supreme Court, after considering ~~[the record of such appearance and]~~ the recommendation of the Commission, may suspend the person from office with or without pay, pending final disposition of the charge.

SECTION 3. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 89th Legislature, Regular Session, 2025, regarding the membership of the State Commission on Judicial Conduct, the membership of the tribunal to review the commission's recommendations, and the authority of the commission, the tribunal, and the Texas Supreme Court to more effectively sanction judges and justices for judicial misconduct. The constitutional amendment takes effect January 1, 2026.

(b) Notwithstanding any other law, the terms of the commissioners of the State Commission on Judicial Conduct serving before January 1, 2026, expire July 1, 2026.

(c) Notwithstanding any other law, the Texas Supreme Court, with the advice and consent of the Senate, shall appoint additional commissioners to the State Commission on Judicial Conduct to serve staggered terms beginning January 1, 2026, as follows:

(1) two commissioners to serve six-year terms;

(2) two commissioners to serve four-year terms; and

(3) two commissioners to serve two-year terms.

(d) Notwithstanding any other law, the governor shall appoint additional commissioners to the State Commission on Judicial Conduct to serve staggered terms beginning January 1, 2026, as follows:

- (1) three commissioners to serve six-year terms;
- (2) two commissioners to serve four-year terms; and
- (3) two commissioners to serve two-year terms.

(e) Notwithstanding any other law and except as otherwise provided by this subsection, a complaint submitted to the State Commission on Judicial Conduct before January 1, 2026, shall be reviewed by the commissioners of the State Commission on Judicial Conduct appointed before January 1, 2026, unless the complaint has not been resolved by July 1, 2026, in which event the complaint shall be reviewed by the commissioners appointed on or after that date.

(f) Notwithstanding any other law, a complaint submitted to the State Commission on Judicial Conduct on or after January 1, 2026, shall be reviewed by the commissioners of the State Commission on Judicial Conduct appointed on or after that date.

(g) This temporary provision expires January 1, 2031.

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2025. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment regarding the membership of the State Commission on Judicial Conduct, the membership of the tribunal to review the commission's recommendations, and the authority of the commission, the tribunal, and the Texas Supreme Court to more effectively sanction judges and justices for judicial misconduct."