

**SUBJECT:** Allowing bailiffs to serve in multiple counties in the 97th Judicial District

**COMMITTEE:** Judiciary — favorable, without amendment

**VOTE:** 6 ayes — Hartnett, Homer, R. Cook, Gonzales, Goolsby, Krusee

0 nays

3 absent — Hopson, Alonzo, Hughes

**WITNESSES:** None

**BACKGROUND:** The 97th District Court has jurisdiction over three counties: Archer, Clay, and Montague.

Government Code, sec. 53.001(d) requires the judge of the 97th District Court to appoint a bailiff for each county in the district.

**DIGEST:** HB 369 would amend Government Code, sec. 53.001(d) to allow a bailiff to serve the court in more than one county of the 97th district at the discretion of the judge.

The bill would amend sec. 53.004(b) to remove the 97th District Court from the requirement that an eligible bailiff be at least 21 years old and a resident of the county in which he or she serves the court. A bailiff serving the 97th District Court in more than one county would receive a salary set by the judge and approved by the county commissioner's court. The judge would apportion the salary among the three counties and notify each county in writing as to the amount of salary it would pay.

The bill would take effect September 1, 2007.

**SUPPORTERS SAY:** HB 369 would address local needs in the 97th Judicial District by allowing a bailiff to serve in any of its three counties. Each county has only one constable and justice of the peace, so there is no need to dedicate a single bailiff to each one. The commissioners courts of all three counties have approved the proposed change.

OPPONENTS  
SAY:

No apparent opposition.

NOTES:

SB 272 by Estes, the identical companion bill, passed the Senate on March 14 on the Local and Uncontested Calendar. It passed the House on March 22 on the Local, Consent, and Resolutions Calendar and has been sent to the governor.