

## **BILL ANALYSIS**

Senate Research Center

S.B. 323  
By: Armbrister  
State Affairs  
2-12-97  
As Filed

### **DIGEST**

During the interim of the 74th Legislature, the Lieutenant Governor charged the Senate State Affairs Committee to review the effectiveness of the transfer of administrative hearings from individual state agencies to the State Office of Administrative Hearings. Review of the creation of the agency and its current structure revealed a need to address training requirements for future administrative law judges. There are no uniform requirements for these positions, resulting in a variance of professional qualifications for administrative law judges. S.B. 323 outlines provisions relating to the requirement of a training certificate for State Office of Administrative Hearings administrative law judges and to the establishment of an Administrative Law Judge Training School by the state bar.

### **PURPOSE**

As proposed, S.B. 323 outlines provisions relating to the requirement of a training certificate for State Office of Administrative Hearings administrative law judges and to the establishment of an Administrative Law Judge Training School by the state bar.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 2003C, Government Code, by adding Section 2003.0451, as follows:

Sec. 2003.0451. TRAINING REQUIREMENTS. Sets forth the training requirements and provisions for a person who is employed by the State Office of Administrative Hearings (office) as an administrative law judge.

SECTION 2. Amends Chapter 81H, Government Code, by adding Section 81.115, as follows:

Sec. 81.115. ADMINISTRATIVE LAW JUDGE TRAINING SCHOOL. Requires the board of directors of the State Bar of Texas to establish an Administrative Law Judge Training School in Austin. Sets forth the members of which the Administrative Law Judge Education Committee (committee) is composed. Provides that a committee member serves a term concurrent with the member's service as dean, chief administrative law judge, or judge. Sets forth requirements for the committee. Requires the state bar to implement the program as recommended by the committee and directed by the board of directors. Sets forth the activities the school is authorized to sponsor. Authorizes the board of directors to establish and collect reasonable tuition to cover the costs of operating the school. Requires the tuition for administrative law judges employed by the office to be paid by the office.

SECTION 3. Effective date: September 1, 1997, except that Section 2003.0451, Government Code, as added by this Act, takes effect January 1, 1998.

(b) Requires the board of directors of the State Bar of Texas to establish the Administrative Law Judge Training School, and the Administrative Law Judge Education Committee is required to develop and establish the certificate program for the training of administrative law judges, not later than March 1, 1998.

SECTION 4. Emergency clause.