

BILL ANALYSIS

Senate Research Center
77R8578 YDB-F

H.B. 3662
By: Thompson (Brown)
Jurisprudence
5/4/2001
Engrossed

DIGEST AND PURPOSE

Currently, the presiding judge of the Harris County justice courts (presiding judge) has no other duties than to preside over meetings of the justices of the peace and to appoint special judges from among a pool of former judges of the justice courts, statutory county courts, and district courts of the state. Additionally, local rules may only be adopted with a unanimous vote of the justices of the peace. H.B. 3662 expands the duties of the presiding judge of Harris County as well as the list of qualified persons available for appointment as a special judge. The bill also authorizes a local rule to be adopted by a two-thirds vote of the justices of the peace.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 75.404(d), (e), and (h), Government Code, to require the presiding judge to keep a record of the decisions of the judges; appoint special or standing committees necessary for court management and administration; implement local rules, including assignment, docketing, transfer, and hearings of cases; and provide statistical and management information requested by the supreme court or the Office of Court Administration of the Texas Judicial System. Authorizes the presiding judge, if a justice of the peace in Harris County is absent or for any reason unable to preside, to appoint certain individuals, in addition to a qualified person authorized by law, who served as a judge in this state and who consents to the appointment as a special judge to preside for the justice of the peace. Authorizes a local rule to be adopted by two-thirds, rather than only by the unanimous, vote of the justices of the peace.

SECTION 2. Effective date: September 1, 2001.