

BILL ANALYSIS

Senate Research Center
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S.B. 1035
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Jurisprudence
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DIGEST AND PURPOSE

Currently, court clerks preparing judgments are required to be supervised by an attorney, or the judgments are required to be prepared by an attorney. The process consists of filling out a computer-generated form, which most court clerks are competent to do. As proposed, S.B. 1035 allows a court clerk to prepare a judgment without the supervision of an attorney.

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 Section 2, Article 42.01, Code of Criminal Procedure, to authorize the judge to order the prosecuting attorney, the attorney or attorneys representing any defendant, or the court clerk to prepare the judgment, or authorizes the court to prepare the judgment. Deletes language regarding the preparation of the judgment by the court clerk under the supervision of an attorney.

SECTION 2. Effective date: upon passage or September 1, 2001.