

BILL ANALYSIS

Senate Research Center
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S.B. 495
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Jurisprudence
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As Filed

DIGEST AND PURPOSE

Under current Texas law, newly elected justices of the peace are required to take 40 hours of training. In recent times, there have been jurisdictional increases in civil and criminal areas of law for the justice court and small claims court over which the justices of the peace preside. Numerous changes in magisterial issues such as family violence protective orders, criminal bond issues, juvenile warnings in criminal cases and inquest duties have increased the amount of material for which new justices of the peace must receive training. As proposed, S.B. 495 amends statutory criteria requiring newly elected justices of the peace to receive 80 hours, rather than 40 hours, of education within one year after the date the justice is first elected.

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 27.005(a), Government Code, to provide that for the purposes of removal under Chapter 87 (Removal of County Officers From Office; Filling of Vacancies), Local Government Code, rather than Title 100 (Repealed), V.T.C.S., "incompetency" in the case of a justice of the peace includes the failure of the justice to successfully complete within one year after the date the justice is first elected, an 80-hour, rather than 40-hour, course in the performance of the justice's duties, and each following year, a 20-hour course. Deletes existing text pertaining to being a licensed attorney

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.