

BILL ANALYSIS

Senate Research Center
79R7047 RJA-D

S.B. 1459
By: Wentworth
Jurisprudence
3/24/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, active district, constitutional county, and statutory county court judges are eligible to be assigned as a visiting judge regardless of whether the judge has had trial court experience. However, current law prohibits an appellate judge or justice who does not have trial court experience from being assigned as a visiting judge.

As proposed, S.B. 1459 allows any active judge or justice of the Texas Supreme Court, the Court of Criminal Appeals, and the 14 courts of appeals to be assigned as a visiting judge by the presiding judge of an administrative region, regardless of whether the judge or justice has trial court experience.

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 74.054(a), Government Code, to delete the requirement that an active judge or justice of the supreme court, the court of criminal appeals, or a court of appeals, must have had trial court experience in order to be assigned as provided by this chapter (Court Administration Act) by the presiding judge of the administrative region in which the assigned judge resides.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2005.