

1-1 By: Murr, Spiller (Senate Sponsor - Sparks) H.B. No. 103
 1-2 (In the Senate - Received from the House May 5, 2023;
 1-3 May 8, 2023, read first time and referred to Committee on State
 1-4 Affairs; May 15, 2023, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 15, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17			X	
1-18			X	

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the appointment of a retired or former judge as a
 1-22 visiting judge in certain counties.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 26.012, Government Code, is amended to
 1-25 read as follows:

1-26 Sec. 26.012. ASSIGNMENT OF VISITING JUDGE FOR PROBATE,
 1-27 GUARDIANSHIP, AND MENTAL HEALTH MATTERS. (a) If the county judge
 1-28 is absent, incapacitated, recused, or disqualified to act in a
 1-29 probate, guardianship, or mental health matter, a visiting judge
 1-30 shall be assigned in accordance with Section 25.0022(h).

1-31 (b) Notwithstanding Section 25.0022(t)(4), a visiting judge
 1-32 may be assigned under this section if the judge has served as an
 1-33 active judge for at least 48 months in a statutory probate court.

1-34 SECTION 2. Subchapter C, Chapter 26, Government Code, is
 1-35 amended by adding Section 26.020 to read as follows:

1-36 Sec. 26.020. DEFINITION. In this subchapter, "former
 1-37 constitutional county judge" means a person who:

1-38 (1) served as a judge for at least 96 months in a
 1-39 constitutional county court; or

1-40 (2) served as a judge for at least 48 months in a
 1-41 constitutional county court and who is a licensed attorney in this
 1-42 state.

1-43 SECTION 3. Section 26.023(a), Government Code, is amended
 1-44 to read as follows:

1-45 (a) The county judge may appoint a retired judge, former
 1-46 constitutional county judge, or a constitutional county judge from
 1-47 another county as a visiting judge when the county judge is absent
 1-48 from the county or absent because of physical incapacity.

1-49 SECTION 4. Section 26.024(a), Government Code, is amended
 1-50 to read as follows:

1-51 (a) The county judge may appoint a retired judge, former
 1-52 constitutional county judge, or a constitutional county judge from
 1-53 another county as a visiting judge to share the bench if the county
 1-54 judge finds that the dockets of the county court reflect a case load
 1-55 that the county judge considers to be in excess of that which can be
 1-56 disposed of properly in a manner consistent with the efficient
 1-57 administration of justice.

1-58 SECTION 5. Section 25.0022(t-1), Government Code, is
 1-59 repealed.

1-60 SECTION 6. This Act takes effect September 1, 2023.

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