

By: Jones of Dallas

H.B. No. 1421

A BILL TO BE ENTITLED

AN ACT

relating to the disqualification of a district judge in certain actions arising under the Election Code.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 24, Government Code, is amended by adding Section 24.023 to read as follows:

Sec. 24.023. DISQUALIFICATION OF JUDGE IN CERTAIN ACTIONS.

(a) A judge of a district court is disqualified from presiding over an action arising under the Election Code in any territory included in the judicial district.

(b) If a person files an action over which a judge is disqualified from presiding under Subsection (a), the district clerk shall promptly call the filing of the action to the judge's attention. The judge shall promptly request the presiding judge of the administrative judicial region to assign a visiting judge in accordance with Subchapter C, Chapter 74, to preside over the action.

(c) A judge who resides in the judicial district in which an action described by Subsection (a) arises is not eligible for assignment as visiting judge for the action.

SECTION 2. The change in law made by this Act applies to an action filed on or after the effective date of this Act. An action filed before the effective date of this Act is governed by the law in effect on the date the action was filed, and the former law is

1 continued in effect for that purpose.

2 SECTION 3. This Act takes effect September 1, 2003.