

BILL ANALYSIS

C.S.H.B. 3441
By: Herrero
Judiciary
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Sections 27.054 and 27.055 of the Government Code state that a justice of the peace may serve in place of another justice in certain circumstances. This bill serves to clarify and amend the circumstances under which justices may exchange benches in these sections as well as who is qualified to serve as a visiting justice in these situations.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends Section 27.054, Government Code, to provide that a justice of the peace may sit for any other justice of the peace in the state. The bill also provides for the ability of justices of the peace to exchange benches for up to 5 days.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

Changes caption to read, Arelating to the exchange of benches between justices of the peace.@

SECTION 1. Deletes Apresiding@ from original bill in Subsection (a). The language in subsections (b) and (c) is changed, but the content is similar in purpose. Deletes changes made in HB 3441 to Section 27.055 of the Government Code.

SECTION 2. Adds that CSHB 3441 takes effect September 1, 2005.