

BILL ANALYSIS

C.S.H.B. 3519
By: Naishtat
Judiciary
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The purpose of the bill is to authorize certain counties to appoint a temporary justice of the peace to hold court to dispose of accumulated business in the precinct. Currently, Section 27.055, Government Code, provides that if a justice is temporarily unable to perform duties because of absence, recusal, illness, injury or other disability, then a temporary justice may be appointed. This bill expands that statute for certain counties to allow a temporary justice to sit for the purpose of reducing crowded dockets.

Additionally, the current language of Section 27.055 does not expressly give the county judge the authority to delegate the responsibility for making appointments. The bill adds explicit language to provide that the county judge in the applicable counties may delegate the responsibility for making appointments.

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 provides that in a county of population over 800,000 with 5 or fewer justices of the peace, the county judge or his designee may appoint temporary justices of the peace when necessary.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute allows the county judge to designate a person, including the local administrative statutory county court judge, to appoint temporary justices of the peace.