

BILL ANALYSIS

S.B. 1832
By: Lindsay
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

As proposed, S.B. 1832 provides that if a sitting judge in a civil county court at law in Harris County is recused or disqualified for any reason, the case will be reassigned via rotation to another elected sitting county court at law judge. If no currently sitting judge is available, the presiding judge is required to assign the case to a former judge from Harris County who is otherwise qualified to hear cases. If no judge retired from Harris County is available, then the case may be assigned to any former, retired, or active judge from another county. The purpose of S.B. 1832 is to ensure that local judges, whether sitting or retired, are accessed first in the event a county court at law judge is recused or disqualified.

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 25.1032, Government Code, by adding Subsection (m), to require the judge of another county civil court at law in Harris County, if the judge of a county civil court at law in Harris County is disqualified or recused from a case pending before the court, to be assigned to sit for the regular judge and hear the case. Requires the presiding judge of the administrative judicial region to appoint certain visiting judges if another county civil court judge for Harris County is not available or is unable to hear the case because of a disqualification or recusal.

The act is prospective.

EFFECTIVE DATE

September 1, 2005