

By: Wentworth

S.B. No. 1459

A BILL TO BE ENTITLED

AN ACT

relating to the assignment of certain visiting judges.

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

SECTION 1. Section 74.054(a), Government Code, is amended to read as follows:

(a) Except as provided by Subsections (b) and (c), the following judges may be assigned as provided by this chapter by the presiding judge of the administrative region in which the assigned judge resides:

(1) an active district, constitutional county, or statutory county court judge in this state;

(2) a senior judge who has consented to be subject to assignment and who is on the list maintained by the presiding judge under this chapter;

(3) a former district or appellate judge, retired or former statutory probate court judge, or retired or former statutory county court judge who certifies to the presiding judge a willingness to serve and who is on the list maintained by the presiding judge as required by this chapter;

(4) a retiree or a former judge whose last judicial office before retirement was justice or judge of the supreme court, the court of criminal appeals, or a court of appeals and who has been assigned by the chief justice to the administrative judicial region in which the retiree or former judge resides for

1 reassignment by the presiding judge of that region to a district or  
2 statutory county court in the region; and

3 (5) an active judge or justice of the supreme court,  
4 the court of criminal appeals, or a court of appeals [~~who has had~~  
5 ~~trial court experience~~].

6 SECTION 2. The change in law made by this Act to Section  
7 74.054(a), Government Code, applies only to the assignment of a  
8 judge or justice under Chapter 74, Government Code, made on or after  
9 the effective date of this Act. An assignment made before the  
10 effective date of this Act is governed by the law in effect at the  
11 time the assignment is made, and that law is continued in effect for  
12 that purpose.

13 SECTION 3. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2005.