

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 4, 2005**

**TO:** Honorable Will Hartnett, Chair, House Committee on Judiciary

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB3441** by Herrero (Relating to the exchange of benches between justices of the peace.),  
**Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would authorize a justice of the peace to hold court for any other justice of the peace in any county at the request of that justice. The justices of any county would be authorized to exchange benches for a period not to exceed 5 days. A justice who exchanges benches with another justice would not be entitled to receive compensation from the commissioners court of the county in which the regular justice serves.

Under current statute, a justice of the peace may hold court for another justice in the same county, whereas the provisions of the bill would authorize a justice of peace to hold court for any other justice in any county. Current statute does not set a specific time limit for serving as a visiting judge or for sharing a bench.

The bill would take effect September 1, 2005.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, DLBa