BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 115th District Court serves Marion and Upshur counties. The purpose of this bill is to provide for a bailiff to serve the court in Upshur County. Currently, the judge presiding in the 115th District Court does not have the statutory authority to hire a bailiff.

H.B. 3972 requires the judge of the 115th District Court to appoint a bailiff to serve the court only in Upshur County.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 53.001, Government Code, by adding Subsection (j), to require the judge of the 115th District Court to appoint a bailiff to serve the court only in Upshur County.

SECTION 2. Amends Section 53.004, Government Code, by adding Subsection (g), require a bailiff appointed by the judge of the 115th District Court to serve the court in Upshur County, to be a resident of that county and to be at least 18 years of age.

SECTION 3. Amends Sections 53.007(a) and (b), Government Code, as follows:

(a) Provides that this section (Bailiff Deputized) applies to the 115th District Court in Upshur County.

(b) Requires the sheriff of each county in which the court sits, on the request of the judge of a court to which this section applies other than the 115th District Court, to deputize the bailiff or grand jury bailiff appointed under this subchapter of that court, in addition to other deputies authorized by law. Requires the sheriff of Upshur County, on the request of the judge of the 115th District Court, to deputize the bailiff appointed by that judge under Section 53.001(j), in addition to other deputies authorized by law.

SECTION 4. Effective date: September 1, 2007.