

BILL ANALYSIS

Senate Research Center
81R284 KLA-D

H.B. 1809
By: Hartnett, Gutierrez (Watson)
Jurisprudence
5/21/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill is intended to grant the statutory probate court judges in a county with multiple statutory probate courts (Bexar, Dallas, El Paso, Harris, and Tarrant) the ability to sign off on motions and orders pending in another statutory probate court when the judge is on vacation or is out of the office for such reasons as sickness or the need to obtain continuing judicial education. The bill also allows statutory probate court judges from the same county to exchange benches and courtrooms with other judges so that if one is absent or disabled, another judge may hold court for the absent judge without the necessity of transferring the case.

H.B. 1809 relates to the proceedings in a statutory probate court during the judge's absence.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 25, Government Code, by adding Section 25.0033, as follows:

Sec. 25.0033. PROCEEDINGS DURING CERTAIN ABSENCES OF JUDGE. Authorizes the judge of a statutory probate court to hear, determine, and enter orders in a matter or proceeding pending in another statutory probate court in the same county if the judge of the other court is absent and the presiding judge of the statutory probate courts has not assigned a judge to the other court under Section 25.0022 (Administration of Statutory Probate Courts).

SECTION 2. Effective date: upon passage or September 1, 2009.