

BILL ANALYSIS

H.B. 1809
By: Hartnett
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Part of the Court Administration Act allows judges of certain courts within a county to exchange benches and courtrooms with one another so that if one is absent, disabled, or disqualified, the other may hold court for the absent judge without the necessity of transferring the case. This same authority is currently granted to the two statutory probate courts in Tarrant County pursuant to the county-specific provisions for Tarrant County in the Government Code.

H.B. 1809 amends the Government Code to grant this same authority to all counties that contain multiple statutory probate courts, thus allowing statutory probate court judges within Bexar, Dallas, El Paso, Harris, and Tarrant counties to exchange benches and courtrooms with one another so that if one statutory probate court judge in a county is absent, another statutory probate judge in the same county may hold court for the absent judge without the necessity of transferring the case.

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

H.B. 1809 amends the Government Code to authorize 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 if the presiding judge of the statutory probate courts has not assigned a judge to the other court.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.