

## **BILL ANALYSIS**

C.S.H.B. 2320  
By: Homer  
County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently a district judge is required to appoint a county auditor in counties with a population of 10,200 or more. In counties with populations less than 10,200, district judges may appoint an auditor if a determination that county finances warrant such an appointment or shall appoint an auditor if requested by the commissioners court and the judge, who is the subject of the request, finds the reasons to be good and sufficient.

C.S.H.B. 2320 increases the minimum population of a county in which the district judges are required to appoint a county auditor.

### **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**

C.S.H.B. 2320 amends the Local Government Code to increase from 10,200 or more to 12,000 or more the minimum population of a county in which the district judges are required to appoint a county auditor. The bill increases from less than 10,200 to less than 12,000, the maximum population of a county in which the district judges are authorized to appoint a county auditor if the judges determine that the county's financial circumstances warrant the appointment. The bill requires the district judges in such a county to appoint a county auditor if the commissioners court finds that a county auditor is necessary to carry out county business and enters an order in its minutes stating the reason for this finding, the order is certified to the district judges, and the district judges find the reason stated by the commissioners court to be good and sufficient.

### **EFFECTIVE DATE**

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

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2320 differs from the original by increasing from 10,200 or more to 12,000 or more the minimum population of a county in which the district judges are required to appoint a county auditor, whereas the original increases the minimum population from 10,200 or more to 18,000 or more. The substitute differs from the original by increasing from 10,200 or less to 12,000 or less the maximum population of a county in which the district judges are authorized, or required, depending on certain conditions, to appoint a county auditor, whereas the original increases the maximum population to 18,000 or less.