

By: Frost

H.B. No. 3154

A BILL TO BE ENTITLED

AN ACT

relating to certain policies for bailiffs and the appointment of or request for bailiffs for certain courts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 53, Government Code, is amended by adding Subchapter A-1 to read as follows:

SUBCHAPTER A-1. GENERAL PROVISIONS REGARDING BAILIFFS

Sec. 53.011. APPOINTMENT OF OR REQUEST FOR BAILIFF FOR CERTAIN COURTS. (a) This section applies only to a district court, statutory county court, and county court, and only to the extent the section does not conflict with a specific provision applicable to that court that authorizes or restricts the court's authority with respect to appointing a bailiff.

(b) The judge of a district court, statutory county court, or county court may appoint a bailiff to:

(1) serve as a courtroom security officer;

(2) attend to the needs of a jury sitting for a civil or criminal case; and

(3) act under the judge's direction in all courtroom proceedings.

(c) Instead of appointing a bailiff under Subsection (b), the judge of a district court, statutory county court, or county court may request the county sheriff to provide a bailiff. On receipt of the request, the sheriff shall provide a deputy sheriff,

1 peace officer, or any other person the sheriff considers qualified
2 to serve as bailiff for the court.

3 Sec. 53.012. USE OF FORCE POLICIES FOR BAILIFFS. (a) Each
4 county sheriff shall establish policies regarding the use of force
5 by a bailiff for any court in the county.

6 (b) A person acting as bailiff shall comply with the
7 policies established under Subsection (a) for that county.

8 SECTION 2. This Act takes effect September 1, 2009.