

By: Naishtat

H.B. No. 3468

A BILL TO BE ENTITLED

AN ACT

relating to the selection, duties, and compensation of a presiding criminal judge in Travis County.

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

SECTION 1. Section 25.2292(f), Government Code, is amended to read as follows:

(f) The judge of a county court at law shall be paid an annual salary that is at least equal to the salary paid district judges from the general revenue fund of the state, but not more than \$1,000 less than the annual salary, including supplements, received by district judges in the county. For purposes of determining the annual salary of a judge of a county court at law under this section, the total annual salary received by a district judge in the county does not include compensation paid to the presiding criminal judge of Travis County under Section 75.016.

SECTION 2. Section 25.2293, Government Code, is amended by adding Subsection (m) to read as follows:

(m) For purposes of determining the annual salary of a judge of a statutory probate court as provided by Section 25.0023, the total annual salary received by a district judge in the county does not include compensation paid to the presiding criminal judge of Travis County under Section 75.016.

SECTION 3. Subchapter B, Chapter 75, Government Code, is amended by adding Section 75.016 to read as follows:

1 Sec. 75.016. PRESIDING CRIMINAL JUDGE OF TRAVIS COUNTY.

2 (a) The judges of the Travis County district courts that give
3 preference to criminal cases shall elect from among those judges a
4 presiding criminal judge for the county for a two-year term
5 expiring September 30 of each odd-numbered year.

6 (b) The presiding criminal judge, with respect to the Travis
7 County district courts that give preference to criminal cases,
8 shall:

9 (1) preside at all meetings of the criminal judges,
10 except when absent, in which case any other of those judges may
11 preside;

12 (2) implement and execute the local district court
13 rules of administration for those courts, including assigning all
14 capital murder cases to the proper court on a rotating basis;

15 (3) appoint any special or standing committees
16 necessary or desirable for the administration of those courts;

17 (4) address administrative issues on an emergency
18 basis for the criminal courts, provided that the presiding criminal
19 judge's decisions regarding those issues may be reviewed at the
20 next meeting of the judges of those courts;

21 (5) supervise the budget and fiscal matters of the
22 criminal courts;

23 (6) monitor and serve as liaison regarding any
24 legislation amending the Penal Code or Code of Criminal Procedure
25 and any other legislation affecting the business of those courts;
26 and

27 (7) serve as a liaison to the commissioners court of

1 the county and appear before the commissioners court as necessary.

2 (c) The Commissioners Court of Travis County may set
3 additional compensation to be paid to the presiding criminal judge
4 by the county in any amount that does not exceed the amount the
5 local administrative district judge of Travis County receives from
6 this state. Notwithstanding any other law, compensation paid the
7 presiding criminal judge under this subsection is not included as
8 part of the judge's combined salary from state and county sources
9 for purposes of the salary limitations provided by Section 659.012.

10 SECTION 4. The judges of the Travis County district courts
11 that give preference to criminal cases shall elect the presiding
12 criminal judge as required by Section 75.016, Government Code, as
13 added by this Act, for a term beginning October 1, 2009.

14 SECTION 5. This Act takes effect September 1, 2009.