

## **BILL ANALYSIS**

C.S.H.B. 2310  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The goal of C.S.H.B. 2310 is to allow the judges of certain district courts to employ their own bailiffs, rather than requiring the senior judge of the district to appoint all of the bailiffs serving the counties in that district. This will ensure all district court judges who are served by bailiffs are involved in the process.

### **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. 2310 amends the Government Code to authorize the local administrative judges of the district courts in Comal, Hays, and Caldwell Counties to appoint two or more bailiffs to serve the district courts in the respective counties as each judge determines necessary for the efficient operation of the district courts, subject to the approval of a majority of the district judges of those courts. The bill authorizes a majority of the district judges of the respective courts to remove a bailiff appointed under the bill's provisions. The bill prohibits the local administrative judge from appointing more than two bailiffs unless the funding for the additional bailiffs is approved by the commissioners court of the respective county before the appointment. The bill entitles an appointed bailiff to the salary recommended by the respective local administrative judge, subject to the approval of the commissioners court of the respective county.

C.S.H.B. 2310 removes the 22nd District Court from a provision requiring the judges of certain district courts to appoint a bailiff. The bill removes a provision authorizing the judge of the 207th District Court to appoint a bailiff to serve the court in Comal County, subject to the approval of the local administrative judge. The bill removes the 22nd District Court from a provision requiring a bailiff in certain district courts to be a resident of the county in which the bailiff serves the court and to be at least 18 years old. The bill removes the 22nd District Court from a provision requiring a bailiff of certain district courts to swear to a specified oath.

### **EFFECTIVE DATE**

September 1, 2011.

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

C.S.H.B. 2310 contains provisions not included in the original authorizing a majority of the district judges of the district courts in Comal, Hays, and Caldwell Counties, respectively, to remove a bailiff appointed under the bill's provisions and prohibiting the local administrative judge from appointing more than two bailiffs unless the funding for the additional bailiffs is approved by the commissioners court of the respective county before the appointment. The substitute differs from the original in nonsubstantive ways.