

By: Miller of Comal

H.B. No. 2310

A BILL TO BE ENTITLED

AN ACT

relating to appointment of bailiffs for the district courts in Comal, Hays, and Caldwell Counties.

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

SECTION 1. Section 53.001(a), Government Code, is amended to read as follows:

(a) The judges of the ~~[22nd,~~ 30th, 70th, 71st, 78th, 89th, 161st, and 341st district courts, the judges of the district courts having jurisdiction in Taylor County, the judges of the county courts at law of Taylor County, and the judge of the County Court of Harrison County shall each appoint a bailiff.

SECTION 2. Section 53.002, Government Code, is amended by amending Subsection (i) and adding Subsections (j) and (k) to read as follows:

(i) The local administrative judge of the district courts in Comal County ~~[207th District Court]~~ may appoint two or more bailiffs ~~[a bailiff]~~ to serve the district courts ~~[court]~~ in Comal County as the 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 local administrative judge]~~. A bailiff appointed under this subsection is entitled to the salary recommended by the local administrative judge, subject to the approval of the commissioners court of Comal County.

1 (j) The local administrative judge of the district courts in
2 Hays County may appoint two or more bailiffs to serve the district
3 courts in Hays County as the judge determines necessary for the
4 efficient operation of the district courts, subject to the approval
5 of a majority of the district judges of those courts. A bailiff
6 appointed under this subsection is entitled to the salary
7 recommended by the local administrative judge, subject to the
8 approval of the commissioners court of Hays County.

9 (k) The local administrative judge of the district courts in
10 Caldwell County may appoint two or more bailiffs to serve the
11 district courts in Caldwell County as the judge determines
12 necessary for the efficient operation of the district courts,
13 subject to the approval of a majority of the district judges of
14 those courts. A bailiff appointed under this subsection is
15 entitled to the salary recommended by the local administrative
16 judge, subject to the approval of the commissioners court of
17 Caldwell County.

18 SECTION 3. Section 53.004(a), Government Code, is amended
19 to read as follows:

20 (a) A bailiff in the [~~22nd~~] 34th, 70th, 71st, or 161st
21 district court must be a resident of the county in which the bailiff
22 [~~he~~] serves the court and must be at least 18 years old.

23 SECTION 4. Section 53.007(a), Government Code, is amended
24 to read as follows:

25 (a) This section applies to:
26 (1) the [~~22nd~~] 34th, 70th, 71st, 86th, 97th, 130th,
27 142nd, 161st, 238th, 318th, 341st, 355th, and 385th district

1 courts;

2 (2) the County Court of Harrison County;

3 (3) the criminal district courts of Tarrant County;

4 (4) the district courts in Taylor County;

5 (5) the courts described in Section 53.002(c), (d),
6 (e), or (f);

7 (6) the county courts at law of Taylor County;

8 (7) the district courts in Tarrant County that give
9 preference to criminal cases; and

10 (8) the 115th District Court in Upshur County.

11 SECTION 5. Section 53.008, Government Code, is amended to
12 read as follows:

13 Sec. 53.008. OATH. The bailiffs of the [~~22nd~~] 34th, 70th,
14 86th, 97th, 130th, 142nd, 161st, 238th, 318th, 341st, 355th, and
15 385th district courts, the bailiffs of the courts described in
16 Section 53.002(c), (d), (e), or (f), the bailiffs and the grand jury
17 bailiffs of the district courts in Tarrant County that give
18 preference to criminal cases, the bailiffs and grand jury bailiffs
19 of the criminal district courts in Tarrant County, the bailiffs of
20 the district courts in Taylor County, and the bailiffs of the county
21 courts at law of Taylor County shall each swear to the following
22 oath, to be administered by the judge: "I solemnly swear that I
23 will faithfully and impartially perform all duties as may be
24 required of me by law, so help me God."

25 SECTION 6. This Act takes effect September 1, 2011.