

BILL ANALYSIS

C.S.H.B. 2920
By: Naishtat
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Because current law requires a retired or former judge of a statutory probate court to have served for at least 72 months as an active judge in a district court, statutory probate court, statutory county court, or appellate court in order to qualify for service as an assigned statutory probate court judge, interested parties contend that there are not enough judges who are eligible to serve in this capacity. C.S.H.B. 2920 seeks to address this shortage by reducing the minimum amount of service that an otherwise qualified judge must have to meet eligibility requirements for service as an assigned statutory probate court judge.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 2920 amends the Government Code to decrease from 72 months to 48 months the minimum number of months of service as an active judge in a district court, statutory probate court, statutory county court, or appellate court that a former or retired judge of a statutory probate court must have in order to be eligible for service as an assigned statutory probate court judge.

C.S.H.B. 2920 repeals Section 25.0022(t-1), Government Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2920 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

	INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1.	Section 25.0022(t),	SECTION 1. Substantially the same as

Government Code, is amended.

No equivalent provision.

No equivalent provision.

SECTION 2. This Act takes effect September 1, 2015.

introduced version.

SECTION 2. Section 25.0022(t-1), Government Code, is repealed.

SECTION 3. Section 25.0022(t), Government Code, as amended by this Act, applies only to an assignment of a visiting judge under Chapter 25, Government Code, made on or after the effective date of this Act. An assignment made before the effective date of this Act is governed by Section 25.0022(t), Government Code, as that section existed on the date of the assignment, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.