

## **BILL ANALYSIS**

S.B. 1016  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties assert that state law pertaining to the appointment and duties of court investigators for certain courts in guardianship proceedings should be revised to permit courts other than statutory probate courts to employ a court investigator to fulfill certain duties under the Estates Code. S.B. 1016 seeks to authorize the judge of a county court exercising its probate jurisdiction or a court created by statute and authorized to exercise original probate jurisdiction, other than a statutory probate court, to appoint a court investigator if the appointment is authorized by the commissioners court.

### **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**

S.B. 1016 amends the Estates Code to authorize the judge of a county court exercising its probate jurisdiction or a court created by statute and authorized to exercise original probate jurisdiction, other than a statutory probate court, to appoint a court investigator if the appointment is authorized by the commissioners court. The bill authorizes the commissioners court to authorize additional court investigators for a county if necessary and requires the commissioners court to set the salary of a court investigator. The bill establishes that the appointment of a court investigator by the judge of a statutory probate court is governed by Government Code provisions relating to court investigators. The bill makes the requirement for a court investigator to supervise and serve as the chief court visitor for a court visitor program contingent on the court for which the investigator is appointed operating that type of program.

### **EFFECTIVE DATE**

September 1, 2017.