

BILL ANALYSIS

H.B. 2547
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are concerns about the number of qualified retired justices and judges available to serve as visiting judges appointed by the chief of the supreme court. It has been suggested that allowing certain former justices and judges to serve in a visiting capacity would increase the pool of eligible judges and justices. H.B. 2547 seeks to address these concerns by lowering the minimum months served by a judge or justice to be eligible to be appointed as a visiting 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

H.B. 2547 amends the Government Code to authorize the chief justice of the supreme court to assign a qualified former justice or judge of the supreme court, of the court of criminal appeals, or of a court of appeals to a court of appeals for active service regardless of whether a vacancy exists in the court to which the justice is assigned. The bill decreases the minimum number of months a retired or former justice or judge must have served to be eligible for assignment from 96 months to 72 months.

H.B. 2547 specifies that the retired or former justice or judge must not have been removed from office for certain misconduct or for incapacity in order to be eligible for assignment. The bill specifies that a justice or judge must certify to the chief justice a willingness not to appear and plead as an attorney in courts for which the justice or judge previously served in order to be eligible for assignment. Each retired and former justice who meets the requisite qualifications for assignment is to be included on the list of justices and judges subject to assignment that is maintained by each presiding judge of an administrative judicial region.

EFFECTIVE DATE

September 1, 2019.