

BILL ANALYSIS

H.B. 2638
By: Calanni
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the lack of flexibility of local judicial systems following the occurrence of a disaster. It has been suggested that the authority for judicial regions to designate alternate locations for judicial proceedings is too narrow and unfairly excludes certain regions. H.B. 2638 seeks to provide this flexibility by removing certain limitations on the relocation of the proceedings of a district or county court following a disaster.

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. 2638 amends the Government Code to remove language limiting provisions that authorize certain alternate locations for the proceedings of a district court, statutory county court, or constitutional county court under circumstances relating to a disaster to a first tier coastal county or second tier coastal county as defined by the Texas Windstorm Insurance Association Act. The bill authorizes an alternate location designated for such a court under circumstances relating to a disaster to be outside the judicial district of the affected court or outside the county, as applicable, at the location closest in proximity to the county seat that allows the court to safely and reasonably conduct its proceedings.

H.B. 2638 repeals the following provisions of the Government Code:

- Section 24.033(a)
- Section 25.0019(a)
- Section 26.009(a)

EFFECTIVE DATE

September 1, 2019.