

By: Goldman

H.B. No. 3792

A BILL TO BE ENTITLED

AN ACT

relating to clerks of justice courts and deputy constables.

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

SECTION 1. Section 27.056(a), Government Code, is amended to read as follows:

(a) Each justice of the peace may designate one or more persons to serve as clerk of the justice court. A clerk of the justice court serves at the pleasure of the justice of the peace.

SECTION 2. Section 86.011, Local Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) An elected constable may designate a person serving as a deputy constable as the chief deputy constable. The chief deputy constable serves at the pleasure of the elected constable.

SECTION 3. Section 158.013(b), Local Government Code, is amended to read as follows:

(b) This subchapter does not apply to:

(1) assistant district attorneys, investigators, or other employees of a district or criminal district attorney, except as provided by Section 158.007;

(2) the official shorthand reporter of a court; ~~or~~

(3) an elected or appointed officer under the constitution;

(4) a chief deputy constable appointed under Section 86.011; or

1 (5) a clerk of a justice of the peace appointed under
2 Section 27.056, Government Code.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2019.