

SENATE AMENDMENTS

2nd Printing

By: Noble

H.B. No. 3081

A BILL TO BE ENTITLED

AN ACT

relating to a person qualified to serve as a special or temporary justice of the peace.

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

SECTION 1. Section 27.055(c), Government Code, is amended to read as follows:

(c) In Subsections (b) and (f), "qualified person" means:

(1) a person who has served as a justice of the peace, county judge, or the judge of a county court at law for not less than four [4-1/2] years and who has not been convicted of a criminal offense that involves moral turpitude; or

(2) a person who has experience and knowledge relevant to judicial or justice court processes and procedures and is approved by the county judge and a justice of the peace in the county.

SECTION 2. The change in law made by this Act applies only to a temporary or special justice of the peace appointed on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2019.

ADOPTED

MAY 22 2019

Larry Green
Secretary of the Senate

By: Paxton

H.B. No. 3081

Substitute the following for __.B. No. _____:

By: Bob Hays

C.S.H.B. No. 3081

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a person qualified to serve as a temporary justice of
3 the peace.

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

5 SECTION 1. Sections 27.055(c) and (e), Government Code, are
6 amended to read as follows:

7 (c) In this section [~~Subsections (b) and (f)~~], "qualified
8 person" means a person who has served as a justice of the peace,
9 county judge, or the judge of a county court at law for not less than
10 four [4-1/2] years and who has not been convicted of a criminal
11 offense that involves moral turpitude.

12 (e) The county judge may appoint any qualified voter under
13 Section 11.002, Election Code, who has experience and knowledge
14 relevant to judicial or justice court processes and procedures and
15 is approved by the county judge and a justice of the peace in the
16 county, to serve as a temporary justice of the peace if the judge
17 cannot find a qualified person who agrees to serve under this
18 section [~~Subsection (b) or (f)~~].

19 SECTION 2. The change in law made by this Act applies only
20 to a temporary justice of the peace appointed on or after the
21 effective date of this Act.

22 SECTION 3. This Act takes effect September 1, 2019.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3081 by Noble (Relating to a person qualified to serve as a temporary justice of the peace.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code as it relates to a person qualified to serve as a temporary justice of the peace. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, SD, CMa, SLE, DA, PBO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 18, 2019

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3081 by Noble (relating to a person qualified to serve as a temporary justice of the peace.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code as it relates to a person qualified to serve as a temporary justice of the peace. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, CMA, SLE, DA, PBO

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 16, 2019

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3081 by Noble (Relating to a person qualified to serve as a special or temporary justice of the peace.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to expand the definition of a qualified person to serve as a special or temporary justice of the peace to include a justice of the peace, a county judge, or a county court at law judge who has served at least four years and to allow a person who has experience and knowledge of relevant judicial court processes to serve if approved by the judge and justice of the peace of the county. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, CMa, SLE, DA, PBO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 29, 2019

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3081 by Noble (relating to a person qualified to serve as a special or temporary justice of the peace.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to expand the definition of a qualified person to serve as a special or temporary justice of the peace to include a justice of the peace, a county judge, or a county court at law judge who has served at least four years, and would allow a person who has experience and knowledge of relevant judicial court processes to serve if approved by the judge and justice of the peace of the county. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, SLE, DA, PBO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 11, 2019

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3081 by Noble (Relating to a person qualified to serve as a special or temporary justice of the peace.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to reduce the number of years of service as a justice of the peace from 4.5 years to 4 years needed to serve as a special or temporary justice of the peace. The bill would also allow for the appointment of county court at law judges with 4 years of experience and licensed attorneys with experience relevant to practice before a justice court as temporary justices of the peace under certain circumstances. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, SLE, DA, PBO