

By: Zaffirini

S.B. No. 42

A BILL TO BE ENTITLED

AN ACT

relating to bond requirements for certain judges.

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

SECTION 1. Sections 25.0006(a-1) and (a-4), Government Code, are amended to read as follows:

(a-1) Before beginning the duties of the office, the judge of a statutory county court must execute a bond that:

(1) is payable to the treasurer of the county;

(2) is in the amount set by the commissioners court of:

(A) subject to Paragraph (B), not less than \$1,000 nor more than \$10,000; or

(B) for a judge presiding in the court over guardianship proceedings, as defined by Section 1002.015, Estates Code, or over probate proceedings, as defined by Section 22.029, Estates Code, not less than \$500,000[-

~~[(i) \$100,000 for a court in a county with a population of 125,000 or less; or~~

~~[(ii) \$250,000 for a court in a county with a population of more than 125,000]; and~~

(3) is conditioned that the judge will:

(A) faithfully perform all duties of office; and

(B) for a judge presiding in the court over guardianship or probate proceedings, perform the duties required by the Estates Code.

1 (a-4) This section does not apply to:

2 (1) ~~[a judge of a statutory county court who does not~~
3 ~~preside over guardianship proceedings, as defined by Section~~
4 ~~1002.015, Estates Code,~~

5 ~~[(2)]~~ a judge of a statutory probate court who
6 executes a bond, obtains insurance, or self-insures pursuant to
7 Section 25.00231; or

8 (2) ~~[(3)]~~ a judge who presides over a county criminal
9 court.

10 SECTION 2. Section 26.001(a), Government Code, is amended
11 to read as follows:

12 (a) Before beginning the duties of the office, the county
13 judge must execute a bond that:

14 (1) is payable to the treasurer of the county;

15 (2) is in the amount set by the commissioners court of:

16 (A) subject to Paragraph (B), not less than
17 \$1,000 nor more than \$10,000; or

18 (B) for a county judge presiding in the county
19 court over guardianship proceedings, as defined by Section
20 1002.015, Estates Code, or over probate proceedings, as defined by
21 Section 22.029, Estates Code, not less than \$500,000~~[+~~

22 ~~[(i) \$100,000 for a court in a county with a~~
23 ~~population of 125,000 or less, or~~

24 ~~[(ii) \$250,000 for a court in a county with~~
25 ~~a population of more than 125,000]; and~~

26 (3) is conditioned that the judge will:

27 (A) faithfully perform all duties of office; and

1 (B) for a county judge presiding in the county
2 court over guardianship or probate proceedings, perform the duties
3 required by the Estates Code.

4 SECTION 3. This Act takes effect on the 91st day after the
5 last day of the legislative session.