

BILL ANALYSIS

H.B. 1664
By: Morales, Eddie
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that many areas of Texas are challenged with high judicial caseloads, especially regions on and around the border. The bill author has also informed the committee that highly qualified retired or former judges could assist the courts as visiting judges under the Court Administration Act, but they have been disqualified long ago by being formally reprimanded by the State Commission on Judicial Conduct. H.B. 1664 seeks to increase the availability of retired or former judges in order to resolve issues with judicial workloads.

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. 1664 amends the Government Code to make a retired or former district court judge eligible to be named on a presiding judge's list of retired and former judges subject to assignment as a visiting judge under the Court Administration Act if the retired or former district court judge certifies under oath to the presiding judge, on a form prescribed by the state board of regional judges, that during the 15 years preceding any such assignment:

- the judge has not been publicly reprimanded or censured by the State Commission on Judicial Conduct (SCJC); and
- the judge did not resign or retire from office after the SCJC notified the judge of the commencement of a full investigation into an allegation or appearance of misconduct or disability of the judge and before the final disposition of that investigation, or, if the judge resigned from office under those circumstances, was not publicly reprimanded or censured as a result of the investigation.

The bill makes a former or retired district court judge ineligible to be named on the list only if during the 15 years preceding any potential appointment the former or retired judge is identified in a public statement issued by the SCJC as having resigned or retired from office in lieu of discipline. The bill's provisions expire September 1, 2033.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.