

BILL ANALYSIS

C.S.H.B. 2176
By: Harless
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current state law, a local administrative judge in a county must establish a court security committee for the courts for which the judge serves as local administrative judge. The committee is composed of the local administrative judge or the judge's designee, a representative of the sheriff's office, a representative of the county commissioners court, one judge of each type of court in the county other than municipal courts, a representative of any county attorney's, district attorney's, or criminal district attorney's office that serves in the applicable courts, and any other person the committee determines necessary. However, current law does not provide for the explicit inclusion of either constables or justices of the peace on the committee, whose offices can play an integral part in administering local justice and serving local administrative judges' courts. Furthermore, current law does not require court security committees to meet with any sort of frequency. C.S.H.B. 2176 seeks to address these issues by ensuring that representatives of constables' offices and justices of the peace are included in the composition of court security committees and requiring these committees to meet at least once annually.

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

C.S.H.B. 2176 amends the Government Code to revise the composition of a court security committee established by a local administrative judge by doing the following:

- including a representative of a constable's office in the applicable county; and
- specifying that the inclusion on the committee of one judge of each type of court in the applicable county includes a justice of the peace.

The bill establishes that a court security committee is not a governmental body for the purposes of state open meetings law or state public information law. The bill replaces the authorization for a court security committee to recommend to the applicable county commissioners court the uses of resources and expenditures of money for courthouse security with the following:

- a requirement for the committee to meet at least once annually; and
- an authorization for the committee to develop and submit such recommendations.

C.S.H.B. 2176 amends the Code of Criminal Procedure to require an applicable county commissioners court, in administering or directing funds from the county's courthouse security fund and justice court building security fund, to prioritize the recommendations provided by a

court security committee to the commissioners court on the uses of resources and expenditures of money for courthouse security.

EFFECTIVE DATE

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

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2176 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced expanded the composition of a court security committee by including a representative of each constable's office in the applicable county, the substitute does so by including a representative of a constable's office in the applicable county. Additionally, whereas the introduced expanded the composition of a court security committee by including a justice of the peace who serves the applicable county, the substitute instead specifies that the inclusion on the committee of one judge of each type of court in the applicable county includes a justice of the peace.

The substitute includes a provision absent from the introduced establishing that a court security committee is not a governmental body for the purposes of state open meetings law or state public information law.

Both the introduced and the substitute replace the authorization for a courthouse security committee to recommend to the applicable county commissioners court the uses of resources and expenditures of money for courthouse security with a requirement for the committee to meet at least once annually. However, whereas the introduced required the committee to meet for the purpose of developing and submitting such recommendations, the substitute does not specify any purpose for these meetings and instead separately authorizes the committee to develop and submit such recommendations. The substitute also omits the provision from the introduced specifying that these recommendations include recommendations on the allocation of any county court security budget.

The substitute includes a requirement absent from the introduced for an applicable county commissioners court, in administering or directing funds from the county's courthouse security fund and justice court building security fund, to prioritize the recommendations provided by a court security committee to the commissioners court on the uses of resources and expenditures of money for courthouse security.