BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The bill author has informed the committee that there is a need for government accountability and public officials' adherence to their duties and that standardizing the judicial process for removing local officials who fail to uphold their duties would enhance government accountability. H.B. 2715 seeks to preserve local judicial oversight while standardizing the judicial process for removing local officials by requiring all petitions for the removal of applicable county officials to be addressed to the presiding judge of the administrative judicial region in which a petition for removal is filed and by repealing certain outdated requirements concerning the removal of such an officer.

H.B. 2715 amends current law relating to the removal from office of certain officers of political subdivisions.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 87.015(c), Local Government Code, as follows:

> (c) Requires a petition for removal of an officer under Subchapter B (Removal by Petition and Trial) be addressed to the presiding judge of the administrative judicial region in which the petition is filed.

> Deletes existing text requiring a petition for removal of an officer other than a prosecuting attorney to be addressed to the district judge of the court in which it is filed. Deletes existing text requiring a petition for removal of a prosecuting attorney to be addressed to the presiding judge of the administrative judicial region in which the petition is filed.

SECTION 2. Amends Section 87.0151, Local Government Code, as follows:

> Sec. 87.0151. New heading: ASSIGNMENT OF JUDGE. (a) Requires the district clerk, immediately after a petition for removal of an officer under this subchapter, rather than a prosecuting attorney, is filed under Section 87.015 (Petition for Removal), to deliver a copy of the petition to the presiding judge of the administrative judicial region in which the court sits.

> > (b) Requires the presiding judge of the administrative judicial region, on receiving a petition for removal, rather than a petition for removal of a prosecuting attorney, to assign a district court judge of a judicial district that does not include the county in which the petition was filed to conduct the removal proceedings.

SECTION 3. Amends Section 87.018(f), Local Government Code, as follows:

(f) Requires the presiding judge of the administrative judicial region in which the petition for removal was filed, in a proceeding to remove an officer under this subchapter, rather than remove a prosecuting attorney from office, to appoint a prosecuting attorney from another judicial district or county, as applicable, in the administrative judicial region to represent the state.

SECTION 4. Repealers: Sections 87.018(d) (relating to requiring the county attorney to represent the state in a proceeding for the removal of an officer) and (e) (relating to requiring the district attorney to represent the state in a proceeding to remove a certain county attorney), Local Government Code.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: upon passage or September 1, 2025.