

BILL ANALYSIS

Senate Research Center
81R2975 TRH-D

S.B. 420
By: Carona
Jurisprudence
2/20/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 720.002 (Prohibition on Traffic-Offense Quotas), Transportation Code, prohibits a political subdivision or agency of the state from establishing or maintaining, formally or informally, a plan to evaluate, promote, compensate, or discipline certain judges based on the amount of money collected by that judge from traffic offenses. Currently, the law does permit municipalities to consider the amount of money collected from a municipal court or a municipal court of record when evaluating the performance of a judge employed by that municipality. This law clearly presents a conflict of interest since judges are paid through the municipality. In striving for an independent judiciary, it is difficult to judge neutrally when these funds are sought after the municipalities.

As proposed, S.B. 420 repeals Section 720.002(c) of the Transportation Code.

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. Repealer: Section 720.002(c) (regarding the authorization of a municipality to consider the source and amount of money collected from a certain court when evaluating the performance of a judge employed by the municipality), Transportation Code.

SECTION 2. Effective date: upon passage or September 1, 2009.