

BILL ANALYSIS

Senate Research Center
85R17524 SRS-D

H.B. 431
By: Metcalf (Creighton)
State Affairs
5/12/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 431 amends the Government Code to specify that the authority of a county judge to appoint a qualified person to serve as a temporary justice of the peace in the event a justice is temporarily unable to perform official duties because of absence, recusal, illness, injury, or other disability is triggered on either the judge's own motion or the justice's request. H.B. 431 changes the prescribed period of the temporary justice's service from the duration of the disability to the duration of the justice's absence from the bench.

H.B. 431 amends current law relating to a temporary justice of the peace.

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 27.055(b), Government Code, to authorize the county judge, on the judge's own motion or at the request of the justice of the peace, to appoint a qualified person to serve as temporary justice for the duration of the absence of the justice of the peace from the bench, rather than for the duration of the disability, if a justice is temporarily unable to perform official duties because of absence, recusal, illness, injury, or other disability.

SECTION 2. Effective date: upon passage or September 1, 2017.