

BILL ANALYSIS

Senate Research Center

C.S.S.B. 452
By: Duncan
Jurisprudence
2-25-97
Committee Report (Substituted)

DIGEST

Currently, the requirements for appointment as a chief administrative law judge include being licensed to practice law in Texas and board certified in administrative law, and having at least five years of experience conducting administrative hearings. The current requirements restrict the ability of otherwise qualified individuals from being appointed as chief administrative law judge. This bill eliminates the board certification requirement and the requirement of having a certain amount of years of experience conducting administrative hearings, and replaces the requirements with one provision requiring the appointee to have practiced law or have a certain amount of years of experience.

PURPOSE

As proposed, C.S.S.B. 452 adds new qualifications for a person to be eligible for appointment as a chief administrative law judge.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2003.022(b), Government Code, to require a person to be eligible for appointment as chief administrative law judge (judge), to have practiced law, for at least five years, and have practiced administrative law or conducted administrative hearings under Chapter 2001, Government Code, or engaged in a combination of those two activities. Deletes provisions that require a judge to be board certified in administrative law and have at least five years' experience in conducting administrative hearings under Chapter 2001, Government Code.

SECTION 2. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Amends SECTION 1, Section 2003.022(b), Government Code, to require a person to be eligible for appointment as chief administrative law judge (judge), to have practiced law, for at least five years, and have practiced administrative law or conducted administrative hearings under Chapter 2001, Government Code, or engaged in a combination of those two activities.