

BILL ANALYSIS

Senate Research Center
77R10956 RJA-D

H.B. 2814
By: Hartnett (West)
Jurisprudence
5/3/2001
Engrossed

DIGEST AND PURPOSE

Current law requires the commissioners court to set the annual salary of each judge of a statutory probate court in any county having a population of 700,000 or more. However, some regard the population references as unnecessary because all statutory probate court judges are subject to the current general provisions regarding salary. H.B. 2814 requires the commissioners court of each county in which a statutory probate court sits to compensate its statutory probate court judges in an amount that is at least equal to the salary of a district judge and also repeals certain duplicate provisions.

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 25.0023, Government Code, as follows:

Sec. 25.0023. New heading: COMPENSATION OF PROBATE COURT JUDGES.

Removes the restriction that requires a judge to be from a county with a population of 700,000 or more in order for the commissioners court to be required to set the annual salary of each judge of a statutory probate court at an amount that is at least equal to the total annual salary received by a district judge in the county. Provides that a district judge's or statutory probate court judge's total annual salary includes contributions and supplements paid by the state or a county, other than contributions received as compensation under Section 25.0022(c).

SECTION 2. Repealers: Repeals Sections 25.00261 (Juries; Practice and Procedure), 25.00263 (Fees), 25.00264 (Facilities; Personnel), 25.00265 (Seal), 25.00266 (Application of Subchapter), Government Code, because they duplicate identical provisions in other sections of the Government Code.

SECTIONS 3 - 6. Make conforming changes relative to the repeal of duplicate sections.

SECTION 7. Repealer: Sections 25.00262 (Compensation of Judges in Certain Counties), Section 25.0028 (Compensation of Judges in Certain Counties), and 25.2293 (h)(Travis County Probate Court Provisions), Government Code.

SECTION 8. Effective date: September 1, 2001.