

BILL ANALYSIS

Senate Research Center
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S.B. 306
By: Duncan
Business & Commerce
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

A lawyer who serves as a briefing attorney or a clerk in Texas' appellate court system is employed for a limited time, typically for a period of one year. During the appropriations process, the legislature has become aware that those lawyers who have not solidified employment after their clerkships have claimed unemployment compensation. The appellate courts, in turn, have asked for an appropriation to cover these costs.

Current law does not provide a valid justification for denying unemployment compensation for briefing attorneys. As proposed, S.B. 306 restricts the aforementioned individuals from claiming unemployment compensation in these specific cases.

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 Subchapter C, Chapter 207, Labor Code, by adding Section 207.054, as follows:

Sec. 207.054. JUDICIAL BRIEFING ATTORNEYS. Provides that benefits are not payable to an individual based on services performed as a briefing attorney for a court in this state if the individual has performed services for less than a year and had notice at the time the services began that the briefing attorney services would not exceed one year.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.