

BILL ANALYSIS

Senate Research Center
81R3327 GCB-D

H.B. 890
By: Naishtat (Wentworth)
Jurisprudence
4/30/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1993, the Government Code and the Health and Safety Code were amended to include the position of “master” as the judicial officer presiding over court-ordered mental health proceedings. When the position of “master” was created, use of the term was consistent with usages in other court contexts, such as a “family court master” or “tax master.” Over time, the term in other courts has changed to “associate judge.” This bill amends the Government Code and the Health and Safety Code to eliminate outdated usage of the term “master” and substitute the term “associate judge” in its place.

H.B. 890 relates to the terminology used to describe certain judicial officers.

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 54.603(e), Government Code, to authorize an associate judge appointed under this subchapter to serve as an associate judge, rather than a master, appointed under Section 574.0085, Health and Safety Code.

SECTION 2. Amends Section 571.017(a), Health and Safety Code, to require the court to order the payment of reasonable compensation to attorneys, physicians, language interpreters, sign interpreters, and associate judges, rather than masters, appointed under this subtitle.

SECTION 3. Amends Section 574.0085, Health and Safety Code, as follows:

Sec. 574.0085. New heading: ASSOCIATE JUDGES. (a) Authorizes the county judge to appoint a full-time or a part-time associate judge, rather than master, to preside over the proceedings for court-ordered mental health services if the commissioners court of a county in which the court has jurisdiction authorizes the employment of an associate judge, rather than a master.

(b)-(e) Makes conforming changes.

(f) Makes a conforming and nonsubstantive change.

(g)-(k) Makes conforming changes.

SECTION 4. Amends Sections 574.025(c) and (e), Health and Safety Code, to make conforming changes.

SECTION 5. Amends Sections 574.026(a) and (b), Health and Safety Code, to make conforming changes.

SECTION 6. Amends Section 574.028(a), Health and Safety Code, to make conforming changes.

SECTION 7. Amends Section 574.064(b), Health and Safety Code, to make a conforming change.

SECTION 8. Amends Sections 574.106(d), (e), and (f), Health and Safety Code, to make conforming changes.

SECTION 9. Amends Section 574.203(a), Health and Safety Code, to make conforming and nonsubstantive changes.

SECTION 10. Amends Section 821.0211, Health and Safety Code, to redefine "magistrate."

SECTION 11. Effective date: September 1, 2009.