

BILL ANALYSIS

Senate Research Center
77R9731 YDB-D

H.B. 546
By: Noriega (Gallegos)
Jurisprudence
5/11/2001
Engrossed

DIGEST AND PURPOSE

There have been some reported incidents of racial slurs and bias occurring in courtrooms. Judges are required by law to attend judicial training classes. However, such training does not address racial, cultural, and ethnic awareness issues. H.B. 546 adds racial, cultural, and ethnic sensitivity training in addition to the training already required.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the court of criminal appeals in SECTION 1 (Section 22.111, Government Code) of this bill.

ANALYSIS

H.B. 546 amends the Government Code to require the court of criminal appeals to adopt rules requiring the training of judges in issues related to racial, cultural, and ethnic awareness including training regarding relevant sections in the Code of Judicial Conduct. The rules must require each judge subject to the Rules of Judicial Education to complete the training within the first four years of service and to complete additional training during each additional four years of service.

The bill authorizes the court of criminal appeals to consult with professional groups and associations in the state that have expertise in the subject matter to obtain the recommendations of those groups or associations for instruction content. The instruction must include information about issues related to race fairness and ethnic and cultural awareness. The court of criminal appeals or the court's designee is required to report the name of a judge who does not comply with the above requirements to the State Commission on Judicial Conduct.

Effective date: August 31, 2001. Requires each judge who is in office on August 31, 2001, to complete the judicial training required by section 22.111, Government Code, as added by this Act, notwithstanding the requirement of that section that the training be completed within the first four years of service. Requires the training to be completed before the judge who is in office on August 31, 2001, completes another year of service. Requires a judge who takes office on or after September 1, 2001, and who has not otherwise satisfied the requirements of Section 22.111, Government Code, as added by this Act, to complete the judicial training by that section within the judge's first four years of service.