

BILL ANALYSIS

Senate Research Center
84R10813 CAE-F

S.B. 1913
By: Perry
State Affairs
4/24/2015
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1913 clarifies the statutory authority of judges to hire a county court administrator in a county served by multiple state district courts and county courts at law. Under current law, there is no specific statutory authorization related to the position of a county court administrator; however, there are some county-specific statutes that authorize the positions of a county court administrator. The changes proposed by S.B. 1913 would not interfere with the current county-specific statutes related to this matter, and clearly specify the cooperation between judges and a county commissioners court related to the creation and funding of the position of a county court administrator.

As proposed, S.B. 1913 amends current law relating to a court administrator in certain counties.

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 the heading to Section 75.401, Government Code, to read as follows:

Sec. 75.401. COURT ADMINISTRATOR SYSTEM FOR DISTRICT AND STATUTORY COUNTY COURTS IN CERTAIN COUNTIES.

SECTION 2. Amends Sections 75.401(a), (b), (c), (d), and (e), Government Code, as follows:

(a) Provides that, in a county that has more than one district court or statutory county court, those courts may establish and maintain, on approval of the commissioners court, a court administrator system. Deletes existing text providing that in a county that has more than one county criminal court or more than one county court at law having both criminal and civil jurisdiction, those courts may establish and maintain, on approval of the commissioners court, a court administrator system.

(b) Authorizes the judges of the district courts or the statutory county courts to by local rule designate local court divisions and the duties of the court administrator for each division, if applicable. Requires the court administrator to cooperate with regional, presiding, and local administrative judges and state agencies having duties relating to the operation of the courts to promote uniform and efficient administration of justice. Deletes existing text requiring the judges of the county criminal courts or the county courts at law having both criminal and civil jurisdiction to by rule designate the duties of the court administrator. Makes a nonsubstantive change.

(c) Provides that the court administrator is appointed by the judges of the district courts or the statutory county courts served by the court administrator. Provides that the court administrator serves at the pleasure of those judges. Deletes existing text providing that the court administrator is appointed by the judges of the county criminal courts or the county courts at law having both criminal and civil jurisdiction and serves at the pleasure of the judges.

(d) Entitles a court administrator to reasonable compensation, facilities, and equipment as determined by the judges served, with the approval of the commissioners court. Deletes existing text entitling a court administrator to reasonable compensation as set by the commissioners court.

(e) Requires the judges of the courts served by the court administrator, with the approval of the commissioners court, to appoint appropriate staff and support personnel according to the needs of the local jurisdiction.

SECTION 3. Effective date: September 1, 2015.