

BILL ANALYSIS

C.S.H.B. 4104
By: Coleman
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that greater clarity is needed regarding the establishment and operation of a court administrator system. C.S.H.B. 4104 seeks to address this issue by clarifying provisions regarding the county budget for certain court personnel.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4104 amends the Government Code to condition the appointment of a court administrator in a county with a court administrator system on money for the position of court administrator being included by the applicable county commissioners court in the county budget. The bill specifies that the salary range for the position of court administrator is set in the annual budget. The bill replaces the requirement for the judges of the courts served by the court administrator to appoint appropriate staff and support personnel with the approval of the commissioners court with a requirement that the judges appoint such staff and personnel if included in the county budget by the commissioners court. The bill replaces the requirement for the commissioners court to fund the court administrator system in a specified manner on order and directive of the judges with a requirement that the commissioners court do so if money to fund the court administrator system is included in the county budget.

C.S.H.B. 4104 amends the Local Government Code to require the commissioners court in preparing the county budget for a fiscal year to determine the number of any additional positions authorized in regard to the court administrator system to be included in the budget and the maximum compensation for those positions.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4104 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

Section 1. Subchapter D, Chapter 111, Local Government Code is amended by adding new Section 111.096 to read as follows:

Sec. 111.096. BUDGETED POSITIONS FOR JUDICIARY. Notwithstanding any other law, the commissioners court in preparing the county budget shall determine the number of positions in the budget for that year, if any, authorized under Chapter 75.401, Government Code, and the maximum compensation for those positions.

SECTION 2. Sections 75.401(a), (c), (d), (e) and (f), Government Code, are amended.

SECTION 3. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter D, Chapter 111, Local Government Code, is amended by adding Section 111.096 to read as follows:

Sec. 111.096. BUDGETED POSITIONS FOR JUDICIARY. Notwithstanding any other law, the commissioners court in preparing the county budget for a fiscal year shall determine the number of any additional positions authorized under Section 75.401, Government Code, to be included in the budget and the maximum compensation for those positions.

SECTION 2. Substantially the same as introduced version.

SECTION 3. Same as introduced version.