BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The State of Texas is currently divided by statute into nine administrative judicial regions with one regional presiding judge appointed by the governor in each region. The regional presiding judges are responsible for assisting with the administration of justice for the trial courts within their region. Their duties include, but are not limited to, temporarily assigning judges to courts as needed, appointing and overseeing the child protection and child support courts, hearing recusal motions filed in the trial courts, reviewing appeals from the denial of public information requests within the judicial branch, reviewing appeals from the Judicial Branch Certification Commission, and appointing prosecutors in a public integrity unit case following recusal of the sitting prosecutor. Over time, the workload of the regional presiding judges has increased, especially in the First and Second Administrative Judicial Regions.

In addition to workload concerns, the current boundaries of the administrative judicial regions cause several district courts to be split across two regions, causing the district judges in those counties to be required to work with two regional presiding judges depending on the county. This alignment increases complexity of the judicial administration structure.

S.B. 1893 reworks the current boundaries of the administrative judicial regions to help with these workload concerns as well as more closely align the districts to eliminate the overlap between district judges as well as appellate districts. (Original Author's / Sponsor's Statement of Intent)

S.B. 1893 amends current law relating to the administrative judicial regions in this state.

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 71, Government Code, by adding Section 71.038, as follows:

> Sec. 71.038. REGIONAL INFORMATION. Requires the Texas Judicial Council (TJC) to collect judicial statistics and other pertinent information from the presiding judges of each administrative judicial region (AJR) in this state regarding the amount and character of any business transacted by the presiding judges. Requires the presiding judges, as a duty of office, to report monthly any information required by TJC under this section.

SECTION 2. Amends Section 74.042, Government Code, effective September 1, 2017, by amending Subsections (a), (b), (c), and (d) and adding Subsections (k) and (l), as follows:

> (a) Provides that the state is divided into 11, rather than nine, AJRs.

> (b) Provides that the First AJR is composed of the counties of Collin, Dallas, Ellis, Fannin, Grayson, Kaufman, and Rockwall, rather than certain other counties.

(c) Provides that the Second AJR is composed of the counties of Angelina, Bastrop, Brazos, Burleson, Chambers, Grimes, Hardin, Jasper, Jefferson, Lee, Liberty, Madison, Montgomery, Newton, Orange, Polk, San Jacinto, Trinity, Tyler, Walker, Waller, and Washington, rather than certain other counties.

(d) Provides that the Third AJR is composed of the counties of Austin, Bell, Blanco, Bosque, Burnet, Caldwell, Colorado, Comal, Comanche, Coryell, Falls, Fayette, Gonzales, Guadalupe, Hamilton, Hays, Hill, Lampasas, Lavaca, Llano, McLennan, Milam, Navarro, Robertson, San Saba, Travis, and Williamson, rather than certain other counties.

(k) Provides that the Tenth AJR is composed of the counties of Anderson, Bowie, Camp, Cass, Cherokee, Delta, Franklin, Freestone, Gregg, Harrison, Henderson, Hopkins, Houston, Hunt, Lamar, Leon, Limestone, Marion, Morris, Nacogdoches, Panola, Rains, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, Van Zandt, and Wood.

(l) Provides that the Eleventh AJR is composed of the counties of Brazoria, Fort Bend, Galveston, Harris, Matagorda, and Wharton.

SECTION 3. Amends Section 74.254(a), Government Code, to provide that the judicial committee for additional resources is composed of the chief justice of the Texas Supreme Court and the presiding judges, rather than the nine presiding judges, of the AJRs.

SECTION 4. (a) Provides that the Tenth and Eleventh AJRs are created on September 1, 2017.

(b) Requires the governor, on September 1, 2017, with the advice and consent of the senate, to appoint judges to serve as presiding judges in the Tenth and Eleventh AJRs and any AJR in which a vacancy in office occurs because the presiding judge of an AJR is no longer qualified to serve as the presiding judge of the AJR because of the composition of the AJR on that date.

(c) Requires the county in which a presiding judge appointed under Subsection (b) resides, on September 1, 2017, to provide adequate quarters for the operation of the applicable AJR.

(d) Provides that, not later than September 1, 2017, the regional presiding judges of the First through Ninth AJRs:

(1) are required to develop and adopt by majority vote budgets for the Tenth and Eleventh AJRs that include an assessment for each county included in the area that will comprise the new AJRs; and

(2) are authorized by majority vote to transfer money, as necessary, from the existing AJRs to the Tenth and Eleventh AJRs.

(e) Provides that a judge or associate judge or coordinator assigned or appointed to a court in a county included in the First, Second, Third, Tenth, or Eleventh AJR on September 1, 2017, continues to serve in that position until removed by the regional presiding judge.

SECTION 5. Effective date, except as otherwise provided by this Act: upon passage or on the 91st day after the last day of the legislative session.