

Chapter 236

H.B. No. 431

1 AN ACT

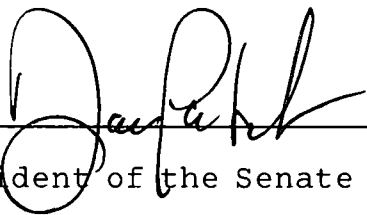
2 relating to a temporary justice of the peace.

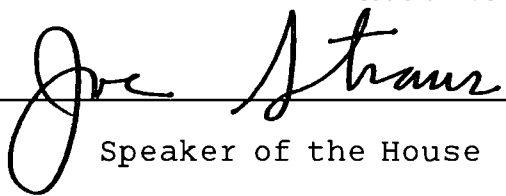
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 27.055(b), Government Code, is amended  
5 to read as follows:

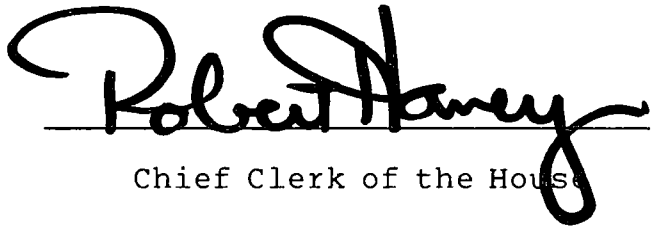
6 (b) If a justice is temporarily unable to perform official  
7 duties because of absence, recusal, illness, injury, or other  
8 disability, the county judge, on the judge's own motion or at the  
9 request of the justice of the peace, may appoint a qualified person  
10 to serve as temporary justice for the duration of the absence of the  
11 justice of the peace from the bench [~~disability~~]. The  
12 commissioners court shall compensate the temporary justice by the  
13 day, week, or month in an amount equal to the compensation of the  
14 regular justice. A temporary justice has all the rights and powers  
15 of the justice of the peace while serving in that capacity but may  
16 not make personnel decisions about, or significant changes in, the  
17 justice of the peace's office.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2017.

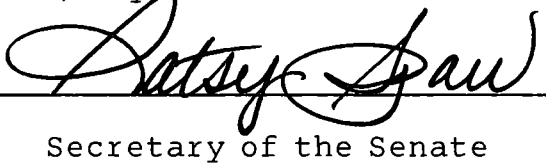
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 431 was passed by the House on May 8, 2017, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

  
\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 431 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

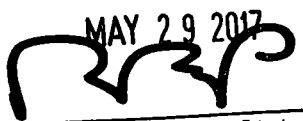
  
\_\_\_\_\_  
Secretary of the Senate

APPROVED: 5-28-2017

Date

  
\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
8:00 PM O'CLOCK

MAY 29 2017  
  
\_\_\_\_\_  
Secretary of State

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 11, 2017**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on State Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB431 by Metcalf (Relating to a temporary justice of the peace.), As Engrossed

**No fiscal implication to the State is anticipated.**

The bill would amend the Government Code to allow a county judge on the judge's motion or request of the justice of the peace to appoint a qualified person as a temporary justice of the peace for the duration of the absence.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** UP, AG, LBO, SLE, GG, BM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 22, 2017**

**TO:** Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB431** by Metcalf (Relating to a temporary justice of the peace.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would amend the Government Code to allow a county judge on the judge's motion or request of the justice of the peace to appoint a qualified person as a temporary justice of the peace for the duration of the absence.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** UP, LBO, SLE, GG, BM

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 6, 2017**

**TO:** Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB431** by Metcalf (Relating to a temporary justice of the peace.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend the Government Code to allow a county judge on the judge's motion or request of the justice of the peace to appoint a qualified person as a temporary justice of the peace for the duration of the absence.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** UP, SLE, GG, BM