

By: Landgraf

H.B. No. 3613

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of bailiffs by district courts in Ector County.

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

SECTION 1. Section 53.001, Government Code, is amended by adding Subsection (k) to read as follows:

(k) The judges of the 244th, 358th, and 446th district courts shall each appoint a bailiff.

SECTION 2. Section 53.004, Government Code, is amended by amending Subsection (a) and adding Subsection (h) to read as follows:

(a) A bailiff in the 34th or [~~70th~~] 71st[~~, or 161st~~] district court must be a resident of the county in which the bailiff serves the court and must be at least 18 years old.

(h) A bailiff in the 70th, 161st, 244th, or 358th district court must be:

(1) a resident of the county in which the bailiff serves the court;

(2) at least 18 years of age; and

(3) a citizen of the United States.

SECTION 3. Section 53.007(a), Government Code, is amended to read as follows:

(a) This section applies to:

(1) the 34th, 70th, 71st, 86th, 97th, 130th, 142nd,

161st, 238th, 244th, 318th, 341st, 355th, 358th, ~~[and]~~ 385th, and
2 446th district courts;

3 (2) the County Court of Harrison County;

4 (3) the criminal district courts of Tarrant County;

5 (4) the district courts in Taylor County;

6 (5) the courts described in Section 53.002(c), (d),
7 (e), or (f);

8 (6) the county courts at law of Taylor County;

9 (7) the district courts in Tarrant County that give
10 preference to criminal cases; and

11 (8) the 115th District Court in Upshur County.

12 SECTION 4. Section 53.0071, Government Code, is amended to
13 read as follows:

14 Sec. 53.0071. BAILIFF AS PEACE OFFICER. Unless the
15 appointing judge provides otherwise in the order of appointment, a
16 bailiff appointed under Section 53.001(b), ~~[or]~~ (g), or (k) or
17 53.002(c), (e), or (f) is a "peace officer" for purposes of Article
18 2.12, Code of Criminal Procedure.

19 SECTION 5. Section 53.008, Government Code, is amended to
20 read as follows:

21 Sec. 53.008. OATH. The bailiffs of the 34th, 70th, 86th,
22 97th, 130th, 142nd, 161st, 238th, 244th, 318th, 341st, 355th,
23 358th, ~~[and]~~ 385th, and 446th district courts, the bailiffs of the
24 courts described in Section 53.002(c), (d), (e), or (f), the
25 bailiffs and the grand jury bailiffs of the district courts in
26 Tarrant County that give preference to criminal cases, the bailiffs
27 and grand jury bailiffs of the criminal district courts in Tarrant

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1 County, the bailiffs of the district courts in Taylor County, and
2 the bailiffs of the county courts at law of Taylor County shall each
3 swear to the following oath, to be administered by the judge: "I
4 solemnly swear that I will faithfully and impartially perform all
5 duties as may be required of me by law, so help me God."

6 SECTION 6. This Act takes effect September 1, 2017.