

CHAPTER 801

S.B. No. 454

An Act relating to the participation of judges of statutory county courts in certain counties in the administration and supervision of probation offices and to the composition of the Texas Adult

Probation Commission; amending Subsection (j), Section 10, Article 42.12, Code of Criminal Procedure, 1965, as added by Chapter 372, Acts of the 68th Legislature, Regular Session, 1983, and amending Sections 2.02, 2.03, and 4.03, Article 42.121, Code of Criminal Procedure, 1965, as amended.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (j), Section 10, Article 42.12, Code of Criminal Procedure, 1965, as added by Chapter 372, Acts of the 68th Legislature, Regular Session, 1983, is amended to read as follows:

“(j) In a county with a population in excess of 1,000,000 [2,000,000] according to the most recent federal census, both the district judges trying criminal cases and the judges of statutory county courts trying criminal cases are entitled to participate in the supervision and administration of the probation office serving those courts.”

SECTION 2. Sections 2.02 and 4.03, Article 42.121, Code of Criminal Procedure, 1965, as amended, are amended to read as follows:

“Section 2.02. **MEMBERSHIP.** The commission shall consist of three judges of the district courts *and one judge of the statutory county courts trying criminal cases* of Texas and two citizens of Texas who are not employed in the criminal justice system to be appointed by the Chief Justice of the Supreme Court of Texas and three judges of the district courts *and two judges of the statutory county courts trying criminal cases* of Texas and one citizen of Texas not employed in the criminal justice system to be appointed by the presiding judge of the Texas Court of Criminal Appeals.”

“Section 4.03. **DATA FOR STATE-AID.** The [district] judge or judges *participating in the supervision and administration of a probation office* [in each judicial district] shall present data to the commission, determined by the commission, which is necessary to determine the amount of state financial aid needed for use in maintaining and improving probation services and community-based correctional programs and facilities other than jails or prisons in the *county or counties served by the office* [district].”

SECTION 3. Section 2.03, Article 42.121, Code of Criminal Procedure, 1965, as amended, is amended by adding Subsection (d) to read as follows:

“(d) *The first judges of county courts at law trying criminal cases appointed to the Board shall serve terms of two, four, and six years respectively, and until their successors are appointed. The appointing authority shall determine which members serve two, four, and six-year terms according to the method described in Subsection (b) of this section.*”

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 22, 1985, by the following vote: Yeas 28, Nays 0; passed the House on May 23, 1985, by a non-record vote.

Filed: June 15, 1985, without signature.

Effective: August 26, 1985