

CHAPTER 956

S.B. No. 5

An Act relating to the establishment and administration of probation offices in certain judicial districts; adding Subsection (o) to Section 10, Article 42.12, Code of Criminal Procedure.

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

SECTION 1. Section 10, Article 42.12, Code of Criminal Procedure, 1965, is amended by adding Subsection (o) to read as follows:

“(o) Where an even number of judges are required by Subsection (a) of this section to establish and maintain a district probation office, if the judges are unable to agree on the establishment or maintenance of the office, any of the judges may request that the presiding judge of the administrative judicial district in which the judges serve appoint a special master to aid in the administration of the office. The special master must be a district judge who is experienced in hearing criminal cases. If the judges are unable to agree on a decision required by this section, an agreement on the decision by half of the judges and the special master is sufficient to bind the judicial district. A special master appointed under this subsection is not entitled to compensation but is entitled to reimbursement from the probation office for actual and necessary expenses incurred in performing official duties as a special master.”

SECTION 2. 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 March 4, 1985, by the following vote: Yeas 29, Nays 0; passed the House on May 13, 1985, by the following vote: Yeas 138, Nays 0, one present not voting.

Filed: June 16, 1985, without signature.

Effective: Immediately