

Gavel to Gavel

A review of state legislation affecting the courts

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Selection: Newly Introduced

[Alabama HB 55](#) Provides for a \$500 limitation on contributions for candidates for election to the Alabama Supreme Court, Alabama Court of Appeals, Alabama Court of Criminal Appeals, circuit courts, or district courts per election. Provides for increasing the allowed contribution amount based on the application of the consumer price index. In House Constitution and Elections committee.

[South Carolina HB 3196](#) Requires Judicial Merit Selection Commission release list of all candidates deemed qualified to fill office/vacancy (currently, commission submits only 3 names). In House Committee on Judiciary.

[South Carolina SB 216](#) Allows Judicial Merit Selection Commission to submit up to 5 names (currently limited to 3 names) for consideration of a judicial vacancy if 2/3rds of the Commission deem it necessary to add the additional names. If fewer than 3 people seek to fill a vacancy or fewer than 3 people

are deemed qualified by the commission, commission may send fewer than 3 names for General Assembly approval. Requires commission vote in open session on names. If commission finds incumbent judge not qualified, the commission is not required to submit incumbent's name for re-election. In Senate Committee on Judiciary.

[Texas HB 391](#) Sets limits on political contributions and direct campaign expenditures by individuals, partnerships, partners, and limited liability companies for Supreme Court, Court of Criminal Appeals, Court of Appeals, and District Court races as well as others. (See SB 246) Prefiled.

[Texas SB 246](#) Sets limits on political contributions and direct campaign expenditures by individuals, partnerships, partners, and limited liability companies for Supreme Court, Court of Criminal Appeals, Court of Appeals, and District Court races as well as others. (See HB 391) Prefiled.

Selection: Floor and Committee Activity

NONE



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**Qualifications and Terms:
Newly Introduced**
NONE

**Qualification and Terms: Floor
and Committee Activity**
NONE

**Rule Making Authority: Newly
Introduced**

[Nevada SB 93](#) Excludes the officers, courts, commissions and other entities of the Judicial Department of the State or a local government from the definition of 'governmental entity' as that term is used in Nevada's Public Records Law. This change makes the Judicial Department of the State and local governments exempt from the provisions requiring inspection, reproduction, disposal and restoration of lost or destroyed public records in the possession of the courts. Specifies the manner of determining the fees to be charged by the district, justice and municipal courts for providing copies of public records. Revises the provisions that prohibit a governmental entity from requiring a person to include his full social security number, driver's license number or identification card number, financial account number or other personally identifying information on a document submitted to a governmental agency to exclude any application of the provisions to the Judicial Department of this State or of a local government of this State. Excludes the Judicial Department of the State or of a local government from the general provisions that prohibit public bodies from disclosing personal information on a website and the corresponding waiver of civil damages. In Senate Committee on Government Affairs.

[South Carolina HB 3123](#) A person must be a member of the South Carolina Bar pursuant to applicable court rules, or otherwise authorized to perform prescribed legal activities by action of the Supreme Court of South Carolina. Requires the practice of law be defined by decisions of the Supreme Court of South Carolina prior to any criminal charges being filed under this law. In House Committee on Judiciary.

**Rule Making Authority: Floor
and Committee Activity**
NONE

**Structure Changes: Newly
Introduced**

[Nevada AB 102](#) Authorizes a court to establish a program for the treatment of problem gambling. In Assembly Committee on Judiciary.

[South Carolina HB 3163](#) Requires municipal courts established by local ordinance to employ at least one full-time municipal judge and maintain normal business hours. Requires municipal judges live in the county the municipality is located in. In House Committee on Judiciary.

**Structure Changes: Floor and
Committee Activity**
NONE

Jurisdiction: Newly Introduced
[New Jersey ACR 205 \(Constitutional Amendment\)](#) Allows initiative/referendum process to reverse a decision of the New Jersey Supreme Court or to repeal a statute. In Assembly State Government Committee.

New Jersey ACR 206 (Constitutional Amendment) Provides that in the absence of a specific legislative mandate, municipalities may not be judicially compelled to provide for any particular land uses within municipal borders, including opportunities for low and moderate income housing. In Assembly Housing and Local Government Committee.

New Jersey ACR 211 (Constitutional Amendment) Prohibits the State courts from making decisions requiring that the State government spend money for the operation of any State government function. In Assembly Judiciary Committee.

South Carolina SB 200 Increases Magistrate Court's jurisdiction from \$7,500 to \$10,000. Requires mandatory mediation in all cases equal to or above \$5,000 (except landlord/tenant) under procedures established by the South Carolina Supreme Court. In Senate Committee on Judiciary.

Jurisdiction: Floor and Committee Activity

NONE

Salary and Budget: Newly Introduced

Alabama HB 46 Allows the spouse of a deceased justice or judge to retain their yearly benefit after remarriage. In House General Appropriations committee.

Florida HB 121 Requires certain persons who owe court-related fees, service charges, costs, and fines to appear before the court. Requires each circuit court to implement the Comprehensive Court enforcement Program. Requires the clerk of the court to record in

the official record a certified copy of any court order imposing additional court costs, etc. (Similar to SB 248) In House Referred to Civil Justice & Courts Policy (CCJP); Criminal & Civil Justice Policy Council; Criminal & Civil Justice Appropriations (CGHC); Full Appropriations Council on General Government & Health Care

Florida SB 248 Requires certain persons who owe court-related fees, service charges, costs, and fines to appear before the court. Requires each circuit court to implement the Comprehensive Court enforcement Program. Requires the clerk of the court to record in the official record a certified copy of any court order imposing additional court costs, etc. Prefiled.

Nevada AB 65 Authorizes a district court to charge and collect certain additional filing fees to be deposited into a special county account maintained for the benefit of the court to be used only for court staffing, capital costs, debt service, renovation, furniture, fixtures, equipment and technology. Authorizes a board of county commissioners to impose by ordinance a filing fee of not more than \$20 to be paid on the commencement of any civil action or proceeding in the district court and provides that the fee may be used only for programs for court security and must not supplant existing budgets for court security. In Assembly Committee on Judiciary.

Nevada AB 92 Permits a retired justice or judge who has not reached the maximum service time allowable under the Judicial Retirement System or the Public Employees' Retirement System and who is reemployed and commissioned as a senior justice, senior judge, senior justice of the peace or senior municipal court judge to reenroll in any

retirement plan in which he was previously enrolled, is entitled to receive a retirement allowance in addition to compensation for his service, and is entitled to receive additional service credit for actual time served. Clarifies that a member of the Judicial Retirement Plan who is receiving a pension is entitled to receive postretirement increases equal to those provided for members retired under the Public Employees' Retirement System. In Assembly Committee on Ways and Means.

Salary and Budget: Floor and Committee Activity

[New Jersey AB 2187](#) Permits municipal courts and others to place a surcharge on delinquent debts of up to 25% to pay the costs of hiring a private debt collector. (Under current law courts must pay the cost of private debt collection out of the delinquent monies collected). (See S 986) Approved by full Assembly. Amended by Senate.

Other: Newly Introduced

[Nevada AB 99](#) Defines participant in the legal process to include judges and court clerks. Creates an additional penalty for committing a crime against any person with the intent to intimidate, retaliate against, or because of the person's status as a participant in the legal process. Prohibits a person from knowingly making public certain restricted personal information of a participant in the legal process or his immediate family with the intent to threaten, intimidate or incite the commission of crimes against the participant in the legal process or his immediate family. Prohibits a person from filing, attempting to file or

conspiring to file certain false liens and encumbrances against the property of a participant in the legal process as the result of the performance of official duties by the participant in the legal process. Prohibits threats or intimidation towards a participant in the legal process. Includes within murder in the first degree the killing of a person to avoid or prevent the lawful execution of the official duties of a participant in the legal process. Authorizes judges to obtain a fictitious address and to use that fictitious address for certain public purposes, such as running for office, registering to vote and obtaining a driver's license. In Assembly Committee on Judiciary.

[South Carolina HB 3183](#) Permits publication of public and legal notices required by law on the internet. Requires clerks of court to maintain site and set fees on consultation with the director of the Division of Court Administration. In House Committee on Judiciary.

[Wyoming HB 30](#) Requires all government entities, including courts, use the same fiscal year. Prefiled.

Other: Floor and Committee Activity

[Michigan SB 505 \(2008\)](#) Amends the handgun licensure act to exclude a State court judge or retired judge who was licensed under the Act from provisions prohibiting an individual who is licensed to carry a concealed pistol, or who is exempt from licensure, from carrying a concealed pistol on certain premises. Approved by full House and Senate. To Governor for signature.