

BILL SUMMARY
2nd Session of the 60th Legislature

Bill No.:	HB4226
Version:	INT
Request Number:	14392
Author:	Rep. Kannady
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Research Analysis

HB 4226 modifies the procedure for requesting the disqualification of a judge. Any party in a case may request the judge in camera to disqualify himself or herself. If the request is denied, the requesting party may file a written motion within 10 days of the in camera denial. The judge is to rule upon the motion within 15 days of filing. No disqualification motion is to be filed less than 10 days prior to trial. The denial of a motion to disqualify is reviewable by the chief judge of the county upon the filing of an application for rehearing within 5 days from the adverse ruling. Rehearing on the motion must be ruled upon within 30 days of the filing for application. If there is an adverse ruling on rehearing, application can be made to the proper tribunal for mandamus requiring the judge to disqualify.

Prepared By: Brad Wolgamott

Fiscal Analysis

This measure modifies procedures related to the disqualification of judges. In its current form, HB4226 is not anticipated to have a material impact on state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.