

SB 781 -- JUDGE DISQUALIFICATION

SPONSOR: Caskey (Byrd)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Judiciary by a vote of 16 to 0.

This bill requires a circuit judge to hold a nonadversarial hearing to determine whether sufficient proof has been offered to justify the issuance of an order granting witness immunity. The bill removes language which disqualifies the judge from hearing any further criminal trial or ancillary proceeding pertaining to the matter.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that the bill will help alleviate problems in counties with only one or two judges, who are often required to recuse themselves from additional hearings.

Testifying for the bill was Senator Caskey.

OPPOSERS: There was no opposition voiced to the committee.

Amy Woods, Legislative Analyst