

1 AN ACT

2 relating to the operation and administration of and practice and  
3 procedure related to proceedings in the judicial branch of state  
4 government.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 ARTICLE 1. DISTRICT COURTS

7 SECTION 1.01. (a) Effective January 1, 2022, Section  
8 24.129(b), Government Code, is amended to read as follows:

9 (b) The 27th, 146th, 169th, 264th, ~~and~~ 426th, and 478th  
10 judicial districts have concurrent jurisdiction in Bell County.

11 (b) Effective January 1, 2022, Subchapter C, Chapter 24,  
12 Government Code, is amended by adding Section 24.60022 to read as  
13 follows:

14 Sec. 24.60022. 478TH JUDICIAL DISTRICT (BELL COUNTY). (a)  
15 The 478th Judicial District is composed of Bell County.

16 (b) The terms of the 478th District Court begin on the first  
17 Mondays in January, April, July, and October.

18 (c) Section 24.129, relating to the 27th District Court,  
19 contains provisions applicable to both that court and the 478th  
20 District Court.

21 (c) The 478th Judicial District is created on January 1,  
22 2022.

23 SECTION 1.02. (a) Subchapter C, Chapter 24, Government  
24 Code, is amended by adding Section 24.60027 to read as follows:

1 Sec. 24.60027. 482ND JUDICIAL DISTRICT (HARRIS COUNTY).

2 The 482nd Judicial District is composed of Harris County.

3 (b) The 482nd Judicial District is created on the effective  
4 date of this Act.

5 SECTION 1.03. (a) Effective January 1, 2022, Subchapter C,  
6 Chapter 24, Government Code, is amended by adding Section 24.60030  
7 to read as follows:

8 Sec. 24.60030. 485TH JUDICIAL DISTRICT (TARRANT COUNTY).

9 (a) The 485th Judicial District is composed of Tarrant County.

10 (b) The 485th District Court shall give preference to  
11 criminal matters.

12 (b) The 485th Judicial District is created on January 1,  
13 2022.

14 SECTION 1.04. (a) Effective October 1, 2022, Subchapter C,  
15 Chapter 24, Government Code, is amended by adding Section 24.60025  
16 to read as follows:

17 Sec. 24.60025. 480TH JUDICIAL DISTRICT (WILLIAMSON  
18 COUNTY). The 480th Judicial District is composed of Williamson  
19 County.

20 (b) The 480th Judicial District is created on October 1,  
21 2022.

22 SECTION 1.05. (a) Effective January 1, 2022, Subchapter C,  
23 Chapter 24, Government Code, is amended by adding Section 24.60026  
24 to read as follows:

25 Sec. 24.60026. 481ST JUDICIAL DISTRICT (DENTON COUNTY).  
26 The 481st Judicial District is composed of Denton County.

27 (b) The 481st Judicial District is created on January 1,

1 2022.

2 SECTION 1.06. (a) Effective September 1, 2022, Subchapter  
3 C, Chapter 24, Government Code, is amended by adding Section  
4 24.60028 to read as follows:

5 Sec. 24.60028. 483RD JUDICIAL DISTRICT (HAYS COUNTY). The  
6 483rd Judicial District is composed of Hays County.

7 (b) The 483rd Judicial District is created on September 1,  
8 2022.

9 SECTION 1.07. (a) Subchapter C, Chapter 24, Government  
10 Code, is amended by adding Section 24.60029 to read as follows:

11 Sec. 24.60029. 484TH JUDICIAL DISTRICT (CAMERON COUNTY).  
12 (a) The 484th Judicial District is composed of Cameron County.

13 (b) The 484th District Court shall give preference to  
14 juvenile matters under Title 3, Family Code.

15 (b) The 484th Judicial District is created on the effective  
16 date of this Act.

17 SECTION 1.08. (a) Effective October 1, 2022, Section  
18 24.120(b), Government Code, is amended to read as follows:

19 (b) The 19th, 54th, 74th, 170th, ~~and~~ 414th, and 474th  
20 district courts have concurrent jurisdiction in McLennan County.

21 (b) Effective October 1, 2022, Subchapter C, Chapter 24,  
22 Government Code, is amended by adding Section 24.60097 to read as  
23 follows:

24 Sec. 24.60097. 474TH JUDICIAL DISTRICT (MCLENNAN COUNTY).  
25 The 474th Judicial District is composed of McLennan County.

26 (c) The 474th Judicial District is created on October 1,  
27 2022.

1 SECTION 1.09. (a) Effective January 1, 2023, Subchapter C,  
2 Chapter 24, Government Code, is amended by adding Section 24.60098  
3 to read as follows:

4 Sec. 24.60098. 475TH JUDICIAL DISTRICT (SMITH COUNTY). The  
5 475th Judicial District is composed of Smith County.

6 (b) The 475th Judicial District is created January 1, 2023.

7 SECTION 1.10. (a) Effective September 1, 2022, Subchapter  
8 C, Chapter 24, Government Code, is amended by adding Section  
9 24.60099 to read as follows:

10 Sec. 24.60099. 476TH JUDICIAL DISTRICT (HIDALGO COUNTY).  
11 The 476th Judicial District is composed of Hidalgo County.

12 (b) The 476th Judicial District is created on September 1,  
13 2022.

14 ARTICLE 2. STATUTORY COUNTY COURTS AND CONSTITUTIONAL COUNTY  
15 COURTS

16 SECTION 2.01. Section 25.00211(a), Government Code, is  
17 amended to read as follows:

18 (a) Beginning on the first day of the state fiscal year, the  
19 state shall annually compensate each county that collects the  
20 additional fees under Section 51.704 in an amount equal to 60  
21 percent of the annual base salary the state pays to a district judge  
22 as set by the General Appropriations Act in accordance with Section  
23 659.012(a) [~~\$40,000~~] for each statutory probate court judge in the  
24 county.

25 SECTION 2.02. Section 25.0172(p), Government Code, is  
26 amended to read as follows:

27 (p) The county clerk shall keep a separate docket for each

1 county court at law. The county clerk shall appoint a deputy clerk  
2 for each county court at law. [~~An appointment of a deputy clerk of  
3 County Court at Law No. 2 or 3 takes effect when it is confirmed in  
4 writing by the judge of the court to which the deputy clerk is  
5 assigned and the deputy clerk serves at the pleasure of the judge of  
6 the court to which he is assigned.~~] A deputy clerk must take the  
7 constitutional oath of office and may be required to furnish bond in  
8 an amount, conditioned and payable, as required by the county  
9 clerk. A deputy clerk must attend all sessions of the court to  
10 which the deputy clerk [~~he~~] is assigned. A deputy clerk acts in the  
11 name of the county clerk and may perform any official act or service  
12 required of the county clerk and shall perform any other service  
13 required by the judge of a county court at law. The deputy clerks  
14 may act for one another in performing services for the county courts  
15 at law, but a deputy is not entitled to receive additional  
16 compensation for acting for another deputy. If a vacancy occurs,  
17 the county clerk shall immediately appoint another deputy clerk as  
18 provided by this subsection. [~~A deputy clerk of a county court at  
19 law is entitled to the same amount of compensation as received by  
20 the deputy clerks of the other county courts at law in Bexar County.  
21 The commissioners court shall pay the salary of a deputy clerk in  
22 equal monthly installments from county funds.~~]

23 SECTION 2.03. Section [25.0173\(g\)](#), Government Code, is  
24 amended to read as follows:

25 (g) The county clerk shall appoint a deputy clerk for each  
26 statutory probate court. [~~An appointment takes effect when it is  
27 confirmed in writing by the judge of the court to which the deputy~~

1 ~~clerk is assigned.]~~ A deputy clerk serves at the pleasure of the  
2 judge of the court to which the deputy clerk is assigned. A deputy  
3 clerk must take the constitutional oath of office, and the county  
4 clerk may require the deputy clerk to furnish a bond in an amount,  
5 conditioned and payable, as required by law. A deputy clerk acts in  
6 the name of the county clerk and may perform any official act or  
7 service required of the county clerk and shall perform any other  
8 service required by the judge of a statutory probate court. A  
9 deputy clerk must attend all sessions of the court to which the  
10 deputy clerk [he] is assigned. [~~A deputy clerk is entitled to~~  
11 ~~receive an annual salary set by the judge in an amount that does not~~  
12 ~~exceed the amount paid the deputies of the county courts at law of~~  
13 ~~Bexar County. The salary shall be paid in equal monthly~~  
14 ~~installments as provided by law for the payment of salaries of~~  
15 ~~deputy clerks.]~~

16 SECTION 2.04. (a) Effective January 1, 2022, Sections  
17 [25.0631](#)(b) and (c), Government Code, are amended to read as  
18 follows:

19 (b) Denton County has the following statutory probate  
20 courts:

21 (1) [one statutory probate court, the] Probate Court  
22 of Denton County; and

23 (2) Probate Court Number 2 of Denton County.

24 (c) The statutory county courts of Denton County sit in the  
25 county seat or at another location in the county as assigned by the  
26 local administrative statutory county court judge. The statutory  
27 probate courts [~~court~~] of Denton County sit [~~sits~~] in the county

1 seat and may conduct docket matters at other locations in the county  
2 as the statutory probate court judges consider [~~judge considers~~]  
3 necessary for the protection of wards or mental health respondents  
4 or as otherwise provided by law.

5 (b) Section 25.0632(i), Government Code, is amended to read  
6 as follows:

7 (i) A judge of a statutory probate court is subject to  
8 assignment as provided by Section 25.0022. On request by the judge  
9 of a Denton County statutory county court, a judge of a statutory  
10 probate court may be assigned by the regional presiding judge to the  
11 requesting judge's court pursuant to Chapter 74. A statutory  
12 probate court judge assigned to a statutory county court by the  
13 regional presiding judge may hear any matter pending in the  
14 requesting judge's court.

15 (c) Section 25.0633(e), Government Code, is amended to read  
16 as follows:

17 (e) The County Court at Law No. 2 of Denton County has  
18 jurisdiction:

19 (1) over all civil causes and proceedings, original  
20 and appellate, prescribed by law for county courts; and

21 (2) regardless of the amount in controversy sought,  
22 over:

23 (A) eminent domain cases as provided by Section  
24 21.001, Property Code, for statutory county courts; and

25 (B) direct and inverse condemnation cases.

26 (d) The Probate Court Number 2 of Denton County is created  
27 on January 1, 2022.

1 SECTION 2.05. (a) Effective October 1, 2022, Subchapter C,  
2 Chapter 25, Government Code, is amended by adding Sections 25.1331  
3 and 25.1332 to read as follows:

4 Sec. 25.1331. KENDALL COUNTY. Kendall County has one  
5 statutory county court, the County Court at Law of Kendall County.

6 Sec. 25.1332. KENDALL COUNTY COURT AT LAW PROVISIONS. (a)  
7 In addition to the jurisdiction provided by Section 25.0003 and  
8 other law, a county court at law in Kendall County has:

9 (1) concurrent jurisdiction with the district court in  
10 state jail, third degree, and second degree felony cases on  
11 assignment from a district judge presiding in Kendall County and  
12 acceptance of the assignment by the judge of the county court at law  
13 to:

14 (A) conduct arraignments;

15 (B) conduct pretrial hearings;

16 (C) accept guilty pleas and conduct sentencing;

17 (D) conduct jury trials and nonjury trials;

18 (E) conduct probation revocation hearings;

19 (F) conduct post-trial proceedings; and

20 (G) conduct family law cases and proceedings; and

21 (2) jurisdiction in:

22 (A) Class A and Class B misdemeanor cases;

23 (B) probate proceedings;

24 (C) disputes ancillary to probate, eminent  
25 domain, condemnation, or landlord and tenant matters relating to  
26 the adjudication and determination of land titles and trusts,  
27 whether testamentary, inter vivos, constructive, resulting, or any



1 other class or type of trust, regardless of the amount in  
2 controversy or the remedy sought;

3 (D) eminent domain; and

4 (E) appeals from the justice and municipal  
5 courts.

6 (b) A judge of a county court at law shall be paid a total  
7 annual salary set by the commissioners court in an amount that is  
8 not less than \$1,000 less than the annual salary received by a  
9 district judge with equivalent years of service as a judge, as  
10 provided under Section 25.0005, to be paid out of the county  
11 treasury by the commissioners court.

12 (c) The district clerk serves as clerk of a county court at  
13 law in matters of concurrent jurisdiction with the district court,  
14 and the county clerk serves as clerk of a county court at law in all  
15 other matters. Each clerk shall establish a separate docket for a  
16 county court at law.

17 (d) The official court reporter of a county court at law is  
18 entitled to receive the same compensation and to be paid in the same  
19 manner as the court reporters of the district court in Kendall  
20 County.

21 (b) The County Court at Law of Kendall County is created on  
22 October 1, 2022.

23 SECTION 2.06. (a) Section 25.1571, Government Code, is  
24 amended to read as follows:

25 Sec. 25.1571. MCLENNAN COUNTY. McLennan County has the  
26 following statutory county courts:

27 (1) County Court at Law of McLennan County; ~~and~~

1 (2) County Court at Law No. 2 of McLennan County; and

2 (3) County Court at Law No. 3 of McLennan County.

3 (b) Section 25.1572, Government Code, is amended by  
4 amending Subsections (a), (d), and (i) and adding Subsections (b),  
5 (c), and (e) to read as follows:

6 (a) In addition to the jurisdiction provided by Section  
7 25.0003 and other law and except as limited by Subsection (b), a  
8 county court at law in McLennan County has jurisdiction in third  
9 degree felony cases and jurisdiction to conduct arraignments,  
10 conduct pretrial hearings, accept guilty pleas, and conduct  
11 probation revocation hearings in felony cases.

12 (b) On request of a district judge presiding in McLennan  
13 County, the regional presiding judge may assign a judge of a county  
14 court at law in McLennan County to the requesting judge's court  
15 under Chapter 74. A county court at law judge assigned to a  
16 district court may hear any matter pending in the requesting  
17 judge's court.

18 (c) A county court at law does not have jurisdiction in:

19 (1) suits on behalf of the state to recover penalties  
20 or escheated property;

21 (2) misdemeanors involving official misconduct; or

22 (3) contested elections.

23 (d) A judge of a county court at law shall be paid an annual  
24 base salary set by the commissioners court in an amount not less  
25 than \$1,000 less than the annual base salary the state pays to a  
26 district judge as set by the General Appropriations Act in  
27 accordance with Section 659.012 with equivalent years of service as

1 the judge [of not more than \$20,000]. A county court at law judge's  
2 and a district judge's annual base salaries do not include  
3 contributions and supplements paid by the county [Each judge  
4 receives the same amount as salary. The salary shall be paid out of  
5 the county treasury by the commissioners court].

6 (e) The district clerk serves as clerk of a county court at  
7 law in matters of concurrent jurisdiction with the district court.  
8 The county clerk serves as the clerk of a county court at law in all  
9 other matters. Each clerk shall establish a separate docket for a  
10 county court at law.

11 (i) The official court reporter of a county court at law is  
12 entitled to receive a salary set by the judge of a county court at  
13 law with the approval of the commissioners court [the same  
14 compensation and to be paid in the same manner as the court  
15 reporters of the district courts in McLennan County].

16 (c) The County Court at Law No. 3 of McLennan County is  
17 created on the effective date of this Act.

18 SECTION 2.07. (a) Section 25.1721, Government Code, is  
19 amended to read as follows:

20 Sec. 25.1721. MONTGOMERY COUNTY. Montgomery County has the  
21 following statutory county courts:

- 22 (1) County Court at Law No. 1 of Montgomery County;  
23 (2) County Court at Law No. 2 of Montgomery County;  
24 (3) County Court at Law No. 3 of Montgomery County;  
25 (4) County Court at Law No. 4 of Montgomery County;  
26 [~~and~~]  
27 (5) County Court at Law No. 5 of Montgomery County;

1 and

2 (6) County Court at Law No. 6 of Montgomery County.

3 (b) The County Court at Law No. 6 of Montgomery County is  
4 created on the effective date of this Act.

5 SECTION 2.08. Sections 25.1972(a) and (b), Government Code,  
6 are amended to read as follows:

7 (a) In addition to the jurisdiction provided by Section  
8 25.0003 and other law, and except as limited by Subsection (b), a  
9 county court at law in Reeves County has:

10 (1) concurrent jurisdiction with the district court:

11 (A) in disputes ancillary to probate, eminent  
12 domain, condemnation, or landlord and tenant matters relating to  
13 the adjudication and determination of land titles and trusts,  
14 whether testamentary, inter vivos, constructive, resulting, or any  
15 other class or type of trust, regardless of the amount in  
16 controversy or the remedy sought;

17 (B) over civil forfeitures, including surety  
18 bond forfeitures without minimum or maximum limitation as to the  
19 amount in controversy or remedy sought;

20 (C) in all actions by or against a personal  
21 representative, in all actions involving an inter vivos trust, in  
22 all actions involving a charitable trust, and in all actions  
23 involving a testamentary trust, whether the matter is appertaining  
24 to or incident to an estate;

25 (D) in proceedings under Title 3, Family Code;

26 and

27 (E) in family law cases and proceedings ~~any~~

1 ~~proceeding involving an order relating to a child in the possession~~  
2 ~~or custody of the Department of Family and Protective Services or~~  
3 ~~for whom the court has appointed a temporary or permanent managing~~  
4 ~~conservator];~~

5 (2) jurisdiction in mental health matters, original or  
6 appellate, provided by law for constitutional county courts,  
7 statutory county courts, or district courts with mental health  
8 jurisdiction, including proceedings under:

9 (A) Chapter 462, Health and Safety Code; and

10 (B) Subtitles C and D, Title 7, Health and Safety  
11 Code;

12 (3) jurisdiction over the collection and management of  
13 estates of minors, persons with a mental illness or intellectual  
14 disability, and deceased persons; and

15 (4) jurisdiction in all cases assigned, transferred,  
16 or heard under Sections 74.054, 74.059, and 74.094.

17 (b) A county court at law does not have jurisdiction of:

18 (1) felony cases, except as otherwise provided by law;

19 (2) misdemeanors involving official misconduct unless  
20 assigned under Sections 74.054 and 74.059; or

21 (3) contested elections[~~, or~~

22 [~~(4) except as provided by Subsections (a)(1)(D) and~~  
23 ~~(E), family law cases].~~

24 SECTION 2.09. (a) Effective January 1, 2023, Section  
25 25.2071(a), Government Code, is amended to read as follows:

26 (a) San Patricio County has the following [~~one~~] statutory  
27 county courts:

1           (1) [court,] the County Court at Law of San Patricio  
2 County; and

3           (2) the County Court at Law No. 2 of San Patricio  
4 County.

5           (b) Effective January 1, 2023, Section 25.2072, Government  
6 Code, is amended by amending Subsections (a), (d), and (m) and  
7 adding Subsections (g-1) and (g-2) to read as follows:

8           (a) In addition to the jurisdiction provided by Section  
9 25.0003 and other law, a county court at law in San Patricio County  
10 has concurrent jurisdiction with the district court except that a  
11 county court at law does not have jurisdiction of:

12                 (1) felony criminal matters; and

13                 (2) civil cases in which the matter in controversy  
14 exceeds the maximum amount provided by Section 25.0003 [in matters  
15 involving the juvenile and child welfare law of this state].

16           (d) ~~[The judge of a county court at law shall be paid an~~  
17 ~~annual salary in an amount of not less than \$43,000.]~~ The judge of a  
18 county court at law is entitled to receive travel and necessary  
19 office expenses, including administrative and clerical assistance.

20           (g-1) The county clerk serves as clerk of a county court at  
21 law except in family law cases. In family law cases, including  
22 juvenile and child welfare cases, the district clerk serves as  
23 clerk of a county court at law. The district clerk shall establish  
24 a separate family law docket for each county court at law.

25           (g-2) The commissioners court shall provide the deputy  
26 clerks, bailiffs, and other personnel necessary to operate the  
27 county courts at law.

1 (m) The judge of the county court and the judges [~~judge~~] of  
2 the [~~a~~] county courts [~~court~~] at law may agree on a plan governing  
3 the filing, numbering, and docketing of cases within the concurrent  
4 jurisdiction of their courts and the assignment of those cases for  
5 trial. The plan may provide for the centralized institution and  
6 filing of all such cases with one court, clerk, or coordinator  
7 designated by the plan and for the systemized assignment of those  
8 cases to the courts participating in the plan, and the provisions of  
9 the plan for the centralized filing and assignment of cases shall  
10 control notwithstanding any other provisions of this section. If  
11 the judges of the county court and the county courts [~~court~~] at law  
12 are unable to agree on a filing, docketing, and assignment of cases  
13 plan, a board of judges composed of the district judges and the  
14 county court at law judges for San Patricio County [~~the presiding~~  
15 ~~judge of the 36th Judicial District~~] shall design a plan for the  
16 [~~both~~] courts.

17 (c) The County Court at Law No. 2 of San Patricio County is  
18 created January 1, 2023.

19 SECTION 2.10. Effective January 1, 2023, Section  
20 [25.2223](#)(1), Government Code, is amended to read as follows:

21 (1) The County Criminal Court No. 5 of Tarrant County and  
22 the County Criminal Court No. 6 of Tarrant County shall give  
23 preference to cases brought under Title 5, Penal Code, involving  
24 family violence as defined by Section [71.004](#), Family Code, and  
25 cases brought under Sections [25.07](#), [25.072](#), and [42.072](#), Penal Code.

26 SECTION 2.11. (a) Effective October 1, 2022, Section  
27 [25.2481](#), Government Code, is amended to read as follows:

1           Sec. 25.2481. WILLIAMSON COUNTY. Williamson County has the  
2 following statutory county courts:

3           (1) County Court at Law No. 1 of Williamson County;

4           (2) County Court at Law No. 2 of Williamson County;

5           (3) County Court at Law No. 3 of Williamson County;

6 ~~and~~

7           (4) County Court at Law No. 4 of Williamson County;

8 and

9           (5) County Court at Law No. 5 of Williamson County.

10          (b) The County Court at Law No. 5 of Williamson County is  
11 created on October 1, 2022.

12          SECTION 2.12. (a) Sections 26.006(a) and (b), Government  
13 Code, are amended to read as follows:

14          (a) A county judge is entitled to an annual salary  
15 supplement from the state in an amount equal to 18 percent of the  
16 state base salary paid to a district judge as set by the General  
17 Appropriations Act in accordance with Section 659.012(a) if at  
18 least 18 ~~[40]~~ percent of the:

19                 (1) functions that the judge performs are judicial  
20 functions; or

21                 (2) total hours that the judge works are in the  
22 performance of judicial functions.

23          (b) To receive a supplement under Subsection (a), a county  
24 judge must file with the comptroller's judiciary section an  
25 affidavit stating that at least 18 ~~[40]~~ percent of the:

26                 (1) functions that the judge performs are judicial  
27 functions; or



1           (2) total hours that the judge works are in the  
2 performance of judicial functions.

3           (b) The changes in law made by this section take effect on  
4 the effective date of this Act and apply only to a salary payment  
5 for a pay period beginning on or after that date. A salary payment  
6 for a pay period beginning before the effective date of this Act is  
7 governed by the law in effect on the date the pay period began, and  
8 that law is continued in effect for that purpose.

9           ARTICLE 3. JUSTICE AND MUNICIPAL COURTS

10           SECTION 3.01. Article 4.14(g), Code of Criminal Procedure,  
11 is amended to read as follows:

12           (g) A municipality may enter into an agreement with a  
13 contiguous municipality or a municipality with boundaries that are  
14 within one-half mile of the municipality seeking to enter into the  
15 agreement to establish concurrent jurisdiction of the municipal  
16 courts in the municipalities and provide original jurisdiction to a  
17 municipal court in which a case is brought as if the municipal court  
18 were located in the municipality in which the case arose, for:

19           (1) all cases in which either municipality has  
20 jurisdiction under Subsection (a) or (b); and

21           (2) cases that arise under Section 821.022, Health and  
22 Safety Code.

23           SECTION 3.02. Subchapter B, Chapter 45, Code of Criminal  
24 Procedure, is amended by adding Article 45.0241 to read as follows:

25           Art. 45.0241. ACCEPTANCE OF DEFENDANT'S PLEA. A justice or  
26 judge may not accept a plea of guilty or plea of nolo contendere  
27 from a defendant in open court unless it appears to the justice or

1 judge that the defendant is mentally competent and the plea is free  
2 and voluntary.

3 SECTION 3.03. Article 103.003, Code of Criminal Procedure,  
4 is amended by adding Subsection (a-1) to read as follows:

5 (a-1) The clerk of a municipal court may collect money  
6 payable to the municipal court under this title.

7 SECTION 3.04. Article 103.0081, Code of Criminal Procedure,  
8 is amended to read as follows:

9 Art. 103.0081. UNCOLLECTIBLE FINES AND FEES. (a) Any  
10 officer authorized by this chapter to collect a fine, fee, or item  
11 of cost may request the trial court in which a criminal action or  
12 proceeding was held to make a finding that a fine, fee, or item of  
13 cost imposed in the action or proceeding is uncollectible if the  
14 officer believes:

15 (1) the defendant is deceased;

16 (2) the defendant is serving a sentence for  
17 imprisonment for life or life without parole; or

18 (3) the fine, fee, or item of cost has been unpaid for  
19 at least 15 years.

20 (b) On a finding by a court that any condition described by  
21 Subsections (a)(1)-(3) is true, the court may order the officer to  
22 designate the fine, fee, or item of cost as uncollectible in the fee  
23 record. The officer shall attach a copy of the court's order to the  
24 fee record.

25 SECTION 3.05. Section 29.003(i), Government Code, is  
26 amended to read as follows:

27 (i) A municipality may enter into an agreement with a

1 contiguous municipality or a municipality with boundaries that are  
2 within one-half mile of the municipality seeking to enter into the  
3 agreement to establish concurrent jurisdiction of the municipal  
4 courts in the municipalities and provide original jurisdiction to a  
5 municipal court in which a case is brought as if the municipal court  
6 were located in the municipality in which the case arose, for:

7 (1) all cases in which either municipality has  
8 jurisdiction under Subsection (a) or (b); and

9 (2) cases that arise under Section 821.022, Health and  
10 Safety Code, or Section 65.003(a), Family Code.

11 SECTION 3.06. Section 292.001(d), Local Government Code, is  
12 amended to read as follows:

13 (d) A justice of the peace court may not be housed or  
14 conducted in a building located outside the court's precinct except  
15 as provided by Section 27.051(f) or 27.0515, Government Code, or  
16 unless the justice of the peace court is situated in the county  
17 courthouse in a county with a population of at least 305,000  
18 ~~[275,000]~~ persons and the county seat of which is located in the  
19 Llano Estacado region of this state ~~[but no more than 285,000~~  
20 ~~persons]~~.

21 ARTICLE 4. JUVENILE JUSTICE AND FAMILY COURTS

22 SECTION 4.01. Subchapter H, Chapter 6, Family Code, is  
23 amended by adding Section 6.712 to read as follows:

24 Sec. 6.712. DATE OF MARRIAGE REQUIREMENT IN FINAL DECREE.

25 (a) In a suit for dissolution of a marriage in which the court  
26 grants a divorce, the court shall state the date of the marriage in  
27 the decree of divorce.

1        (b) This section does not apply to a suit for dissolution of  
2 a marriage described by Section 2.401(a)(2).

3        SECTION 4.02. Section 51.02, Family Code, is amended by  
4 adding Subdivision (3-a) to read as follows:

5            (3-a) "Dual status child" means a child who has been  
6 referred to the juvenile justice system and is:

7                    (A) in the temporary or permanent managing  
8 conservatorship of the Department of Family and Protective  
9 Services;

10                   (B) the subject of a case for which family-based  
11 safety services have been offered or provided by the department;

12                   (C) an alleged victim of abuse or neglect in an  
13 open child protective investigation; or

14                   (D) a victim in a case in which, after an  
15 investigation, the department concluded there was reason to believe  
16 the child was abused or neglected.

17        SECTION 4.03. Section 51.04(h), Family Code, is amended to  
18 read as follows:

19            (h) A judge exercising jurisdiction over a child in a suit  
20 instituted under Subtitle E, Title 5, may refer any aspect of a suit  
21 involving a dual status [~~the~~] child that is instituted under this  
22 title to the appropriate associate judge appointed under Subchapter  
23 C, Chapter 201, serving in the county and exercising jurisdiction  
24 over the child under Subtitle E, Title 5, if the associate judge  
25 consents to the referral. The scope of an associate judge's  
26 authority over a suit referred under this subsection is subject to  
27 any limitations placed by the court judge in the order of referral.

1 SECTION 4.04. Section 51.0414(a), Family Code, is amended  
2 to read as follows:

3 (a) The juvenile court may transfer a dual status child's  
4 case, including transcripts of records and documents for the case,  
5 to a district or statutory county court located in another county  
6 that is exercising jurisdiction over the child in a suit instituted  
7 under Subtitle E, Title 5. A case may only be transferred under this  
8 section with the consent of the judge of the court to which the case  
9 is being transferred.

10 SECTION 4.05. Sections 107.004(d) and (e), Family Code, are  
11 amended to read as follows:

12 (d) Except as provided by Subsection (e), an attorney ad  
13 litem appointed for a child in a proceeding under Chapter 262, ~~[or]~~  
14 263, or 264 shall:

15 (1) meet before each court hearing with:

16 (A) the child, if the child is at least four years  
17 of age; or

18 (B) the individual with whom the child ordinarily  
19 resides, including the child's parent, conservator, guardian,  
20 caretaker, or custodian, if the child is younger than four years of  
21 age; and

22 (2) report to the court whether ~~[if the child or~~  
23 ~~individual is not present at the court hearing, file a written~~  
24 ~~statement with the court indicating that]~~ the attorney ad litem:

25 (A) complied with Subdivision (1); or

26 (B) requests that the court find good cause for  
27 noncompliance because compliance was not feasible or in the best

1 interest of the child under Subsection (e).

2 (e) An attorney ad litem appointed for a child in a  
3 proceeding under Chapter 262, [~~or~~] 263, or 264 is not required to  
4 comply with Subsection (d) before a hearing if the court finds at  
5 that hearing that the attorney ad litem has shown good cause why the  
6 attorney ad litem's compliance with that subsection is not feasible  
7 or in the best interest of the child. Additionally, a court may, on  
8 a showing of good cause, authorize an attorney ad litem to comply  
9 with Subsection (d) by conferring with the child or other  
10 individual, as appropriate, by telephone or video conference.

11 SECTION 4.06. The change in law made by Section 6.712,  
12 Family Code, as added by this article, applies only to a suit for  
13 dissolution of a marriage filed on or after the effective date of  
14 this Act. A suit for dissolution of a marriage filed before the  
15 effective date of this Act is governed by the law in effect on the  
16 date the suit was filed, and the former law is continued in effect  
17 for that purpose.

18 ARTICLE 5. MAGISTRATES AND MAGISTRATE COURTS

19 SECTION 5.01. Article 4.01, Code of Criminal Procedure, is  
20 amended to read as follows:

21 Art. 4.01. WHAT COURTS HAVE CRIMINAL JURISDICTION. The  
22 following courts have jurisdiction in criminal actions:

- 23 1. The Court of Criminal Appeals;
- 24 2. Courts of appeals;
- 25 3. The district courts;
- 26 4. The criminal district courts;
- 27 5. The magistrates appointed by the judges of the

1 district courts of Bexar County, Dallas County, Tarrant County, or  
2 Travis County that give preference to criminal cases and the  
3 magistrates appointed by the judges of the criminal district courts  
4 of Dallas County or Tarrant County;

5           6. The county courts;

6           7. All county courts at law with criminal  
7 jurisdiction;

8           8. County criminal courts;

9           9. Justice courts;

10          10. Municipal courts;

11          11. The magistrates appointed by the judges of the  
12 district courts of Lubbock County; ~~and~~

13          12. The magistrates appointed by the El Paso Council  
14 of Judges;

15          13. The magistrates appointed by the Collin County  
16 Commissioners Court;

17          14. The magistrates appointed by the Brazoria County  
18 Commissioners Court or the local administrative judge for Brazoria  
19 County; and

20          15. The magistrates appointed by the judges of the  
21 district courts of Tom Green County.

22           SECTION 5.02. Section 54.1502, Government Code, is amended  
23 to read as follows:

24           Sec. 54.1502. JURISDICTION. A magistrate has concurrent  
25 criminal jurisdiction with:

26           (1) the judges of the justice of the peace courts of  
27 Burnet County; and

1           (2) a municipal court in Burnet County, if approved by  
2 a memorandum of understanding between the municipality and Burnet  
3 County.

4           SECTION 5.03. Chapter 54, Government Code, is amended by  
5 adding Subchapter PP to read as follows:

6           SUBCHAPTER PP. BRAZORIA COUNTY CRIMINAL LAW MAGISTRATE COURT

7           Sec. 54.2501. CREATION. The Brazoria County Criminal Law  
8 Magistrate Court is a court with the jurisdiction provided by this  
9 subchapter.

10          Sec. 54.2502. APPOINTMENT. (a) On recommendation from the  
11 local administrative judge, the commissioners court of Brazoria  
12 County may appoint one or more full- or part-time judges to preside  
13 over the criminal law magistrate court for the term determined by  
14 the commissioners court. The local administrative judge shall  
15 appoint one or more full- or part-time judges to preside over the  
16 criminal law magistrate court if the commissioners court is  
17 prohibited by law from appointing a judge.

18          (b) To be eligible for appointment as a judge of the  
19 criminal law magistrate court, a person must meet all the  
20 requirements and qualifications to serve as a district court judge.

21          (c) A judge of the criminal law magistrate court is entitled  
22 to the salary set by the commissioners court. The salary may not be  
23 less than the annual base salary paid to a district judge under  
24 Chapter 659.

25          (d) A judge appointed under this section serves at the  
26 pleasure of the commissioners court or the local administrative  
27 judge, as applicable.



1       Sec. 54.2503. JURISDICTION. (a) Except as provided by this  
2 subsection, the criminal law magistrate court has the criminal  
3 jurisdiction provided by the constitution and laws of this state  
4 for county courts at law. The criminal law magistrate court does  
5 not have jurisdiction to:

6           (1) hear a trial of a misdemeanor offense, other than a  
7 Class C misdemeanor, on the merits if a jury trial is demanded; or

8           (2) hear a trial of a misdemeanor, other than a Class C  
9 misdemeanor, on the merits if a defendant pleads not guilty.

10       (b) The criminal law magistrate court has the jurisdiction  
11 provided by the constitution and laws of this state for  
12 magistrates. A judge of the criminal law magistrate court is a  
13 magistrate as that term is defined by Article 2.09, Code of Criminal  
14 Procedure.

15       (c) Except as provided by this subsection, the criminal law  
16 magistrate court has the criminal jurisdiction provided by the  
17 constitution and laws of this state for a district court. The  
18 criminal law magistrate court does not have jurisdiction to:

19           (1) hear a trial of a felony offense on the merits if a  
20 jury trial is demanded;

21           (2) hear a trial of a felony offense on the merits if a  
22 defendant pleads not guilty;

23           (3) sentence in a felony case unless the judge in whose  
24 court the case is pending assigned the case to the criminal law  
25 magistrate court for a guilty plea and sentence; or

26           (4) hear any part of a capital murder case after  
27 indictment.

1       (d) A criminal law magistrate court may not issue writs of  
2 habeas corpus in felony cases but may hear and grant relief on a  
3 writ of habeas corpus issued by a district court and assigned by the  
4 district court to the criminal law magistrate court.

5       (e) A felony or misdemeanor indictment or information may  
6 not be filed in or transferred to the criminal law magistrate court.

7       (f) A judge of the criminal law magistrate court shall  
8 exercise jurisdiction granted by this subchapter over felony and  
9 misdemeanor indictments and informations only as judge presiding  
10 for the court in which the indictment or information is pending and  
11 under the limitations set out in the assignment order by the  
12 assigning court or as provided by local administrative rules.

13       (g) The criminal law magistrate court has concurrent  
14 criminal jurisdiction with the justice courts located in Brazoria  
15 County.

16       Sec. 54.2504. POWERS AND DUTIES. (a) The criminal law  
17 magistrate court or a judge of the criminal law magistrate court may  
18 issue writs of injunction and all other writs necessary for the  
19 enforcement of the jurisdiction of the court and may issue  
20 misdemeanor writs of habeas corpus in cases in which the offense  
21 charged is within the jurisdiction of the court or of any other  
22 court of inferior jurisdiction in the county. The court and the  
23 judge may punish for contempt as provided by law for district  
24 courts. A judge of the criminal law magistrate court has all other  
25 powers, duties, immunities, and privileges provided by law for:

26           (1) justices of the peace when acting in a Class C  
27 misdemeanor case;

1           (2) county court at law judges when acting in a Class A  
2 or Class B misdemeanor case; and

3           (3) district court judges when acting in a felony  
4 case.

5           (b) A judge of the criminal law magistrate court may hold an  
6 indigency hearing and a capias pro fine hearing. When acting as the  
7 judge who issued the capias pro fine, a judge of the criminal law  
8 magistrate court may make all findings of fact and conclusions of  
9 law required of the judge who issued the capias pro fine. In  
10 conducting a hearing under this subsection, the judge of the  
11 criminal law magistrate court is empowered to make all findings of  
12 fact and conclusions of law and to issue all orders necessary to  
13 properly dispose of the capias pro fine or indigency hearing in  
14 accordance with the provisions of the Code of Criminal Procedure  
15 applicable to a misdemeanor or felony case of the same type and  
16 level.

17           (c) A judge of the magistrate court may accept a plea of  
18 guilty or nolo contendere from a defendant charged with a  
19 misdemeanor or felony offense.

20           Sec. 54.2505. TRANSFER AND ASSIGNMENT OF CASES. (a) Except  
21 as provided by Subsection (b) or local administrative rules, the  
22 local administrative judge or a judge of the criminal law  
23 magistrate court may transfer between courts a case that is pending  
24 in the court of any magistrate in the criminal law magistrate  
25 court's jurisdiction if the case is:

26           (1) an unindicted felony case;

27           (2) a Class A or Class B misdemeanor case if an

1 information has not been filed; or

2 (3) a Class C misdemeanor case.

3 (b) A case may not be transferred from or to the magistrate  
4 docket of a district court judge, county court at law judge, or  
5 justice of the peace without the consent of the judge of the court  
6 to which it is transferred.

7 (c) Except as provided by Subsection (d) or local  
8 administrative rules, the local administrative judge may assign a  
9 judge of the criminal law magistrate court to act as presiding judge  
10 in a case that is pending in the court of any magistrate in the  
11 criminal law magistrate court's jurisdiction if the case is:

12 (1) an unindicted felony case;

13 (2) a Class A or Class B misdemeanor case if an  
14 information has not been filed; or

15 (3) a Class C misdemeanor case.

16 (d) A case may not be assigned to a district court judge,  
17 county court at law judge, or justice of the peace without the  
18 assigned judge's consent.

19 (e) This section applies only to the district courts, county  
20 courts at law, and justice courts in the county.

21 Sec. 54.2506. PROCEEDING THAT MAY BE REFERRED. A district  
22 judge, county court at law judge, or justice of the peace may refer  
23 to a judge of the criminal law magistrate court any criminal case or  
24 matter relating to a criminal case for any proceeding other than  
25 presiding over a criminal trial on the merits, whether or not the  
26 trial is before a jury.

27 Sec. 54.2507. OATH OF OFFICE. A judge of the criminal law

1 magistrate court must take the constitutional oath of office  
2 prescribed for appointed officers.

3 Sec. 54.2508. JUDICIAL IMMUNITY. A judge of the criminal  
4 law magistrate court has the same judicial immunity as a district  
5 judge.

6 Sec. 54.2509. CLERK. The clerk of a district court or  
7 county court at law that refers a proceeding to a magistrate under  
8 this subchapter shall perform the statutory duties necessary for  
9 the magistrate to perform the duties authorized by this subchapter.

10 Sec. 54.2510. SHERIFF. The county sheriff, either in  
11 person or by deputy, shall attend the criminal law magistrate court  
12 as required by the judge of that court.

13 Sec. 54.2511. WITNESSES. (a) A witness who is sworn and who  
14 appears before a magistrate is subject to the penalties for perjury  
15 and aggravated perjury provided by law.

16 (b) A referring court may fine or imprison a witness or  
17 other court participant for failure to appear after being summoned,  
18 refusal to answer questions, or other acts of direct contempt  
19 before a magistrate.

20 SECTION 5.04. Chapter 54, Government Code, is amended by  
21 adding Subchapter QQ to read as follows:

22 SUBCHAPTER QQ. CRIMINAL LAW MAGISTRATES IN TOM GREEN COUNTY

23 Sec. 54.2601. APPOINTMENT. (a) The judges of the district  
24 courts of Tom Green County, with the consent and approval of the  
25 commissioners court of Tom Green County, shall jointly appoint the  
26 number of magistrates set by the commissioners court to perform the  
27 duties authorized by this subchapter.

1       (b) Each magistrate's appointment must be made with the  
2 approval of at least two-thirds of all the judges described in  
3 Subsection (a).

4       (c) If the number of magistrates is less than the number of  
5 district judges, each magistrate shall serve equally in the courts  
6 of those judges.

7       Sec. 54.2602. QUALIFICATIONS. To be eligible for  
8 appointment as a magistrate, a person must:

9           (1) be a resident of this state; and

10          (2) have been licensed to practice law in this state  
11 for at least four years.

12       Sec. 54.2603. COMPENSATION. (a) A full-time magistrate is  
13 entitled to the salary determined by the commissioners court of Tom  
14 Green County. The salary may not be less than an amount equal to the  
15 salary, supplements, and allowances paid to a justice of the peace  
16 of Tom Green County as set by the annual budget of Tom Green County.

17       (b) A magistrate's salary is paid from the county fund  
18 available for payment of officers' salaries.

19       (c) The salary of a part-time magistrate is equal to the  
20 per-hour salary of a full-time magistrate. The per-hour salary is  
21 determined by dividing the annual salary by a 2,080 work-hour year.  
22 The judges of the courts trying criminal cases in Tom Green County  
23 shall approve the number of hours for which a part-time magistrate  
24 is to be paid.

25       Sec. 54.2604. JUDICIAL IMMUNITY. A magistrate has the same  
26 judicial immunity as a district judge.

27       Sec. 54.2605. TERMINATION OF SERVICES. (a) A magistrate

1 who serves a single court serves at the will of the judge.

2 (b) The services of a magistrate who serves more than one  
3 court may be terminated by a majority vote of all the judges whom  
4 the magistrate serves.

5 Sec. 54.2606. PROCEEDING THAT MAY BE REFERRED. (a) A judge  
6 may refer to a magistrate any criminal case or matter relating to a  
7 criminal case for proceedings involving:

8 (1) a negotiated plea of guilty or no contest and  
9 sentencing before the court;

10 (2) a bond forfeiture, remittitur, and related  
11 proceedings;

12 (3) a pretrial motion;

13 (4) a writ of habeas corpus;

14 (5) an examining trial;

15 (6) an occupational driver's license;

16 (7) a petition for an order of expunction under  
17 Chapter 55, Code of Criminal Procedure;

18 (8) an asset forfeiture hearing as provided by Chapter  
19 59, Code of Criminal Procedure;

20 (9) a petition for an order of nondisclosure of  
21 criminal history record information or an order of nondisclosure of  
22 criminal history record information that does not require a  
23 petition provided by Subchapter E-1, Chapter 411;

24 (10) a motion to modify or revoke community  
25 supervision or to proceed with an adjudication of guilty;

26 (11) setting conditions, modifying, revoking, and  
27 surrendering of bonds, including surety bonds;

1           (12) specialty court proceedings;  
2           (13) a waiver of extradition; and  
3           (14) any other matter the judge considers necessary  
4 and proper.

5           (b) A judge may refer to a magistrate a civil case arising  
6 out of Chapter 59, Code of Criminal Procedure, for any purpose  
7 authorized by that chapter, including issuing orders, accepting  
8 agreed judgments, enforcing judgments, and presiding over a case on  
9 the merits if a party has not requested a jury trial.

10           (c) A magistrate may accept a plea of guilty from a  
11 defendant charged with misdemeanor, felony, or both misdemeanor and  
12 felony offenses.

13           (d) A magistrate may select a jury. A magistrate may not  
14 preside over a criminal trial on the merits, whether or not the  
15 trial is before a jury.

16           (e) A magistrate may not hear a jury trial on the merits of a  
17 bond forfeiture.

18           (f) A judge of a designated juvenile court may refer to a  
19 magistrate any proceeding over which a juvenile court has exclusive  
20 original jurisdiction under Title 3, Family Code, including any  
21 matter ancillary to the proceeding.

22           Sec. 54.2607. ORDER OF REFERRAL. (a) To refer one or more  
23 cases to a magistrate, a judge must issue an order of referral  
24 specifying the magistrate's duties.

25           (b) An order of referral may:

26                   (1) limit the powers of the magistrate and direct the  
27 magistrate to report only on specific issues, perform particular



1 acts, or only receive and report on evidence;

2 (2) set the time and place for the hearing;

3 (3) prescribe a closing date for the hearing;

4 (4) provide a date for filing the magistrate's  
5 findings;

6 (5) designate proceedings for more than one case over  
7 which the magistrate shall preside;

8 (6) direct the magistrate to call the court's docket;

9 and

10 (7) provide the general powers and limitations of  
11 authority of the magistrate applicable to any case referred.

12 Sec. 54.2608. POWERS. (a) Except as limited by an order of  
13 referral, a magistrate to whom a case is referred may:

14 (1) conduct hearings;

15 (2) hear evidence;

16 (3) compel production of relevant evidence;

17 (4) rule on admissibility of evidence;

18 (5) issue summons for the appearance of witnesses;

19 (6) examine witnesses;

20 (7) swear witnesses for hearings;

21 (8) make findings of fact on evidence;

22 (9) formulate conclusions of law;

23 (10) rule on a pretrial motion;

24 (11) recommend the rulings, orders, or judgment to be  
25 made in a case;

26 (12) regulate proceedings in a hearing;

27 (13) accept a plea of guilty from a defendant charged

1 with misdemeanor, felony, or both misdemeanor and felony offenses;

2 (14) select a jury;

3 (15) accept a negotiated plea on probation revocation;

4 (16) conduct a contested probation revocation  
5 hearing;

6 (17) sign a dismissal in a misdemeanor case;

7 (18) in any case referred under Section 54.656(a)(1),  
8 accept a negotiated plea of guilty or no contest and:

9 (A) enter a finding of guilty and impose or  
10 suspend the sentence; or

11 (B) defer adjudication of guilty; and

12 (19) perform any act and take any measure necessary  
13 and proper for the efficient performance of the duties required by  
14 the order of referral.

15 (b) A magistrate may sign a motion to dismiss submitted by  
16 an attorney representing the state on cases referred to the  
17 magistrate, or on dockets called by the magistrate, and may  
18 consider adjudicated cases at sentencing under Section 12.45, Penal  
19 Code.

20 (c) A magistrate has all the powers of a magistrate under  
21 the laws of this state and may administer an oath for any purpose.

22 Sec. 54.2609. COURT REPORTER. At the request of a party in  
23 a felony case, the court shall provide a court reporter to record  
24 the proceedings before the magistrate.

25 Sec. 54.2610. WITNESS. (a) A witness who appears before a  
26 magistrate and is sworn is subject to the penalties for perjury  
27 provided by law.

1        (b) A referring court may issue attachment against and may  
2 fine or imprison a witness whose failure to appear after being  
3 summoned or whose refusal to answer questions has been certified to  
4 the court.

5        Sec. 54.2611. PAPERS TRANSMITTED TO JUDGE. At the  
6 conclusion of the proceedings, a magistrate shall transmit to the  
7 referring court any papers relating to the case, including the  
8 magistrate's findings, conclusions, orders, recommendations, or  
9 other action taken.

10       Sec. 54.2612. JUDICIAL ACTION. (a) A referring court may  
11 modify, correct, reject, reverse, or recommit for further  
12 information any action taken by the magistrate.

13       (b) If the court does not modify, correct, reject, reverse,  
14 or recommit an action of the magistrate, the action becomes the  
15 decree of the court.

16       (c) At the conclusion of each term during which the services  
17 of a magistrate are used, the referring court shall enter a decree  
18 on the minutes adopting the actions of the magistrate of which the  
19 court approves.

20       Sec. 54.2613. MAGISTRATE. (a) If a magistrate appointed  
21 under this subchapter is absent or unable to serve, the judge  
22 referring the case may appoint another magistrate to serve for the  
23 absent magistrate.

24       (b) A magistrate serving for another magistrate under this  
25 section has the powers and shall perform the duties of the  
26 magistrate for whom the magistrate is serving.

27       Sec. 54.2614. CLERK. The clerk of a district court that

1 refers a proceeding to a magistrate under this subchapter shall  
2 perform the statutory duties necessary for the magistrate to  
3 perform the duties authorized by this subchapter.

4 SECTION 5.05. Section 54.653(b), Government Code, is  
5 repealed.

6 ARTICLE 6. ELECTRONIC FILING SYSTEM

7 SECTION 6.01. Section 72.031(a), Government Code, is  
8 amended by adding Subdivision (5) to read as follows:

9 (5) "State court document database" means a database  
10 accessible by the public and established or authorized by the  
11 supreme court for storing documents filed with a court in this  
12 state.

13 SECTION 6.02. Section 72.031(b), Government Code, is  
14 amended to read as follows:

15 (b) The office as authorized by supreme court rule or order  
16 may:

17 (1) implement an electronic filing system for use in  
18 the courts of this state;

19 (2) allow public access to view information or  
20 documents in the state court document database; and

21 (3) charge a reasonable fee for additional optional  
22 features in the state court document database.

23 ARTICLE 7. TRANSFER OF CASES

24 SECTION 7.01. Section 155.207, Family Code, is amended to  
25 read as follows:

26 Sec. 155.207. TRANSFER OF COURT FILES. (a) Not later than  
27 the 10th working day after the date an order of transfer is signed,

1 the clerk of the court transferring a proceeding shall send, using  
2 the electronic filing system established under Section 72.031,  
3 Government Code, to the proper court in the county to which transfer  
4 is being made:

5 (1) a transfer certificate and index of transferred  
6 documents [~~the pleadings in the pending proceeding and any other~~  
7 ~~document specifically requested by a party~~];

8 [~~certified copies of all entries in the minutes,~~

9 [~~3~~] a [~~certified~~] copy of each final order;

10 (3) [~~and~~

11 [~~4~~] a [~~certified~~] copy of the order of transfer  
12 signed by the transferring court;

13 (4) a copy of the original papers filed in the  
14 transferring court;

15 (5) a copy of the transfer certificate and index of  
16 transferred documents from each previous transfer; and

17 (6) a bill of any costs that have accrued in the  
18 transferring court.

19 (a-1) The clerk of the transferring court shall use the  
20 standardized transfer certificate and index of transferred  
21 documents form created by the Office of Court Administration of the  
22 Texas Judicial System under Section 72.037, Government Code, when  
23 transferring a proceeding under this section.

24 (b) The clerk of the transferring court shall keep a copy of  
25 [~~the~~] transferred pleadings [~~and other requested documents. If the~~  
26 ~~transferring court retains jurisdiction of another child who was~~  
27 ~~the subject of the suit, the clerk shall send a copy of the~~

1 ~~pleadings and other requested documents to the court to which the~~  
2 ~~transfer is made and shall keep the original pleadings and other~~  
3 ~~requested documents].~~

4 (c) The ~~[On receipt of the pleadings, documents, and orders~~  
5 ~~from the transferring court, the]~~ clerk of the transferee court  
6 shall:

7 (1) accept documents transferred under Subsection  
8 (a);

9 (2) docket the suit; and

10 (3) [shall] notify, using the electronic filing system  
11 established under Section 72.031, Government Code ~~[the judge of the~~  
12 ~~transferee court]~~, all parties, the clerk of the transferring  
13 court, and, if appropriate, the transferring court's local registry  
14 that the suit has been docketed.

15 (c-1) The clerk of the transferee court shall physically or  
16 electronically mark or stamp the transfer certificate and index of  
17 transferred documents to evidence the date and time of acceptance  
18 under Subsection (c), but may not physically or electronically mark  
19 or stamp any other document transferred under Subsection (a).

20 (d) The clerk of the transferring court shall send a  
21 certified copy of the order directing payments to the transferee  
22 court:

23 (1) [r] to any party ~~[or employer]~~ affected by the  
24 ~~[that]~~ order, and, if appropriate, to the local registry of the  
25 transferee court using the electronic filing system established  
26 under Section 72.031, Government Code; and

27 (2) to an employer affected by the order

1 electronically or by first class mail.

2 (e) The clerks of both the transferee and transferring  
3 courts may each produce under Chapter 51, Government Code,  
4 certified or uncertified copies of documents filed in a case  
5 transferred under this section, but shall also include a copy of the  
6 transfer certificate and index of transferred documents with each  
7 document produced.

8 (f) Sections 80.001 and 80.002, Government Code, do not  
9 apply to the transfer of documents under this section.

10 SECTION 7.02. Section 51.3071, Government Code, is amended  
11 to read as follows:

12 Sec. 51.3071. TRANSFER OF CASES. (a) If a case is  
13 transferred from a district court to a county court, the clerk of  
14 the district court shall ~~may~~ send to the county clerk using the  
15 electronic filing system established under Section 72.031 ~~[in~~  
16 ~~electronic or paper form]~~:

17 (1) a transfer certificate and index of transferred  
18 documents ~~[certified transcript of the proceedings held in the~~  
19 ~~district court]~~;

20 (2) a copy of the original papers filed in the  
21 transferring ~~[district]~~ court; ~~and]~~

22 (3) a copy of the order of transfer signed by the  
23 transferring court;

24 (4) a copy of each final order;

25 (5) a copy of the transfer certificate and index of  
26 transferred documents from each previous transfer; and

27 (6) a bill of any ~~[the]~~ costs that have accrued in the

1 transferring [~~district~~] court.

2 (b) The clerk of the transferring court shall use the  
3 standardized transfer certificate and index of transferred  
4 documents form created by the Office of Court Administration of the  
5 Texas Judicial System under Section 72.037 when transferring a case  
6 under this section.

7 (c) The clerk of the transferee court shall accept documents  
8 transferred under Subsection (a) and docket the case.

9 (d) The clerk of the transferee court shall physically or  
10 electronically mark or stamp the transfer certificate and index of  
11 transferred documents to evidence the date and time of acceptance  
12 under Subsection (c), but may not physically or electronically mark  
13 or stamp any other document transferred under Subsection (a).

14 (e) Sections 80.001 and 80.002 do not apply to the transfer  
15 of documents under this section.

16 SECTION 7.03. Section 51.403, Government Code, is amended  
17 to read as follows:

18 Sec. 51.403. TRANSFER OF CASES. (a) If a case is  
19 transferred from a county court to a district court, the clerk of  
20 the county court shall send to the district clerk using the  
21 electronic filing system established under Section 72.031 [~~in~~  
22 ~~electronic or paper form~~]:

23 (1) a transfer certificate and index of transferred  
24 documents [~~certified transcript of the proceedings held in the~~  
25 ~~county court~~];

26 (2) a copy of the original papers filed in the  
27 transferring [~~county~~] court; [~~and~~]



1           (3) a copy of the order of transfer signed by the  
2 transferring court;

3           (4) a copy of each final order;

4           (5) a copy of the transfer certificate and index of  
5 transferred documents from each previous transfer; and

6           (6) a bill of any [the] costs that have accrued in the  
7 transferring [county] court.

8           (a-1) The clerk of the transferring court shall use the  
9 standardized transfer certificate and index of transferred  
10 documents form created by the Office of Court Administration of the  
11 Texas Judicial System under Section 72.037 when transferring a case  
12 under this section.

13           (a-2) The clerk of the transferee court shall accept  
14 documents transferred under Subsection (a) and docket the case.

15           (a-3) The clerk of the transferee court shall physically or  
16 electronically mark or stamp the transfer certificate and index of  
17 transferred documents to evidence the date and time of acceptance  
18 under Subsection (a-2), but may not physically or electronically  
19 mark or stamp any other document transferred under Subsection (a).

20           (b) If civil or criminal jurisdiction of a county court is  
21 transferred to a district court, the clerk of the county court shall  
22 send using the electronic filing system established under Section  
23 72.031 a certified copy of the judgments rendered in the county  
24 court that remain unsatisfied[~~, in electronic or paper form,~~] to  
25 the district clerks of the appropriate counties.

26           (c) Sections 80.001 and 80.002 do not apply to the transfer  
27 of documents under this section.

1 SECTION 7.04. Subchapter C, Chapter 72, Government Code, is  
2 amended by adding Section 72.037 to read as follows:

3 Sec. 72.037. TRANSFER CERTIFICATE AND INDEX OF TRANSFERRED  
4 DOCUMENTS FORM. (a) The office shall develop and make available a  
5 standardized transfer certificate and an index of transferred  
6 documents form to be used for the transfer of cases and proceedings  
7 under Section 155.207, Family Code, and Sections 51.3071 and 51.403  
8 of this code.

9 (b) In developing a form under this section, the office  
10 shall consult with representatives of county and district clerks.

11 SECTION 7.05. As soon as practicable after the effective  
12 date of this Act, the Office of Court Administration of the Texas  
13 Judicial System shall adopt rules and develop and make available  
14 all forms and materials required by Section 72.037, Government  
15 Code, as added by this Act.

16 ARTICLE 8. HABEAS CORPUS

17 SECTION 8.01. Section 3(b), Article 11.07, Code of Criminal  
18 Procedure, is amended to read as follows:

19 (b) An application for writ of habeas corpus filed after  
20 final conviction in a felony case, other than a case in which the  
21 death penalty is imposed, must be filed with the clerk of the court  
22 in which the conviction being challenged was obtained, and the  
23 clerk shall assign the application to that court. When the  
24 application is received by that court, a writ of habeas corpus,  
25 returnable to the Court of Criminal Appeals, shall issue by  
26 operation of law. The clerk of that court shall make appropriate  
27 notation thereof, assign to the case a file number (ancillary to

1 that of the conviction being challenged), and forward a copy of the  
2 application by certified mail, return receipt requested, by secure  
3 electronic mail, or by personal service to the attorney  
4 representing the state in that court, who shall answer the  
5 application not later than the 30th [~~15th~~] day after the date the  
6 copy of the application is received. Matters alleged in the  
7 application not admitted by the state are deemed denied.

8 SECTION 8.02. Section 5(a), Article 11.072, Code of  
9 Criminal Procedure, is amended to read as follows:

10 (a) Immediately on filing an application, the applicant  
11 shall serve a copy of the application on the attorney representing  
12 the state[~~r~~] by:

13 (1) [~~either~~] certified mail, return receipt  
14 requested;

15 (2) [~~r~~] personal service;

16 (3) electronic service through the electronic filing  
17 manager authorized by Rule 21, Texas Rules of Civil Procedure; or

18 (4) a secure electronic transmission to the attorney's  
19 e-mail address filed with the electronic filing system as required  
20 under Section 80.003, Government Code.

21 SECTION 8.03. Section 3(b), Article 11.07, Code of Criminal  
22 Procedure, as amended by this Act, applies only to an application  
23 for a writ of habeas corpus filed on or after the effective date of  
24 this Act. An application filed before the effective date of this  
25 Act is governed by the law in effect on the date the application was  
26 filed, and the former law is continued in effect for that purpose.

27 SECTION 8.04. Section 5(a), Article 11.072, Code of

1 Criminal Procedure, as amended by this Act, applies only to an  
2 application for a writ of habeas corpus filed on or after the  
3 effective date of this Act. An application filed before the  
4 effective date of this Act is governed by the law in effect when the  
5 application was filed, and the former law is continued in effect for  
6 that purpose.

7 ARTICLE 9. PUBLICATION OF CITATION FOR RECEIVERSHIP

8 SECTION 9.01. Section 64.101(c), Civil Practice and  
9 Remedies Code, is amended to read as follows:

10 (c) Except as provided by Section 17.032, the [The] citation  
11 shall be published on the public information Internet website  
12 maintained as required by Section 72.034, Government Code, as added  
13 by Chapter 606 (S.B. 891), Acts of the 86th Legislature, Regular  
14 Session, 2019, and in a newspaper of general circulation:

15 (1) once in the county in which the missing person  
16 resides; and

17 (2) once in each county in which property of the  
18 missing person's estate is located.

19 SECTION 9.02. Section 51.103(b), Estates Code, is amended  
20 to read as follows:

21 (b) Proof of service consists of:

22 (1) if the service is made by a sheriff or constable,  
23 the return of service;

24 (2) if the service is made by a private person, the  
25 person's affidavit;

26 (3) if the service is made by mail:

27 (A) the certificate of the county clerk making

1 the service, or the affidavit of the personal representative or  
2 other person making the service, stating that the citation or  
3 notice was mailed and the date of the mailing; and

4 (B) the return receipt attached to the  
5 certificate or affidavit, as applicable, if the mailing was by  
6 registered or certified mail and a receipt has been returned; and

7 (4) if the service is made by publication:

8 (A) a statement [~~an affidavit~~]:

9 (i) made by the Office of Court  
10 Administration of the Texas Judicial System or an employee of the  
11 office;

12 (ii) that contains or to which is attached a  
13 copy of the published citation or notice; and

14 (iii) that states the date of publication  
15 on the public information Internet website maintained as required  
16 by Section [72.034](#), Government Code, as added by Chapter 606 (S.B.  
17 891), Acts of the 86th Legislature, Regular Session, 2019; and

18 (B) an affidavit:

19 (i) made by the publisher of the newspaper  
20 in which the citation or notice was published or an employee of the  
21 publisher;

22 (ii) that contains or to which is attached a  
23 copy of the published citation or notice; and

24 (iii) that states the date of publication  
25 printed on the newspaper in which the citation or notice was  
26 published.

27 SECTION 9.03. Section [1051.153](#)(b), Estates Code, is amended

1 to read as follows:

2 (b) Proof of service consists of:

3 (1) if the service is made by a sheriff or constable,  
4 the return of service;

5 (2) if the service is made by a private person, the  
6 person's affidavit;

7 (3) if the service is made by mail:

8 (A) the certificate of the county clerk making  
9 the service, or the affidavit of the guardian or other person making  
10 the service that states that the citation or notice was mailed and  
11 the date of the mailing; and

12 (B) the return receipt attached to the  
13 certificate, if the mailing was by registered or certified mail and  
14 a receipt has been returned; and

15 (4) if the service is made by publication:

16 (A) a statement [~~an affidavit~~] that:

17 (i) is made by the Office of Court  
18 Administration of the Texas Judicial System or an employee of the  
19 office;

20 (ii) contains or to which is attached a copy  
21 of the published citation or notice; and

22 (iii) states the date of publication on the  
23 public information Internet website maintained as required by  
24 Section 72.034, Government Code, as added by Chapter 606 (S.B.  
25 891), Acts of the 86th Legislature, Regular Session, 2019; and

26 (B) an affidavit that:

27 (i) is made by the publisher of the

1 newspaper in which the citation or notice was published or an  
2 employee of the publisher;

3 (ii) contains or to which is attached a copy  
4 of the published citation or notice; and

5 (iii) states the date of publication  
6 printed on the newspaper in which the citation or notice was  
7 published.

8 ARTICLE 10. EVIDENCE

9 SECTION 10.01. Section 2, Article 38.01, Code of Criminal  
10 Procedure, is amended by adding Subdivision (4-a) to read as  
11 follows:

12 (4-a) "Forensic examination or test not subject to  
13 accreditation" means an examination or test described by Article  
14 38.35(a)(4)(A), (B), (C), or (D) that is exempt from accreditation.

15 SECTION 10.02. Article 38.01, Code of Criminal Procedure,  
16 is amended by adding Section 3-b to read as follows:

17 Sec. 3-b. CODE OF PROFESSIONAL RESPONSIBILITY. (a) The  
18 commission shall adopt a code of professional responsibility to  
19 regulate the conduct of persons, laboratories, facilities, and  
20 other entities regulated under this article.

21 (b) The commission shall publish the code of professional  
22 responsibility adopted under Subsection (a).

23 (c) The commission shall adopt rules establishing sanctions  
24 for code violations.

25 (d) The commission shall update the code of professional  
26 responsibility as necessary to reflect changes in science,  
27 technology, or other factors affecting the persons, laboratories,

1 facilities, and other entities regulated under this article.

2 SECTION 10.03. Sections 4(a), (a-1), (b-1), and (c),  
3 Article 38.01, Code of Criminal Procedure, are amended to read as  
4 follows:

5 (a) The commission shall:

6 (1) develop and implement a reporting system through  
7 which a crime laboratory may report professional negligence or  
8 professional misconduct;

9 (2) require a crime laboratory that conducts forensic  
10 analyses to report professional negligence or professional  
11 misconduct to the commission; and

12 (3) investigate, in a timely manner, any allegation of  
13 professional negligence or professional misconduct that would  
14 substantially affect the integrity of:

15 (A) the results of a forensic analysis conducted  
16 by a crime laboratory;

17 (B) an examination or test that is conducted by a  
18 crime laboratory and that is a forensic examination or test not  
19 subject to accreditation; or

20 (C) testimony related to an analysis,  
21 examination, or test described by Paragraph (A) or (B).

22 (a-1) The commission may initiate [~~for educational~~  
23 ~~purposes~~] an investigation of a forensic analysis or a forensic  
24 examination or test not subject to accreditation, without receiving  
25 a complaint[~~7~~] submitted through the reporting system implemented  
26 under Subsection (a)(1), [~~that contains an allegation of~~  
27 ~~professional negligence or professional misconduct involving the~~



1 ~~forensic analysis conducted~~] if the commission determines by a  
2 majority vote of a quorum of the members of the commission that an  
3 investigation of the [~~forensic~~] analysis, examination, or test  
4 would advance the integrity and reliability of forensic science in  
5 this state.

6 (b-1) If the commission conducts an investigation under  
7 Subsection (a)(3) of a crime laboratory that is not accredited  
8 under this article or the investigation involves a forensic  
9 examination or test not subject to accreditation [~~is conducted~~  
10 ~~pursuant to an allegation involving a forensic method or~~  
11 ~~methodology that is not an accredited field of forensic science~~],  
12 the investigation may include the preparation of a written report  
13 that contains:

14 (1) observations of the commission regarding the  
15 integrity and reliability of the applicable [~~forensic~~] analysis,  
16 examination, or test conducted;

17 (2) best practices identified by the commission during  
18 the course of the investigation; or

19 (3) other recommendations that are relevant, as  
20 determined by the commission.

21 (c) The commission by contract may delegate the duties  
22 described by Subsections (a)(1) and (3) and Sections 4-d(b)(1),  
23 (b-1), and (d) to any person the commission determines to be  
24 qualified to assume those duties.

25 SECTION 10.04. Section 4-a(c), Article 38.01, Code of  
26 Criminal Procedure, is amended to read as follows:

27 (c) The commission by rule may establish voluntary

1 licensing programs for forensic examinations or tests [~~disciplines~~  
2 ~~that are~~] not subject to accreditation [~~under this article~~].

3 SECTION 10.05. Section 4-d(b-1), Article 38.01, Code of  
4 Criminal Procedure, is amended to read as follows:

5 (b-1) As part of the accreditation process established and  
6 implemented under Subsection (b), the commission may:

7 (1) establish minimum standards that relate to the  
8 timely production of a forensic analysis to the agency requesting  
9 the analysis and that are consistent with this article and  
10 applicable laws;

11 (2) validate or approve specific forensic methods or  
12 methodologies; and

13 (3) establish procedures, policies, standards, and  
14 practices to improve the quality of forensic analyses conducted in  
15 this state.

16 SECTION 10.06. Article 38.01, Code of Criminal Procedure,  
17 is amended by adding Section 14 to read as follows:

18 Sec. 14. FUNDING FOR TRAINING AND EDUCATION. The  
19 commission may use appropriated funds for the training and  
20 education of forensic analysts.

21 SECTION 10.07. Section 2254.002(2), Government Code, is  
22 amended to read as follows:

23 (2) "Professional services" means services:

24 (A) within the scope of the practice, as defined  
25 by state law, of:

26 (i) accounting;

27 (ii) architecture;

- 1 (iii) landscape architecture;
- 2 (iv) land surveying;
- 3 (v) medicine;
- 4 (vi) optometry;
- 5 (vii) professional engineering;
- 6 (viii) real estate appraising; ~~[or]~~
- 7 (ix) professional nursing; or
- 8 (x) forensic science;

9 (B) provided in connection with the professional  
10 employment or practice of a person who is licensed or registered as:

- 11 (i) a certified public accountant;
- 12 (ii) an architect;
- 13 (iii) a landscape architect;
- 14 (iv) a land surveyor;
- 15 (v) a physician, including a surgeon;
- 16 (vi) an optometrist;
- 17 (vii) a professional engineer;
- 18 (viii) a state certified or state licensed  
19 real estate appraiser; ~~[or]~~
- 20 (ix) a registered nurse; or
- 21 (x) a forensic analyst or forensic science  
22 expert; or

23 (C) provided by a person lawfully engaged in  
24 interior design, regardless of whether the person is registered as  
25 an interior designer under Chapter 1053, Occupations Code.

26 ARTICLE 11. JURY SERVICE

27 SECTION 11.01. Sections 61.003(a) and (c), Government Code,

1 are amended to read as follows:

2 (a) Each person who reports for jury service shall be  
3 personally provided a form letter that when signed by the person  
4 directs the county treasurer to donate all, or a specific amount  
5 designated by the person, of the person's daily reimbursement under  
6 this chapter to:

7 (1) the compensation to victims of crime fund  
8 established under Subchapter J, Chapter 56B, Code of Criminal  
9 Procedure;

10 (2) the child welfare, child protective services, or  
11 child services board of the county appointed under Section 264.005,  
12 Family Code, that serves abused and neglected children;

13 (3) any program selected by the commissioners court  
14 that is operated by a public or private nonprofit organization and  
15 that provides shelter and services to victims of family violence;

16 (4) any other program approved by the commissioners  
17 court of the county, including a program established under Article  
18 56A.205, Code of Criminal Procedure, that offers psychological  
19 counseling in criminal cases involving graphic evidence or  
20 testimony; ~~or~~

21 (5) a veterans treatment court program established by  
22 the commissioners court as provided by Chapter 124; or

23 (6) a veterans county service office established by  
24 the commissioners court as provided by Subchapter B, Chapter 434.

25 (c) The county treasurer shall:

26 (1) send all donations made under Subsection (a)(1) to  
27 the comptroller, at the time and in the manner prescribed by the

1 attorney general, for deposit to the credit of the compensation to  
2 victims of crime fund;

3 (2) deposit donations made to the county child welfare  
4 board under Subsection (a)(2) in a fund established by the county to  
5 be used by the child welfare board in a manner authorized by the  
6 commissioners court of the county; and

7 (3) send all donations made under Subsection (a)(3),  
8 ~~or~~ (a)(4), or (a)(6) directly to the program or office, as  
9 applicable, specified on the form letter signed by the person who  
10 reported for jury service.

11 SECTION 11.02. Section [62.202\(b\)](#), Government Code, is  
12 amended to read as follows:

13 (b) The district judge may draw a warrant on the jury fund or  
14 other appropriate fund of the county in which the civil case is  
15 tried to cover the cost of buying and transporting the meals to the  
16 jury room. The judge may spend a reasonable amount ~~[Not more than~~  
17 ~~\$3]~~ per meal ~~[may be spent]~~ for a juror serving on a jury in a civil  
18 case.

19 SECTION 11.03. Section [434.032](#), Government Code, is amended  
20 by adding Subsection (c) to read as follows:

21 (c) The commissioners court of a county that maintains an  
22 office:

23 (1) may not consider a juror's donation to the office  
24 of the juror's daily reimbursement under Section [61.003](#) for  
25 purposes of determining the county's budget for the office; and

26 (2) may use donations described by Subdivision (1)  
27 only to supplement, rather than supplant, amounts budgeted by the

1 county for the office.

2 ARTICLE 12. SPECIALTY COURT PROGRAMS

3 SECTION 12.01. Chapter 121, Government Code, is amended by  
4 adding Sections 121.003 and 121.004 to read as follows:

5 Sec. 121.003. APPOINTMENT OF PRESIDING JUDGE OR MAGISTRATE  
6 FOR REGIONAL SPECIALTY COURT PROGRAM. A judge or magistrate of a  
7 district court or statutory county court who is authorized by law to  
8 hear criminal cases may be appointed to preside over a regional  
9 specialty court program recognized under this subtitle only if:

10 (1) the local administrative district and statutory  
11 county court judges of each county participating in the program  
12 approve the appointment by majority vote or another approval method  
13 selected by the judges; and

14 (2) the presiding judges of each of the administrative  
15 judicial regions in which the participating counties are located  
16 sign an order granting the appointment.

17 Sec. 121.004. JURISDICTION AND AUTHORITY OF JUDGE OR  
18 MAGISTRATE IN REGIONAL SPECIALTY COURT PROGRAM. (a) A judge or  
19 magistrate appointed to preside over a regional specialty court  
20 program may hear any misdemeanor or felony case properly  
21 transferred to the program by an originating trial court  
22 participating in the program, regardless of whether the originating  
23 trial court and specialty court program are in the same county. The  
24 appointed judge or magistrate may exercise only the authority  
25 granted under this subtitle.

26 (b) The judge or magistrate of a regional specialty court  
27 program may for a case properly transferred to the program:

1           (1) enter orders, judgments, and decrees for the case;

2           (2) sign orders of detention, order community service,  
3 or impose other reasonable and necessary sanctions;

4           (3) send recommendations for dismissal and expunction  
5 to the originating trial court for a defendant who successfully  
6 completes the program; and

7           (4) return the case and documentation required by this  
8 subtitle to the originating trial court for final disposition on a  
9 defendant's successful completion of or removal from the program.

10          (c) A visiting judge assigned to preside over a regional  
11 specialty court program has the same authority as the judge or  
12 magistrate appointed to preside over the program.

13          SECTION 12.02. Section 124.003(b), Government Code, is  
14 amended to read as follows:

15          (b) A veterans treatment court program established under  
16 this chapter shall make, establish, and publish local procedures to  
17 ensure maximum participation of eligible defendants in the program  
18 [~~county or counties in which those defendants reside~~].

19          SECTION 12.03. Sections 124.006(a) and (d), Government  
20 Code, are amended to read as follows:

21          (a) A veterans treatment court program that accepts  
22 placement of a defendant may transfer responsibility for  
23 supervising the defendant's participation in the program to another  
24 veterans treatment court program that is located in the county  
25 where the defendant works or resides or in a county adjacent to the  
26 county where the defendant works or resides. The defendant's  
27 supervision may be transferred under this section only with the

1 consent of both veterans treatment court programs and the  
2 defendant.

3 (d) If a defendant is charged with an offense in a county  
4 that does not operate a veterans treatment court program, the court  
5 in which the criminal case is pending may place the defendant in a  
6 veterans treatment court program located in the county where the  
7 defendant works or resides or in a county adjacent to the county  
8 where the defendant works or resides, provided that a program is  
9 operated in that county and the defendant agrees to the placement.  
10 A defendant placed in a veterans treatment court program in  
11 accordance with this subsection must agree to abide by all rules,  
12 requirements, and instructions of the program.

13 SECTION 12.04. (a) Section 121.003, Government Code, as  
14 added by this Act, applies only to the appointment of a judge or  
15 magistrate to preside over a regional specialty court program that  
16 occurs on or after the effective date of this Act.

17 (b) Section 121.004, Government Code, as added by this Act,  
18 applies to a case pending in a regional specialty court program on  
19 or after the effective date of this Act.

20 ARTICLE 13. PROTECTIVE ORDERS

21 SECTION 13.01. Section 72.151(3), Government Code, is  
22 amended to read as follows:

23 (3) "Protective order" means:

24 (A) an order issued by a court in this state under  
25 Chapter 83 or 85, Family Code, to prevent family violence, as  
26 defined by Section 71.004, Family Code;

27 (B) an order issued by a court in this state under



1 Subchapter A, Chapter 7B, Code of Criminal Procedure, to prevent  
2 sexual assault or abuse, stalking, trafficking, or other harm to  
3 the applicant; or

4 (C) [~~The term includes~~] a magistrate's order  
5 for emergency protection issued under Article 17.292, Code of  
6 Criminal Procedure, with respect to a person who is arrested for an  
7 offense involving family violence.

8 SECTION 13.02. Section 72.152, Government Code, is amended  
9 to read as follows:

10 Sec. 72.152. APPLICABILITY. This subchapter applies only  
11 to:

12 (1) an application for a protective order filed under:

13 (A) Chapter 82, Family Code;

14 (B) Subchapter A, Chapter 7B, Code of Criminal  
15 Procedure; or

16 (C) (B) Article 17.292, Code of Criminal  
17 Procedure, with respect to a person who is arrested for an offense  
18 involving family violence; and

19 (2) a protective order issued under:

20 (A) Chapter 83 or 85, Family Code;

21 (B) Subchapter A, Chapter 7B, Code of Criminal  
22 Procedure; or

23 (C) (B) Article 17.292, Code of Criminal  
24 Procedure, with respect to a person who is arrested for an offense  
25 involving family violence.

26 SECTION 13.03. Sections 72.154(b) and (d), Government Code,  
27 are amended to read as follows:

1 (b) Publicly accessible information regarding each  
2 protective order must consist of the following:

3 (1) the court that issued the protective order;

4 (2) the case number;

5 (3) the full name, county of residence, birth year,  
6 and race or ethnicity of the person who is the subject of the  
7 protective order;

8 (4) the dates the protective order was issued and  
9 served; and

10 (5) ~~[the date the protective order was vacated, if~~  
11 ~~applicable; and~~

12 [~~6~~] the date the protective order expired or will  
13 expire, as applicable.

14 (d) The office may not allow a member of the public to access  
15 through the registry any information related to:

16 (1) a protective order issued under Article 7B.002 or  
17 17.292, Code of Criminal Procedure, or Chapter 83, Family Code; or

18 (2) a protective order that was vacated.

19 SECTION 13.04. Section 72.155(a), Government Code, is  
20 amended to read as follows:

21 (a) The registry must include a copy of each application for  
22 a protective order filed in this state and a copy of each protective  
23 order issued in this state, including an ~~[a vacated or]~~ expired  
24 order, or a vacated order other than an order that was vacated as  
25 the result of an appeal or bill of review from a district or county  
26 court. Only an authorized user, the attorney general, a district  
27 attorney, a criminal district attorney, a county attorney, a

1 municipal attorney, or a peace officer may access that information  
2 under the registry.

3 SECTION 13.05. Section 72.157, Government Code, is amended  
4 by amending Subsection (b) and adding Subsection (b-1) to read as  
5 follows:

6 (b) Except as provided by Subsection (b-1), for [~~For~~] a  
7 protective order that is vacated or that has expired, the clerk of  
8 the applicable court shall modify the record of the order in the  
9 registry to reflect the order's status as vacated or expired. The  
10 clerk shall ensure that a record of a vacated order is not  
11 accessible by the public.

12 (b-1) For a protective order that is vacated as the result  
13 of an appeal or bill of review from a district or county court, the  
14 clerk of the applicable court shall notify the office not later than  
15 the end of the next business day after the date the protective order  
16 was vacated. The office shall remove the record of the order from  
17 the registry not later than the third business day after the date  
18 the notice from the clerk was received.

19 SECTION 13.06. Section 72.158(a), Government Code, is  
20 amended to read as follows:

21 (a) The office shall ensure that the public may access  
22 information about protective orders, other than information about  
23 vacated orders or orders under Article 7B.002 or 17.292, Code of  
24 Criminal Procedure, or Chapter 83, Family Code, through the  
25 registry, only if:

26 (1) a protected person requests that the office grant  
27 the public the ability to access the information described by

1 Section 72.154(b) for the order protecting the person; and

2 (2) the office approves the request.

3 SECTION 13.07. Section 72.152, Government Code, as amended  
4 by this Act, applies only to an application for a protective order  
5 filed or a protective order issued on or after the effective date of  
6 this Act.

7 SECTION 13.08. As soon as practicable after the effective  
8 date of this Act, the Office of Court Administration of the Texas  
9 Judicial System shall:

10 (1) remove the record of any protective orders that  
11 have been vacated as the result of an appeal or bill of review from a  
12 district or county court from the protective order registry  
13 established under Subchapter F, Chapter 72, Government Code, as  
14 amended by this Act; and

15 (2) ensure that the records of vacated orders, other  
16 than orders described by Subdivision (1) of this section that are  
17 removed from the registry, are not accessible by the public.

18 ARTICLE 14. DISTRICT AND COUNTY ATTORNEYS

19 SECTION 14.01. Section 43.137, Government Code, is amended  
20 by adding Subsections (c) and (d) to read as follows:

21 (c) In addition to exercising the duties and authority  
22 conferred on district attorneys by general law, the district  
23 attorney represents the state in the district and inferior courts  
24 in Ector County in all criminal cases, juvenile matters under Title  
25 3, Family Code, and matters involving children's protective  
26 services.

27 (d) The district attorney has no power, duty, or privilege

1 in any civil matter, other than civil asset forfeiture and civil  
2 bond forfeiture matters.

3 SECTION 14.02. Subchapter B, Chapter 45, Government Code,  
4 is amended by adding Section 45.168 to read as follows:

5 Sec. 45.168. ECTOR COUNTY. (a) It is the primary duty of  
6 the county attorney in Ector County to represent the state, Ector  
7 County, and the officials of the county in all civil matters, other  
8 than asset forfeiture and bond forfeiture matters for which the  
9 district attorney is responsible, pending before the courts of  
10 Ector County and any other court in which the state, Ector County,  
11 or the county officials have matters pending.

12 (b) The county attorney has no power, duty, or privilege in  
13 Ector County relating to criminal matters, juvenile matters under  
14 Title 3, Family Code, or matters involving children's protective  
15 services.

16 SECTION 14.03. Section 43.137, Government Code, as amended  
17 by this Act, and Section 45.168, Government Code, as added by this  
18 Act, apply only to a proceeding commenced on or after the effective  
19 date of this Act. A proceeding commenced before the effective date  
20 of this Act is governed by the law in effect on the date the  
21 proceeding was commenced, and the former law is continued in effect  
22 for that purpose.

23 ARTICLE 15. APPELLATE COURTS

24 SECTION 15.01. Subchapter A, Chapter 22, Government Code,  
25 is amended by adding Section 22.0042 to read as follows:

26 Sec. 22.0042. RULES REGARDING EXEMPTIONS FROM SEIZURE OF  
27 PROPERTY; FORM. (a) The supreme court shall adopt rules that:

1           (1) establish a simple and expedited procedure for a  
2 judgment debtor to assert an exemption to the seizure of personal  
3 property by a judgment creditor or a receiver appointed under  
4 Section 31.002, Civil Practice and Remedies Code;

5           (2) require a court to stay a proceeding, for a  
6 reasonable period, to allow for the assertion of an exemption under  
7 Subdivision (1); and

8           (3) require a court to promptly set a hearing and stay  
9 proceedings until a hearing is held, if a judgment debtor timely  
10 asserts an exemption under Subdivision (1).

11           (b) Rules adopted under this section shall require the  
12 provision of a notice in plain language to a judgment debtor  
13 regarding the right of the judgment debtor to assert one or more  
14 exemptions under Subsection (a)(1). The notice must:

15           (1) be in English with an integrated Spanish  
16 translation that can be readily understood by the public and the  
17 court;

18           (2) include the form promulgated under Subsection (c);

19           (3) list all exemptions under state and federal law to  
20 the seizure of personal property; and

21           (4) provide information for accessing free or low-cost  
22 legal assistance.

23           (c) Rules adopted under this section shall include the  
24 promulgation of a form in plain language for asserting an exemption  
25 under Subsection (a)(1). A form promulgated under this subsection  
26 must:

27           (1) be in English with an integrated Spanish

1 translation that can be readily understood by the public and the  
2 court; and

3 (2) include instructions for the use of the form.

4 (d) A court shall accept a form promulgated under Subsection  
5 (c) unless the form has been completed in a manner that causes a  
6 substantive defect that cannot be cured.

7 SECTION 15.02. Not later than May 1, 2022, the Supreme Court  
8 of Texas shall adopt rules and promulgate forms under Section  
9 22.0042, Government Code, as added by this article.

10 ARTICLE 16. MISDEMEANOR CASES

11 SECTION 16.01. The heading to Article 45.0445, Code of  
12 Criminal Procedure, is amended to read as follows:

13 Art. 45.0445. RECONSIDERATION OF SATISFACTION OF FINE OR  
14 COSTS.

15 SECTION 16.02. Article 66.252, Code of Criminal Procedure,  
16 is amended by adding Subsection (b-1) to read as follows:

17 (b-1) At any time before final disposition of the case, the  
18 justice or judge of a court having jurisdiction of the case of a  
19 misdemeanor described by Subsection (b)(3) may order a law  
20 enforcement officer to use the uniform incident fingerprint card to  
21 take the fingerprints of an offender who is charged with the  
22 misdemeanor, but was not placed under custodial arrest at the time  
23 of the offense.

24 SECTION 16.03. The changes in law made by this article apply  
25 only to a misdemeanor case that is initially filed in a justice or  
26 municipal court on or after the effective date of this Act,  
27 regardless of whether the offense for which the case is filed

1 occurred before, on, or after the effective date of this Act.

2 ARTICLE 17. COURT REPORTERS

3 SECTION 17.01. Chapter 42, Code of Criminal Procedure, is  
4 amended by adding Article 42.25 to read as follows:

5 Art. 42.25. FILING OF REPORTER NOTES. A court reporter may  
6 comply with Rule 13.6, Texas Rules of Appellate Procedure, by  
7 electronically filing with the trial court clerk not later than the  
8 20th day after the expiration of the time the defendant is allotted  
9 to perfect the appeal the untranscribed notes created by the court  
10 reporter using computer-aided software.

11 SECTION 17.02. Section 52.001(a)(4), Government Code, is  
12 amended to read as follows:

13 (4) "Shorthand reporter" and "court reporter" mean a  
14 person who is certified as a court reporter, apprentice court  
15 reporter, or provisional court reporter under Chapter 154 to engage  
16 [engages] in shorthand reporting.

17 SECTION 17.03. Section 52.011, Government Code, is amended  
18 to read as follows:

19 Sec. 52.011. PROVISION OF SIGNED DEPOSITION CERTIFICATE;  
20 CERTIFICATE REQUIREMENTS [CERTIFICATION]. (a) A court reporting  
21 firm representative or a court reporter who reported a deposition  
22 for a case shall complete and sign a deposition certificate, known  
23 as the further certification.

24 (b) On request of a court reporter who reported a deposition  
25 for a case, a court reporting firm shall provide the reporter with a  
26 copy of the deposition certificate [~~document related to the~~  
27 ~~deposition, known as the further certification,~~] that the reporter



1 has signed or to which the reporter's signature has been applied.

2 (c) The deposition certificate must include:

3 (1) a statement that the deposition transcript was  
4 submitted to the deponent or the deponent's attorney for  
5 examination and signature;

6 (2) the date the transcript was submitted to the  
7 deponent or the deponent's attorney;

8 (3) the date the deponent returned the transcript, if  
9 returned, or a statement that the deponent did not return the  
10 transcript;

11 (4) a statement that any changes the deponent made to  
12 the transcript are reflected in a separate document attached to the  
13 transcript;

14 (5) a statement that the transcript was delivered in  
15 accordance with Rule 203.3, Texas Rules of Civil Procedure;

16 (6) the amount charged for preparing the original  
17 deposition transcript;

18 (7) a statement that a copy of the certificate was  
19 served on all parties to the case; and

20 (8) the date the copy of the certificate was served on  
21 the parties to the case.

22 SECTION 17.04. Section 52.046(d), Government Code, is  
23 amended to read as follows:

24 (d) A judge of a county court or county court at law shall  
25 appoint a [~~certified~~] shorthand reporter to report the oral  
26 testimony given in any contested probate matter in that judge's  
27 court.

1 SECTION 17.05. Section 154.001(a)(4), Government Code, is  
2 amended to read as follows:

3 (4) "Shorthand reporter" and "court reporter" mean a  
4 person who is certified as a court reporter, apprentice court  
5 reporter, or provisional court reporter under this chapter to  
6 engage [~~engages~~] in shorthand reporting.

7 SECTION 17.06. Section 154.101(e), Government Code, is  
8 amended to read as follows:

9 (e) A person may not assume or use the title or designation  
10 "court recorder," "court reporter," or "shorthand reporter," or any  
11 abbreviation, title, designation, words, letters, sign, card, or  
12 device tending to indicate that the person is a court reporter or  
13 shorthand reporter, unless the person is certified as a shorthand  
14 reporter or provisional court reporter by the supreme court.  
15 Nothing in this subsection shall be construed to either sanction or  
16 prohibit the use of electronic court recording equipment operated  
17 [~~by a noncertified court reporter pursuant and~~] according to rules  
18 adopted or approved by the supreme court.

19 SECTION 17.07. Section 154.105, Government Code, is amended  
20 by amending Subsection (b) and adding Subsections (c), (d), and (e)  
21 to read as follows:

22 (b) A [~~certified~~] shorthand reporter may administer oaths  
23 to witnesses:

24 (1) anywhere in this state;

25 (2) in a jurisdiction outside this state if:

26 (A) the reporter is at the same location as the  
27 witness; and

1           (B) the witness is or may be a witness in a case  
2 filed in this state; and

3           (3) at any location authorized in a reciprocity  
4 agreement between this state and another jurisdiction under Section  
5 152.202(b).

6           (c) Notwithstanding Subsection (b), a shorthand reporter  
7 may administer an oath as provided under this subsection to a person  
8 who is or may be a witness in a case filed in this state without  
9 being at the same location as the witness:

10           (1) if the reporter is physically located in this  
11 state at the time the oath is administered; or

12           (2) as authorized in a reciprocity agreement between  
13 this state and another jurisdiction under Section 152.202(b) if:

14           (A) the witness is at a location in the other  
15 jurisdiction; and

16           (B) the reporter is at a location in the same  
17 jurisdiction as the witness.

18           (d) The identity of a witness who is not in the physical  
19 presence of a shorthand reporter may be proven by:

20           (1) a statement under oath on the record by a party to  
21 the case stating that the party has actual knowledge of the  
22 witness's identity;

23           (2) a statement on the record by an attorney for a  
24 party to the case, or an attorney for the witness, verifying the  
25 witness's identity;

26           (3) a statement on the record by a notary who is in the  
27 presence of the witness verifying the witness's identity; or

1           (4) the witness's presentation for inspection by the  
2 court reporter of an official document issued by this state,  
3 another state, a federal agency, or another jurisdiction that  
4 verifies the witness's identity.

5           (e) A shorthand reporter to which this section applies shall  
6 state on the record and certify in each transcript of the deposition  
7 the physical location of:

8                   (1) the witness; and

9                   (2) the reporter.

10           SECTION 17.08. Section 154.112, Government Code, is amended  
11 to read as follows:

12           Sec. 154.112. EMPLOYMENT OF NONCERTIFIED PERSON FOR  
13 SHORTHAND REPORTING [~~REPORTERS~~]. (a) A person who is not certified  
14 as a court [~~noncertified shorthand~~] reporter may be employed to  
15 engage in shorthand reporting until a certified shorthand reporter  
16 is available.

17           (b) A person who is not certified as a court [~~noncertified~~  
18 ~~shorthand~~] reporter may engage in shorthand reporting to report an  
19 oral deposition only if:

20                   (1) the person [~~noncertified shorthand reporter~~]  
21 delivers an affidavit to the parties or to their counsel present at  
22 the deposition stating that a certified shorthand reporter is not  
23 available; or

24                   (2) the parties or their counsel stipulate on the  
25 record at the beginning of the deposition that a certified  
26 shorthand reporter is not available.

27           (c) This section does not apply to a deposition taken

1 outside this state for use in this state.

2 SECTION 17.09. The changes in law made by this article apply  
3 only to a deposition taken on or after the effective date of this  
4 Act. A deposition taken before that date is governed by the law in  
5 effect on the date the deposition was taken, and the former law is  
6 continued in effect for that purpose.

7 ARTICLE 18. TRANSITION

8 SECTION 18.01. A state agency subject to this Act is  
9 required to implement a provision of this Act only if the  
10 legislature appropriates money specifically for that purpose. If  
11 the legislature does not appropriate money specifically for that  
12 purpose, the state agency may, but is not required to, implement a  
13 provision of this Act using other appropriations available for that  
14 purpose.

15 ARTICLE 19. EFFECTIVE DATE

16 SECTION 19.01. Except as otherwise provided by this Act,  
17 this Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3774 was passed by the House on May 7, 2021, by the following vote: Yeas 141, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3774 on May 28, 2021, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3774 on May 30, 2021, by the following vote: Yeas 134, Nays 3, 2 present, not voting; and that the House adopted H.C.R. No. 118 authorizing certain corrections in H.B. No. 3774 on May 31, 2021, by the following vote: Yeas 134, Nays 0, 1 present, not voting.

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Chief Clerk of the House

H.B. No. 3774

I certify that H.B. No. 3774 was passed by the Senate, with amendments, on May 26, 2021, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3774 on May 30, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate adopted H.C.R. No. 118 authorizing certain corrections in H.B. No. 3774 on May 31, 2021, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor