

By: Nichols

S.B. No. 2573

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of the 411th District Court and of the County Court at Law of Polk County.

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

SECTION 1. Section 24.553, Government Code, is amended by adding Subsection (c) to read as follows:

(c) The 411th District Court has concurrent jurisdiction in Polk County with the county court over all misdemeanor cases over which the county court has jurisdiction under the constitution and laws of this state. Cases in the concurrent misdemeanor jurisdiction may be filed in either court, and all cases of concurrent misdemeanor jurisdiction may be transferred between the 411th District Court and the county court. A case may not be transferred from one court to another without the consent of the judge of the court to which it is transferred, and a case may not be transferred unless it is within the jurisdiction of the court to which it is transferred.

SECTION 2. Sections 25.1892(a) and (e), Government Code, are amended to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Polk County has concurrent ~~civil~~ jurisdiction with the district court in:

(1) cases and proceedings involving the collection of delinquent taxes, penalties, interest, and costs and the

1 foreclosure of tax liens; ~~and~~

2 (2) family law cases and proceedings; and

3 (3) felony cases to conduct arraignments and pre-trial
4 hearings and to accept guilty pleas.

5 (e) The district clerk serves as clerk of a county court at
6 law in cases of concurrent jurisdiction with the district court
7 ~~[enumerated in Subsection (a)(2)]~~, and the county clerk serves as
8 clerk in all other cases. ~~[The district clerk shall establish a~~
9 ~~separate docket for a county court at law.]~~

10 SECTION 3. The changes in law made by this Act apply only to
11 a case filed or proceeding commenced on or after the effective date
12 of this Act. A case filed or proceeding commenced before the
13 effective date of this Act is governed by the law in effect on the
14 date the case was filed or the proceeding was commenced, and the
15 former law is continued in effect for that purpose.

16 SECTION 4. This Act takes effect September 1, 2023.