

By: Smith of Harris

H.B. No. 75

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the power of a commissioners court in certain counties
3 to expand the jurisdiction of a county civil court at law to include
4 condemnation proceedings.

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

6 SECTION 1. Subchapter B, Chapter 81, Local Government Code,
7 is amended by adding Section 81.034 to read as follows:

8 Sec. 81.034. CONDEMNATION PROCEEDINGS IN CERTAIN COUNTIES.

9 (a) This section applies only to a commissioners court of a county
10 with a population of three million or more.

11 (b) Notwithstanding any other law, a commissioners court
12 may expand the jurisdiction of a county civil court at law so that
13 the court has concurrent jurisdiction with the district court of
14 eminent domain proceedings, both statutory and inverse, regardless
15 of the amount in controversy.

16 (c) Notwithstanding Section 21.013, Property Code, a party
17 initiating a condemnation proceeding may file a petition with any
18 clerk authorized to accept the petition for the district court.

19 (d) A condemnation proceeding shall be assigned by rotation
20 to a court with jurisdiction to hear the proceeding.

21 (e) Notwithstanding Section 62.301, Government Code, for a
22 condemnation proceeding before a county civil court at law, a party
23 may elect to have the proceeding tried before a jury of 12 persons.

24 SECTION 2. This Act takes effect November 1, 2003.