

BILL ANALYSIS

C.S.H.B. 3081
By: Casteel
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under Section 292.002, Local Government Code, a county is prohibited from creating a court annex outside of the county seat as well as storing records in a place other than the county seat. In certain cases, as in Bandera County, the county courthouse reaches capacity and cannot expand to accommodate the required offices and accompanying documents nor locate an additional location within the county seat.

CSHB 3081 allows the commissioners court to create an auxiliary county seat outside the boundaries of the county seat to hold court proceedings and store the records of the court.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 3081 amends Section 292.002 (a), Local Government Code, relating to auxiliary county seats.

CSHB 3081 permits the commissioners court of a county to authorize places in the county but outside the county seat as auxiliary courts for holding court proceedings in any courts and designate those places as auxiliary county seats for this purpose. The records of any court sitting in an auxiliary seat, including the records of the clerk of the court, may be kept in the auxiliary county seat.

EFFECTIVE DATE

Upon passage or September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 3081 is a Legislative Council draft of the bill as originally filed with no substantive changes.