

BILL ANALYSIS

C.S.S.B. 1551
By: Duncan
Judicial Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, several counties are experiencing backlogs in the courts within their counties. C.S.S.B. 1551 creates new district courts in certain counties and makes certain jurisdictional changes in another county.

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

C.S.S.B. 1551 amends the Government Code to create the 413th Judicial District, composed of Johnson County, the 419th Judicial District, composed of Travis County, and the 422nd Judicial District, composed of Kaufman County.

The bill amends the Government Code to create the 415th Judicial District in Parker County and provides that the commissioners court of Parker County may budget for and pay the judges of the 43rd and 415th Judicial Districts an annual salary not to exceed \$7,800 for performing judicial and administrative duties. The bill also provides that the voters of the 43rd Judicial District elect a district attorney who represents the state in all cases before the 43rd and 415th district courts.

The bill also amends the Government Code to create two new judicial districts in Collin County. The 416th and 417th judicial districts are created January 1, 2004, with the 417th District Court to give preference to juvenile matters. The bill creates an additional filing fee of \$35 for each case filed in a Collin County district court, with the proceeds to be used to pay the judges of the 416th and 417th judicial districts an annual salary in an amount equal to the total salary that would otherwise be paid to those judges under Section 659.012 of the Government Code. The commissioners court may use any remaining money raised by these filing fees to pay additional compensation to those judges as well as the operating expenses of the 416th and 417th judicial districts. The bill also sets forth provisions for certain resolutions by the commissioners court pertaining to these filing fees, and provides that unless abolished under other provisions of the bill, the fees are abolished on January 1, 2014.

The bill also provides that a county court at law in Cameron County has concurrent jurisdiction with the district court in civil cases in which the amount in controversy exceeds \$500 but does not exceed \$10 million, excluding interest.

EFFECTIVE DATE

The provisions relating to Johnson County and Cameron County are effective September 1, 2003. The provisions relating to Collin County are effective January 1, 2004. The provisions relating to Kaufman, Parker, and Travis counties are effective September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute creates two, not three judicial districts, in Collin County. The substitute also provides that these courts are to be funded by filing fees collected in the district courts of Collin County for a certain period of time.

The substitute also adds a provision relating to jurisdiction of a county court at law in Cameron County and deletes provisions in the original relating to the creation of judicial districts in Caldwell, McLennan and Nacogdoches counties.