

BILL ANALYSIS

S.B. 1940
By: Armbrister
Judicial Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 77th Texas Legislature created the Aransas County Court at Law. The county court at law has concurrent jurisdiction with the district court in all cases where the amount in controversy is over \$500, which would necessitate 12 person juries and the district clerk. Normally, however, a court at law has six person juries. As proposed, S.B. 1940 provides that all juries consist of six persons, unless otherwise prohibited by other law; designates the county clerk to be the clerk of court in all cases except family law cases; and adds the county court at law judge to the composition of the juvenile board of Aransas 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

SECTION 1. Amends Sections 25.0062(b) and (c), Government Code, as follows:

(b) Provides that the district clerk serves as clerk of a county court at law in felony cases and family law cases and proceedings, rather than matters of concurrent jurisdiction with the district court, and provides that the county clerk serves as clerk of a county court at law in all other cases.

(c) Provides that the jury is composed of six, rather than 12, members, unless the constitution or other law requires a 12-member jury. Deletes text regarding all matters of concurrent jurisdiction with the district court.

SECTION 2. Amends Section 152.0101(a), Human Resources Code, to provide that the juvenile board of Aransas County is composed of the county judge, the district judges in Aransas County, and the judge of the county court at law.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2003.

EFFECTIVE DATE

September 1, 2003.