

## **BILL ANALYSIS**

C.S.H.B. 788  
By: Hardcastle  
Judiciary  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The 50th Judicial District is composed of Baylor, Cottle, King, and Knox counties. Prior to the 76th Texas Legislature, county judges in the 50th Judicial District could not accept a not guilty plea. In order to set a trial date and start proceedings, the county judge had to turn the case over to the district judge. During the 76th legislative session, H.B. 3825 provided that county courts could hear both contested and uncontested cases

HB788 clarifies in code that the 50th Judicial District may hear any contested or uncontested case that the county court in Baylor, Cottle, King, or Knox county does not retain. The bill also lays out the procedure in which matters of concurrent jurisdiction may be transferred from one of the county courts to the 50th Judicial District 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**

The bill amends Section 24.152 of the Government Code to grant the criminal jurisdiction of a county court to the district court in Baylor, King, Cottle and Knox Counties. The bill also provides that county courts in these counties may transfer a case where there is concurrent jurisdiction on approval of the district court and makes procedural provisions for such cases.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute clarifies the language by deleting the first exception clause of the revised Section 24.152(b) and adds only the reference to criminal jurisdiction. Subsection (d) is entirely new. Sections 2-6 of the original bill are entirely deleted from the substitute.