

BILL ANALYSIS

C.S.H.B. 2913
By: Luna
Judiciary
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Pursuant to Section 74.094, Government Code, certain county courts at law in Nueces County have not regarded as binding the dispositions of district courts regarding misdemeanor offenses committed along with felonies being disposed of by the district court. The purpose of this bill is to clarify the statute and reduce caseloads. It would specifically authorize certain district courts to accept guilty pleas and to dispose of misdemeanor cases which are related to actions already under the district court's jurisdiction. This is a unique arrangement which does not exist in other counties.

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 would grant jurisdiction to 6 district courts in Nueces County to receive guilty pleas in misdemeanor cases pending in a county court at law in the county and to dispose of these cases, regardless of whether the case is transferred to the district court. The change in law would apply to any case pending on or filed after the effective date.

EFFECTIVE DATE

Immediately on receipt of required vote, otherwise September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

Section 2 of the substitute adds a subsection (d) to Section 24.196 of the Government Code to grant the same jurisdiction to receive a guilty plea to the 94th District Court as is granted to other courts in the original bill.

Section 4 of the substitute adds a subsection (d) to Section 24.219 of the Government Code to grant the same jurisdiction to receive a guilty plea to the 117th District Court as the other courts to which the original bill applies.