

BILL ANALYSIS

Senate Research Center
79R5404 YDB-D

S.B. 585
By: Fraser
Jurisprudence
3/3/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Burnet, Blanco, Llano, and San Saba counties have experienced great population growth over the past several years and, therefore, are in need of a new district court to handle the additional caseload. As proposed, S.B. 585 creates a new district court for Blanco, Burnet, Llano, and San Saba counties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 24.135, Government Code, by adding Subsections (c) and (d), as follows:

(c) Authorizes the judge of the 33rd District Court to perform certain functions related to jury and grand jury selection and impaneling. Sets forth in which courts the indictments are authorized to be returned.

(d) Sets forth the matters which the 33rd District Court is authorized to hear and determine. Sets forth certain other matters which the 33rd District Court is authorized to hear, unless an objection is filed by a party to the suit.

SECTION 2. Amends Subchapter C, Chapter 24, Government Code, by adding Section 24.568, as follows:

Sec. 24.568. 424TH JUDICIAL DISTRICT (BLANCO, BURNET, LLANO, AND SAN SABA COUNTIES). (a) Provides that the 424th Judicial District is composed of Blanco, Burnet, Llano, and San Saba counties.

(b) Provides that the jurisdiction of the 424th District Court is concurrent with the jurisdiction of the 33rd District Court.

(c) Provides that the 424th District Court has the same terms of court as the 33rd District Court.

(d) Authorizes the judge of the 424th District Court to perform certain functions related to jury and grand jury selection and impaneling. Sets forth in which courts the indictments are authorized to be returned.

(e) Sets forth the matters which the 424th District Court is authorized to hear and determine. Sets forth certain other matters which the 424th District Court is authorized to hear, unless an objection is filed by a party to the suit.

SECTION 3. Amends Subchapter D, Chapter 74, Government Code, by adding Section 74.097, as follows:

Sec. 74.097. LOCAL ADMINISTRATIVE DISTRICT JUDGE FOR BLANCO, BURNET, LLANO, AND SAN SABA COUNTIES. Provides that notwithstanding

Section 74.091(b) (prohibiting election of the local administrative judge on the basis of seniority), the local administrative district judge for Blanco, Burnet, Llano, and San Saba counties is elected on the basis of seniority from the district judges of the 33rd Judicial District and 424th Judicial District.

SECTION 4. Amends Section 152.0221(b), Human Resources Code, to provide that a judge of the 33rd District Court, rather than the juvenile court judge, is the chairman of the Blanco County Juvenile Board and its chief administrative officer.

SECTION 5. Amends Section 152.0331(b), Human Resources Code, to provide that a judge of the 33rd District Court, rather than the juvenile court judge, is the chairman of the Burnet County Juvenile Board and its chief administrative officer.

SECTION 6. Amends Section 152.1561(b), Human Resources Code, to provide that a judge of the 33rd District Court, rather than the juvenile court judge, is the chairman of the Llano County Juvenile Board and its chief administrative officer.

SECTION 7. Amends Section 152.2121(b), Human Resources Code, to provide that a judge of the 33rd District Court, rather than the juvenile court judge, is the chairman of the San Saba County Juvenile Board and its chief administrative officer.

SECTION 8. Creates the 424th Judicial District on September 1, 2005.

SECTION 9. Effective date: September 1, 2005.