

BILL ANALYSIS

H.B. 2766
By: Eiland
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In Hartford, Hereford and Hampshire, hurricanes hardly happen. However, on the Gulf coast, they are unsurprising. The purpose of this bill is to permit certain courts to operate away from their ordinary locations following a natural disaster.

Currently, District and County courts are only allowed to hold court or trials in the county seat. In the case of a major hurricane the county seat may not be habitable or under mandatory evacuation orders. In order to establish a successful disaster recovery plan coastal counties need to have the ability to hold court outside the county seat during the time of displacement.

HB 2766 would allow first and second tier coastal counties to hold court outside their county seat in the event of a natural disaster.

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 amend the Government Code to adding provisions that would allow presiding judges for district courts, county courts, statutory county courts and statutory probate courts to designate alternate places in certain coastal counties for the conduct of court proceedings following a natural or other major disaster in those counties.

EFFECTIVE DATE

Immediately on receipt of required vote; otherwise September 1, 2007.