

BILL ANALYSIS

S.B. 618
By: Wentworth
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, justice, county, and small claims courts have jurisdiction in matters up to \$5,000. A higher jurisdictional limit for these courts could help to expedite trials and to decrease the backlog in some of the higher level courts.

S.B. 618 provides for justice, county, and small claims courts to have jurisdiction in matters up to \$10,000.

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 Section 26.042(a), Government Code, to provide that a county court has concurrent jurisdiction with the justice courts in civil cases in which the matter in controversy is at least \$200 but does not exceed \$10,000, rather than \$5,000, exclusive of interest.

SECTION 2. Amends Section 27.031(a), Government Code, to provide that a justice court has original jurisdiction in civil matters in which the exclusive jurisdiction is not in the district or county court and in which the amount in controversy is not more than \$10,000, rather than \$5,000, exclusive of interest. This section of the bill also provides that a corporation need not be represented by an attorney in justice court.

SECTION 3. Amends Section 28.003(a), Government Code, to provide that a small claims court has concurrent jurisdiction with the justice courts in actions by any person for the recovery of money, the amount of which does not exceed \$10,000, rather than \$5,000, exclusive of costs.

SECTION 4. Makes application of this Act prospective.

EFFECTIVE DATE

September 1, 2007.