

BILL ANALYSIS

Senate Research Center
80R10000 CAE-F

S.B. 618
By: Wentworth
Jurisprudence
3/15/2007
Committee Report (Amended)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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

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 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 that \$10,000, rather than \$5,000, exclusive of interest.

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.

SECTION 5. Effective date: September 1, 2007.

SUMMARY OF COMMITTEE CHANGES

(1) Amends SECTION 2 of the bill, in amended Section 27.031(a), Government Code (page 1, line 11), to strike "Section 27.031(a)" and substitute with "Section 27.031."

(2) Amends SECTION 2 of the bill (page 1, lines 11 and 12) by inserting "by amending Subsection (a) and adding Subsection (c)."

(3) Amends SECTION 2 of the bill, in amended Section 27.031, Government Code (page 1, between lines 23 and 24) by inserting Subsection (c) to provide that a corporation need not be represented by an attorney in justice court.