

By: Alonzo

H.B. No. 1428

A BILL TO BE ENTITLED

AN ACT

relating to the abolition of certain district courts, the creation of additional district courts, and the election of district court judges in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) For district court elections in the counties named in this Act in 2010 and thereafter, judges shall be elected from election subdistricts as assigned by the legislature.

(b) The legislature finds that this Act is consistent with all provisions of the Texas Constitution.

SECTION 2. Subchapter A, Chapter 24, Government Code, is amended by adding Section 24.0015 to read as follows:

Sec. 24.0015. RESIDENCY REQUIREMENT OF JUDGES. A district judge elected by place from an area that is less than the entire judicial district may, but need not, be a resident of the area from which elected.

SECTION 3. Effective January 1, 2011, Subchapter C, Chapter 24, Government Code, is amended by adding Sections 24.580 through 24.587 to read as follows:

Sec. 24.580. 436TH JUDICIAL DISTRICT (HARRIS COUNTY). (a) The 436th Judicial District is composed of Harris County.

(b) The district has 30 judges who are elected by place as provided by Subsection (c). For purposes of this section, a commissioners court precinct is composed of the area in the

precinct on January 1, 2007.

(c) One judge shall be elected for each of the following places:

(1) places 1, 2, 3, 4, 5, 6, 7, and 8 shall be elected by voters residing in Commissioners Court Precinct No. 1;

(2) places 9, 10, 11, 12, 13, 14, 15, and 16 shall be elected by voters residing in Commissioners Court Precinct No. 2;

(3) places 17, 18, 19, 20, 21, 22, and 23 shall be elected by voters residing in Commissioners Court Precinct No. 3;

and

(4) places 24, 25, 26, 27, 28, 29, and 30 shall be elected by voters residing in Commissioners Court Precinct No. 4.

Sec. 24.581. 437TH JUDICIAL DISTRICT (DALLAS COUNTY). (a) The 437th Judicial District is composed of Dallas County.

(b) The district has 20 judges who are elected by place as provided by Subsection (c). For purposes of this section, a commissioners court precinct is composed of the area in the precinct on January 1, 2007.

(c) One judge shall be elected for each of the following places:

(1) places 1, 2, 3, 4, and 5 shall be elected by voters residing in Commissioners Court Precinct No. 1;

(2) places 6, 7, 8, 9, and 10 shall be elected by voters residing in Commissioners Court Precinct No. 2;

(3) places 11, 12, 13, 14, and 15 shall be elected by voters residing in Commissioners Court Precinct No. 3; and

(4) places 16, 17, 18, 19, and 20 shall be elected by

voters residing in Commissioners Court Precinct No. 4.

Sec. 24.582. 438TH JUDICIAL DISTRICT (TARRANT COUNTY). (a)
The 438th Judicial District is composed of Tarrant County.

(b) The district has 13 judges who are elected by place as
provided by Subsection (c). For purposes of this section, a
commissioners court precinct is composed of the area in the
precinct on January 1, 2007.

(c) One judge shall be elected for each of the following
places:

(1) places 1, 2, 3, and 4 shall be elected by voters
residing in Commissioners Court Precinct No. 1;

(2) places 5, 6, and 7 shall be elected by voters
residing in Commissioners Court Precinct No. 2;

(3) places 8, 9, and 10 shall be elected by voters
residing in Commissioners Court Precinct No. 3; and

(4) places 11, 12, and 13 shall be elected by voters
residing in Commissioners Court Precinct No. 4.

Sec. 24.583. 439TH JUDICIAL DISTRICT (BEXAR COUNTY). (a)
The 439th Judicial District is composed of Bexar County.

(b) The district has 12 judges who are elected by place as
provided by Subsection (c). For purposes of this section, a
commissioners court precinct is composed of the area in the
precinct on January 1, 2007.

(c) One judge shall be elected for each of the following
places:

(1) places 1, 2, and 3 shall be elected by voters
residing in Commissioners Court Precinct No. 1;

1 (2) places 4, 5 and 6 shall be elected by voters
2 residing in Commissioners Court Precinct No. 2;

3 (3) places 7, 8, and 9 shall be elected by voters
4 residing in Commissioners Court Precinct No. 3; and

5 (4) places 10, 11, and 12 shall be elected by voters
6 residing in Commissioners Court Precinct No. 4.

7 Sec. 24.584. 440TH JUDICIAL DISTRICT (JEFFERSON COUNTY).

8 (a) The 440th Judicial District is composed of Jefferson County.

9 (b) The district has five judges who are elected by place as
10 provided by Subsection (c). For purposes of this section, a
11 commissioners court precinct is composed of the area in the
12 precinct on January 1, 2007.

13 (c) One judge shall be elected for each of the following
14 places:

15 (1) places 1 and 2 shall be elected by voters residing
16 in Commissioners Court Precinct No. 1;

17 (2) place 3 shall be elected by voters residing in
18 Commissioners Court Precinct No. 2;

19 (3) place 4 shall be elected by voters residing in
20 Commissioners Court Precinct No. 3; and

21 (4) place 5 shall be elected by voters residing in
22 Commissioners Court Precinct No. 4.

23 Sec. 24.585. 441ST JUDICIAL DISTRICT (LUBBOCK COUNTY). (a)
24 The 441st Judicial District is composed of Lubbock County.

25 (b) The district has three judges who are elected by place
26 as provided by Subsection (c). For purposes of this section, a
27 commissioners court precinct is composed of the area in the

1 precinct on January 1, 2007.

2 (c) One judge shall be elected for each of the following
3 places:

4 (1) place 1 shall be elected by voters residing in
5 Commissioners Court Precinct No. 1;

6 (2) place 2 shall be elected by voters residing in
7 Commissioners Court Precinct No. 2; and

8 (3) place 3 shall be elected by voters residing in
9 Commissioners Court Precinct No. 3.

10 Sec. 24.586. 442ND JUDICIAL DISTRICT (ECTOR COUNTY). (a)
11 The 442nd Judicial District is composed of Ector County.

12 (b) The district has two judges who are elected by place as
13 provided by Subsection (c). For purposes of this section, a
14 commissioners court precinct is composed of the area in the
15 precinct on January 1, 2007.

16 (c) One judge shall be elected for each of the following
17 places:

18 (1) place 1 shall be elected by voters residing in
19 Commissioners Court Precinct No. 1; and

20 (2) place 2 shall be elected by voters residing in
21 Commissioners Court Precinct No. 2.

22 Sec. 24.587. 443RD JUDICIAL DISTRICT (MIDLAND COUNTY). (a)
23 The 443rd Judicial District is composed of Midland County.

24 (b) The district has two judges who are elected by place as
25 provided by Subsection (c). For purposes of this section, a
26 commissioners court precinct is composed of the area in the
27 precinct on January 1, 2007.

1 (c) One judge shall be elected for each of the following
2 places:

3 (1) place 1 shall be elected by voters residing in
4 Commissioners Court Precinct No. 1; and

5 (2) place 2 shall be elected by voters residing in
6 Commissioners Court Precinct No. 2.

7 SECTION 4. Effective January 1, 2013, Sections 24.580(b)
8 and (c), Government Code, as added by Section 3 of this Act, are
9 amended to read as follows:

10 (b) The district has 59 [~~30~~] judges who are elected by place
11 as provided by Subsection (c). For purposes of this section, a
12 commissioners court precinct is composed of the area in the
13 precinct on January 1, 2007.

14 (c) One judge shall be elected for each of the following
15 places:

16 (1) places 1, 2, 3, 4, 5, 6, 7, [~~and~~] 8, 31, 32, 33, 34,
17 35, 36, and 37 shall be elected by voters residing in Commissioners
18 Court Precinct No. 1;

19 (2) places 9, 10, 11, 12, 13, 14, 15, [~~and~~] 16, 38, 39,
20 40, 41, 42, 43, and 44 shall be elected by voters residing in
21 Commissioners Court Precinct No. 2;

22 (3) places 17, 18, 19, 20, 21, 22, [~~and~~] 23, 45, 46,
23 47, 48, 49, 50, 51, and 52 shall be elected by voters residing in
24 Commissioners Court Precinct No. 3; and

25 (4) places 24, 25, 26, 27, 28, 29, [~~and~~] 30, 53, 54,
26 55, 56, 57, 58, and 59 shall be elected by voters residing in
27 Commissioners Court Precinct No. 4.

SECTION 5. Effective January 1, 2013, Sections 24.581(b) and (c), Government Code, as added by Section 3 of this Act, are amended to read as follows:

(b) The district has 39 ~~[20]~~ judges who are elected by place as provided by Subsection (c). For purposes of this section, a commissioners court precinct is composed of the area in the precinct on January 1, 2007.

(c) One judge shall be elected for each of the following places:

(1) places 1, 2, 3, 4, ~~[and]~~ 5, 21, 22, 23, 24, and 25 shall be elected by voters residing in Commissioners Court Precinct No. 1;

(2) places 6, 7, 8, 9, ~~[and]~~ 10, 26, 27, 28, 29, and 30 shall be elected by voters residing in Commissioners Court Precinct No. 2;

(3) places 11, 12, 13, 14, ~~[and]~~ 15, 31, 32, 33, 34, and 35 shall be elected by voters residing in Commissioners Court Precinct No. 3; and

(4) places 16, 17, 18, 19, ~~[and]~~ 20, 36, 37, 38, and 39 shall be elected by voters residing in Commissioners Court Precinct No. 4.

SECTION 6. Effective January 1, 2013, Sections 24.582(b) and (c), Government Code, as added by Section 3 of this Act, are amended to read as follows:

(b) The district has 26 ~~[13]~~ judges who are elected by place as provided by Subsection (c). For purposes of this section, a commissioners court precinct is composed of the area in the

precinct on January 1, 2007.

(c) One judge shall be elected for each of the following places:

(1) places 1, 2, 3, ~~[and]~~ 4, 14, 15, and 16 shall be elected by voters residing in Commissioners Court Precinct No. 1;

(2) places 5, 6, ~~[and]~~ 7, 17, 18, 19, and 20 shall be elected by voters residing in Commissioners Court Precinct No. 2;

(3) places 8, 9, ~~[and]~~ 10, 21, 22, and 23 shall be elected by voters residing in Commissioners Court Precinct No. 3; and

(4) places 11, 12, ~~[and]~~ 13, 24, 25, and 26 shall be elected by voters residing in Commissioners Court Precinct No. 4.

SECTION 7. Effective January 1, 2013, Sections 24.583(b) and (c), Government Code, as added by Section 3 of this Act, are amended to read as follows:

(b) The district has 24 ~~[12]~~ judges who are elected by place as provided by Subsection (c). For purposes of this section, a commissioners court precinct is composed of the area in the precinct on January 1, 2007.

(c) One judge shall be elected for each of the following places:

(1) places 1, 2, ~~[and]~~ 3, 13, 14, and 15 shall be elected by voters residing in Commissioners Court Precinct No. 1;

(2) places 4, 5, ~~[and]~~ 6, 16, 17, and 18 shall be elected by voters residing in Commissioners Court Precinct No. 2;

(3) places 7, 8, ~~[and]~~ 9, 19, 20, and 21 shall be elected by voters residing in Commissioners Court Precinct No. 3;

1 and

2 (4) places 10, 11, ~~[and]~~ 12, 22, 23, and 24 shall be
3 elected by voters residing in Commissioners Court Precinct No. 4.

4 SECTION 8. Effective January 1, 2013, Sections 24.584(b)
5 and (c), Government Code, as added by Section 3 of this Act, are
6 amended to read as follows:

7 (b) The district has eight ~~[five]~~ judges who are elected by
8 place as provided by Subsection (c). For purposes of this section,
9 a commissioners court precinct is composed of the area in the
10 precinct on January 1, 2007.

11 (c) One judge shall be elected for each of the following
12 places:

13 (1) places 1 and 2 shall be elected by voters residing
14 in Commissioners Court Precinct No. 1;

15 (2) places ~~[place]~~ 3 and 6 shall be elected by voters
16 residing in Commissioners Court Precinct No. 2;

17 (3) places ~~[place]~~ 4 and 7 shall be elected by voters
18 residing in Commissioners Court Precinct No. 3; and

19 (4) places ~~[place]~~ 5 and 8 shall be elected by voters
20 residing in Commissioners Court Precinct No. 4.

21 SECTION 9. Effective January 1, 2013, Sections 24.585(b)
22 and (c), Government Code, as added by Section 3 of this Act, are
23 amended to read as follows:

24 (b) The district has five ~~[three]~~ judges who are elected by
25 place as provided by Subsection (c). For purposes of this section,
26 a commissioners court precinct is composed of the area in the
27 precinct on January 1, 2007.

(c) One judge shall be elected for each of the following places:

(1) places ~~[place]~~ 1 and 5 shall be elected by voters residing in Commissioners Court Precinct No. 1;

(2) place 2 shall be elected by voters residing in Commissioners Court Precinct No. 2; ~~[and]~~

(3) place 3 shall be elected by voters residing in Lubbock County Commissioners Court Precinct No. 3; and

(4) place 4 shall be elected by voters residing in Lubbock County Commissioners Court Precinct No. 4.

SECTION 10. Effective January 1, 2013, Sections 24.586(b) and (c), Government Code, as added by Section 3 of this Act, are amended to read as follows:

(b) The district has four ~~[two]~~ judges who are elected by place as provided by Subsection (c). For purposes of this section, a commissioners court precinct is composed of the area in the precinct on January 1, 2007.

(c) One judge shall be elected for each of the following places:

(1) place 1 shall be elected by voters residing in Commissioners Court Precinct No. 1; ~~[and]~~

(2) place 2 shall be elected by voters residing in Commissioners Court Precinct No. 2;

(3) place 3 shall be elected by voters residing in Commissioners Court Precinct No. 3; and

(4) place 4 shall be elected by voters residing in Commissioners Court Precinct No. 4.

SECTION 11. Effective January 1, 2013, Sections 24.587(b) and (c), Government Code, as added by Section 3 of this Act, are amended to read as follows:

(b) The district has four ~~[two]~~ judges who are elected by place as provided by Subsection (c). For purposes of this section, a commissioners court precinct is composed of the area in the precinct on January 1, 2007.

(c) One judge shall be elected for each of the following places:

(1) place 1 shall be elected by voters residing in Commissioners Court Precinct No. 1; ~~[and]~~

(2) place 2 shall be elected by voters residing in Commissioners Court Precinct No. 2;

(3) place 3 shall be elected by voters residing in Commissioners Court Precinct No. 3; and

(4) place 4 shall be elected by voters residing in Commissioners Court Precinct No. 4.

SECTION 12. (a) Effective January 1, 2011, the following sections of the Government Code are repealed:

(1) 24.112, 24.157, 24.163, 24.182, 24.215, 24.227, 24.229, 24.231, 24.235, 24.250, 24.251, 24.256, 24.261, 24.262, 24.267, 24.269, 24.270, 24.271, 24.272, 24.273, 24.362, 24.363, 24.364, 24.365, 24.368, 24.369, 24.387, 24.388, 24.394, and 24.406;

(2) 24.115, 24.146, 24.170, 24.197, 24.203, 24.218, 24.236, 24.257, 24.259, 24.370, 24.371, 24.372, 24.373, 24.374, 24.382, 24.383, 24.901, 24.902, 24.903, and 24.904;

(3) 24.118, 24.150, 24.169, 24.198, 24.252, 24.352,

1 24.392, 24.408, 24.410, 24.413, 24.474, 24.910, and 24.911;

2 (4) 24.139, 24.147, 24.159, 24.175, 24.233, 24.245,
3 24.249, 24.263, 24.268, 24.274, 24.366, and 24.402;

4 (5) 24.160, 24.162, 24.238, 24.359, and 24.920;

5 (6) 24.201, 24.239, and 24.242;

6 (7) 24.172 and 24.258; and

7 (8) 24.243 and 24.415.

8 (b) A judicial district created by a section of the
9 Government Code that is repealed by Subsection (a) of this section
10 is abolished January 1, 2011.

11 SECTION 13. (a) Effective January 1, 2013, the following
12 sections of the Government Code are repealed:

13 (1) 24.407, 24.409, 24.411, 24.422, 24.423, 24.424,
14 24.425, 24.434, 24.439, 24.440, 24.446, 24.447, 24.457, 24.458,
15 24.472, 24.479, 24.480, 24.483, 24.484, 24.485, 24.497, 24.616,
16 24.617, 24.618, 24.619, 24.620, 24.621, 24.622, and 24.623;

17 (2) 24.431, 24.432, 24.433, 24.442, 24.459, 24.460,
18 24.468, 24.469, 24.475, 24.508, 24.609, 24.610, 24.611, 24.612,
19 24.613, 24.638, 24.905, 24.906, and 24.907;

20 (3) 24.488, 24.494, 24.498, 24.516, 24.517, 24.541,
21 24.630, 24.631, 24.632, 24.633, 24.639, 24.912, and 24.913;

22 (4) 24.403, 24.404, 24.405, 24.462, 24.465, 24.466,
23 24.467, 24.524, 24.531, 24.544, 24.552, and 24.554;

24 (5) 24.429, 24.456, and 24.625;

25 (6) 24.414 and 24.509;

26 (7) 24.421 and 24.504; and

27 (8) 24.530 and 24.626.

1 (b) A judicial district created by a section of the
2 Government Code that is repealed by Subsection (a) of this section
3 is abolished January 1, 2013.

4 SECTION 14. (a) The judicial offices created by Section 3
5 of this Act exist for purposes of the primary and general elections
6 for state and county officers in 2010.

7 (b) Not later than December 15, 2010, the judge of a
8 district court that is abolished by Section 12 of this Act shall
9 transfer all cases pending in the court to another district court in
10 the county. The court to which the cases are transferred may not be
11 a court that is abolished by Section 12 of this Act.

12 (c) The judicial offices created by Sections 4 through 11 of
13 this Act exist for purposes of the primary and general elections for
14 state and county officers in 2012.

15 (d) Not later than December 15, 2012, the judge of a
16 district court that is abolished by Section 13 of this Act shall
17 transfer all cases pending in the court to another district court in
18 the county that is created by Section 3 of this Act.

19 (e) When a case is transferred from one court to another as
20 provided by Subsection (b) or (d) of this section, all processes,
21 writs, bonds, recognizances, or other obligations issued from the
22 transferring court are returnable to the court to which the case is
23 transferred as if originally issued by that court. The obligees in
24 all bonds and recognizances taken in and for a court from which a
25 case is transferred, and all witnesses summoned to appear in a court
26 from which a case is transferred, are required to appear before the
27 court to which a case is transferred as if originally required to

1 appear before the court to which the transfer is made.

2 SECTION 15. Except as provided by Sections 3 through 11,
3 12(a), and 13(a) of this Act, this Act takes effect September 1,
4 2007.