

By: Wentworth

S.B. No. 565

Substitute the following for S.B. No. 565:

By: Hartnett

C.S.S.B. No. 565

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the locations where certain courts may hear cases, hold  
3 court, and transact business.

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

5 SECTION 1. Chapter 21, Government Code, is amended by  
6 adding Section 21.010 to read as follows:

7 Sec. 21.010. EMERGENCY DEFINED. For purposes of any law  
8 that permits the chief justice of the supreme court, in the event of  
9 an emergency, to allow a court to hear cases, hold court, or  
10 transact business in a location other than a county seat where the  
11 court ordinarily is authorized to transact business, "emergency"  
12 means a condition or occurrence, including a natural disaster or  
13 enemy attack, that results in destruction of the court's facilities  
14 or that otherwise renders the facilities not physically suitable  
15 for transacting the court's normal business.

16 SECTION 2. Subchapter C, Chapter 22, Government Code, is  
17 amended by adding Section 22.2011 to read as follows:

18 Sec. 22.2011. LOCATION OF COURT PROCEEDINGS. (a) A court  
19 of appeals may hear cases, hold court, and transact its business at  
20 the county seat of any county in the court of appeals district as  
21 the court determines necessary or convenient.

22 (b) The chief justice of the supreme court may, in the event  
23 of an emergency, by order allow a court of appeals to hear cases,  
24 hold court, and transact business at the county seat of a county

1 located in an adjacent court of appeals district. This subsection  
2 prevails over any provision of this subchapter that requires a case  
3 to be heard in a specific county or city.

4 SECTION 3. Subsection (b), Section 22.204, Government Code,  
5 is amended to read as follows:

6 (b) Notwithstanding Section 22.2011(a), [~~The court may~~  
7 ~~transact its business at the county seat of any of the counties~~  
8 ~~within its district as the court determines is necessary and~~  
9 ~~convenient, except that]~~ all cases originating in Travis County  
10 shall be heard and transacted in that county.

11 SECTION 4. Subsection (b), Section 22.205, Government Code,  
12 is amended to read as follows:

13 (b) Notwithstanding Section 22.2011(a), [~~The court may~~  
14 ~~transact its business at the county seat of any of the counties~~  
15 ~~within its district, as the court determines is necessary and~~  
16 ~~convenient, except that]~~ all cases originating in Bexar County that  
17 the court hears shall be heard and transacted in that county.

18 SECTION 5. Subsection (b), Section 22.207, Government Code,  
19 is amended to read as follows:

20 (b) Notwithstanding Section 22.2011(a), the [~~The~~] court may  
21 transact its business in the City of Texarkana or the county seat of  
22 any county in the district as the court determines is necessary or  
23 convenient, except that all cases originating in Bowie County shall  
24 be heard and transacted in the City of Texarkana.

25 SECTION 6. Subsection (b), Section 22.209, Government Code,  
26 is amended to read as follows:

27 (b) Notwithstanding Section 22.2011(a), [~~The court may~~

1 ~~transact its business at the county seat of any county in the~~  
2 ~~district as the court determines is necessary and convenient,~~  
3 ~~except]~~ all cases originating in El Paso County shall be heard and  
4 transacted in that county.

5 SECTION 7. Subsection (a), Section 22.211, Government Code,  
6 is amended to read as follows:

7 (a) The Court of Appeals for the Tenth Court of Appeals  
8 District shall be held in the City of Waco [~~or in the county seat of~~  
9 ~~any county located within the Tenth Court of Appeals District]~~.

10 SECTION 8. Subsection (c), Section 22.213, Government Code,  
11 is amended to read as follows:

12 (c) Notwithstanding Section 22.2011(a), [~~The court may~~  
13 ~~transact its business in the City of Tyler or at the county seat of~~  
14 ~~any county in the district as the court determines is necessary or~~  
15 ~~convenient, except that]~~ all cases originating in Smith County  
16 shall be heard and transacted in the City of Tyler.

17 SECTION 9. Subsection (c), Section 22.214, Government Code,  
18 is amended to read as follows:

19 (c) Notwithstanding Section 22.2011(a), [~~The court may~~  
20 ~~transact its business at the county seat of any county in the~~  
21 ~~district as the court determines is necessary and convenient,~~  
22 ~~except that.~~

23 [~~(1)~~] all cases originating in Nueces County shall be  
24 heard and transacted in Nueces County[+] and

25 [~~(2)~~] all cases originating in Cameron, Hidalgo, or  
26 Willacy County shall be heard and transacted in Cameron, Hidalgo,  
27 or Willacy County.

1 SECTION 10. Subchapter A, Chapter 24, Government Code, is  
2 amended by adding Section 24.0171 to read as follows:

3 Sec. 24.0171. LOCATION OF EMERGENCY COURT PROCEEDINGS. (a)  
4 The chief justice of the supreme court may, in the event of an  
5 emergency, by order allow a district court to hear cases, hold  
6 court, and transact business at the county seat of another county  
7 located in the administrative judicial region in which the district  
8 court is located or at the county seat of a county located in an  
9 adjacent administrative judicial region, as designated in the order  
10 in accordance with Subsection (b).

11 (b) An order by the chief justice under Subsection (a) must  
12 designate the county seat that:

13 (1) is located nearest to the county seat where the  
14 court ordinarily is authorized to transact business; and

15 (2) has a facility available that is physically  
16 suitable for transacting the court's normal business.

17 (c) This section prevails over any provision of this chapter  
18 that requires a case to be heard in a specific county or city.

19 SECTION 11. Subchapter A, Chapter 25, Government Code, is  
20 amended by adding Section 25.0013 to read as follows:

21 Sec. 25.0013. LOCATION OF EMERGENCY COURT PROCEEDINGS. (a)  
22 The chief justice of the supreme court may, in the event of an  
23 emergency, by order allow a statutory county court to hear cases,  
24 hold court, and transact business at the county seat of another  
25 county located in the administrative judicial region in which the  
26 statutory county court is located or at the county seat of a county  
27 located in an adjacent administrative judicial region, as

1 designated in the order in accordance with Subsection (b).

2 (b) An order by the chief justice under Subsection (a) must  
3 designate the county seat that:

4 (1) is located nearest to the county seat where the  
5 court ordinarily is authorized to transact business; and

6 (2) has a facility available that is physically  
7 suitable for transacting the court's normal business.

8 (c) This section prevails over any provision of this chapter  
9 that requires a case to be heard in a specific county or city.

10 SECTION 12. Subchapter B, Chapter 25, Government Code, is  
11 amended by adding Section 25.0028 to read as follows:

12 Sec. 25.0028. LOCATION OF EMERGENCY COURT PROCEEDINGS. (a)  
13 The chief justice of the supreme court may, in the event of an  
14 emergency, by order allow a statutory probate court to hear cases,  
15 hold court, and transact business at the county seat of another  
16 county located in the administrative judicial region in which the  
17 statutory probate court is located or at the county seat of a county  
18 located in an adjacent administrative judicial region, as  
19 designated in the order in accordance with Subsection (b).

20 (b) An order by the chief justice under Subsection (a) must  
21 designate the county seat that:

22 (1) is located nearest to the county seat where the  
23 court ordinarily is authorized to transact business; and

24 (2) has a facility available that is physically  
25 suitable for transacting the court's normal business.

26 (c) This section prevails over any provision of this chapter  
27 that requires a case to be heard in a specific county or city.

1           SECTION 13. The following provisions of the Government Code  
2 are repealed:

- 3                   (1) Subsection (g), Section 22.202;
- 4                   (2) Subsection (b), Section 22.203;
- 5                   (3) Subsection (b), Section 22.206;
- 6                   (4) Subsection (c), Section 22.210;
- 7                   (5) Subsection (c), Section 22.212; and
- 8                   (6) Subsection (c), Section 22.215.

9           SECTION 14. This Act takes effect September 1, 2007.