

By: Wentworth

S.B. No. 618

A BILL TO BE ENTITLED

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AN ACT

relating to the jurisdiction of and representation in the county, justice, and small claims courts in civil matters.

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

SECTION 1. Subsection (a), Section 26.042, Government Code, is amended to read as follows:

(a) A county court has concurrent jurisdiction with the justice courts in civil cases in which the matter in controversy exceeds \$200 in value but does not exceed \$10,000 [~~\$5,000~~], exclusive of interest.

SECTION 2. Section 27.031, Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) In addition to the jurisdiction and powers provided by the constitution and other law, the justice court has original jurisdiction of:

(1) civil matters in which exclusive jurisdiction is not in the district or county court and in which the amount in controversy is not more than \$10,000 [~~\$5,000~~], exclusive of interest;

(2) cases of forcible entry and detainer; and

(3) foreclosure of mortgages and enforcement of liens on personal property in cases in which the amount in controversy is otherwise within the justice court's jurisdiction.

1           (c) A corporation need not be represented by an attorney in  
2 justice court.

3           SECTION 3. Subsection (a), Section 28.003, Government Code,  
4 is amended to read as follows:

5           (a) The small claims court has concurrent jurisdiction with  
6 the justice court in actions by any person for the recovery of money  
7 in which the amount involved, exclusive of costs, does not exceed  
8 \$10,000 [~~\$5,000~~].

9           SECTION 4. This Act applies only to a cause of action filed  
10 on or after the effective date of this Act. A cause of action filed  
11 before the effective date of this Act is governed by the law in  
12 effect at the time the cause of action was filed, and that law is  
13 continued in effect for that purpose.

14           SECTION 5. This Act takes effect September 1, 2007.