

1-1 By: Deuell S.B. No. 2018  
1-2 (In the Senate - Filed April 11, 2007; April 12, 2007, read  
1-3 first time and referred to Committee on Jurisprudence;  
1-4 April 26, 2007, reported favorably by the following vote: Yeas 4,  
1-5 Nays 0; April 26, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the creation of an additional statutory county court in  
1-9 Hunt County and the administration, operation, and jurisdiction of  
1-10 statutory county courts in that county.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 25.1181, Government Code, is amended to  
1-13 read as follows:

1-14 Sec. 25.1181. HUNT COUNTY. Hunt County has two ~~[one]~~  
1-15 statutory county courts:

1-16 (1) ~~[court,~~ the County Court at Law Number One of Hunt  
1-17 County; and

1-18 (2) the County Court at Law Number Two of Hunt County.

1-19 SECTION 2. Section 25.1182, Government Code, is amended to  
1-20 read as follows:

1-21 Sec. 25.1182. HUNT COUNTY COURT AT LAW PROVISIONS. (a) In  
1-22 addition to the jurisdiction provided by Section 25.0003 and other  
1-23 law, and except as limited by Subsection (b), a county court at law  
1-24 in Hunt County has, concurrent with the district courts, the  
1-25 jurisdiction provided by the constitution and general law for  
1-26 district courts.

1-27 (b) A county court at law does not have general supervisory  
1-28 control or appellate review of the commissioners court or  
1-29 jurisdiction of:

1-30 (1) felony cases involving capital murder;

1-31 (2) suits on behalf of the state to recover penalties  
1-32 or escheated property;

1-33 (3) misdemeanors involving official misconduct; or

1-34 (4) contested elections ~~[has the same terms of court~~  
1-35 as the County Court of Hunt County].

1-36 (c) The district clerk serves as clerk of a county court at  
1-37 law except that the county clerk serves as clerk of the county court  
1-38 at law in mental health, probate, and juvenile matters, for  
1-39 misdemeanors, and in all civil matters that are originally filed in  
1-40 the county court at law.

1-41 (d) Jurors regularly impaneled for the week by the district  
1-42 court may, at the request of the judge of a county court at law, be  
1-43 made available in the numbers requested and shall serve for that  
1-44 week or until released by the judge of the county court at law ~~[The~~  
1-45 judge of a county court at law shall be paid an annual salary that is  
1-46 at least \$42,500, to be paid from the same fund and in the same  
1-47 manner as the county judge. The judge is entitled to receive travel  
1-48 expenses and necessary office expenses in the same manner as is  
1-49 allowed the county judge].

1-50 (e) A county court at law may summon jurors through the  
1-51 county clerk for service in the county court at law in the manner  
1-52 provided by the laws governing the drawing, selection, and service  
1-53 of jurors for county courts at law. Jurors summoned shall be paid  
1-54 in the same manner and at the same rate as jurors for district  
1-55 courts in Hunt County. By order of the judge of a county court at  
1-56 law, jurors summoned to the county court at law may be transferred  
1-57 to the district court for service in noncapital felony cases ~~[The~~  
1-58 judge of a county court at law shall diligently discharge the duties  
1-59 of his office on a full-time basis and may not engage in the private  
1-60 practice of law].

1-61 (f) Notwithstanding Sections 74.091 and 74.0911, a district  
1-62 judge serves as the local administrative judge for the district and  
1-63 county courts at law in Hunt County. The judges of district courts  
1-64 shall elect a district judge as local administrative judge for a  
1-65 term of not more than two years. The local administrative judge may

2-1 not be elected on the basis of rotation or seniority [~~A special~~  
 2-2 ~~judge of a county court at law with the same qualifications as the~~  
 2-3 ~~regular judge may be appointed or elected in the manner provided by~~  
 2-4 ~~law for county courts. If the judge of a county court at law is~~  
 2-5 ~~disqualified to try a case pending in the judge's court, the parties~~  
 2-6 ~~or their attorneys may agree on the selection of a special judge to~~  
 2-7 ~~try the case. A special judge is entitled to receive \$100 for each~~  
 2-8 ~~day served to be paid out of the general fund of the county by the~~  
 2-9 ~~commissioners court].~~

2-10 (g) When administering a case for a county court at law, the  
 2-11 district clerk shall charge civil fees and court costs as if the  
 2-12 case had been filed in the district court. In a case of concurrent  
 2-13 jurisdiction, the case shall be assigned to either the district  
 2-14 court or a county court at law in accordance with local  
 2-15 administrative rules established by the local administrative  
 2-16 judge [The county sheriff shall, in person or by deputy, attend a  
 2-17 county court at law as required by the judge].

2-18 (h) The judge of a county court at law shall appoint an  
 2-19 official court reporter for the court and shall set the official  
 2-20 court reporter's annual salary, subject to approval by the county  
 2-21 commissioners court. The official court reporter of the county  
 2-22 court at law shall take an oath or affirmation as an officer of the  
 2-23 court. The official court reporter holds office at the pleasure of  
 2-24 the judge of the court and shall be provided a private office in  
 2-25 close proximity to the court. The official court reporter is  
 2-26 entitled to all rights and benefits afforded all other county  
 2-27 employees [Practice in a county court at law is that prescribed by  
 2-28 law for county courts].

2-29 (i) With the approval of the county commissioners court and  
 2-30 through the county budget process, a judge of a county court at law  
 2-31 shall hire a staff. The staff of the judge of a county court at law  
 2-32 consists of a court coordinator and a bailiff. Court personnel  
 2-33 employed under this subsection are entitled to receive a salary set  
 2-34 by the commissioners court and other employment benefits received  
 2-35 by county employees [Section 25.0005(b) does not apply to a county  
 2-36 court at law in Hunt County].

2-37 (j) Not later than one year after the date of appointment,  
 2-38 the bailiff of a county court at law must have received a peace  
 2-39 officer license under Chapter 1701, Occupations Code, from the  
 2-40 Commission on Law Enforcement Officer Standards and Education. The  
 2-41 sheriff of Hunt County shall deputize the bailiff. The bailiff is  
 2-42 subject to the training and continuing education requirements of a  
 2-43 sheriff's deputy of the county. The sheriff shall remove from  
 2-44 office a bailiff who does not receive a peace officer license before  
 2-45 the first anniversary of the date of appointment as required by this  
 2-46 subsection.

2-47 (k) The judge of a county court at law must be a United  
 2-48 States citizen at the time of appointment or election.

2-49 (l) The judge of a county court at law shall diligently  
 2-50 discharge the duties of the office on a full-time basis and may not  
 2-51 engage in the private practice of law.

2-52 (m) In matters of concurrent jurisdiction, the judge of a  
 2-53 county court at law and the district judge may exchange benches,  
 2-54 transfer cases subject to acceptance, assign each other to hear  
 2-55 cases, and otherwise manage their respective dockets under local  
 2-56 administrative rules.

2-57 (n) The judge of a county court at law has the same judicial  
 2-58 immunity as a district judge.

2-59 SECTION 3. On the effective date of this Act:

2-60 (1) the County Court at Law of Hunt County is  
 2-61 redesignated as the County Court at Law Number One of Hunt County,  
 2-62 and the judge of that court, unless otherwise removed as provided by  
 2-63 law, serves as the judge of the redesignated court for the remainder  
 2-64 of the term to which the judge was elected; and

2-65 (2) the County Court at Law Number Two of Hunt County  
 2-66 is created.

2-67 SECTION 4. This Act takes effect September 1, 2007.

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