

BILL ANALYSIS

H.B. 600
By: Hughes
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under Texas law, two courts have jurisdiction over civil claims valued at less than \$10,000: the small claims court and the justice court. Both the small claims court and the justice court are presided over by the justice of the peace, and a judgment rendered in either court is appealable de novo to the county court. However, due to an anomaly in Texas law, a person may not file an appeal in the court of appeals if the case originated in the small claims court. So, a person can file identical cases in the justice court and in the small claims court, have the case heard by the same justice of the peace, but only one case is permitted to be appealed under current law.

H.B. 600 clarifies, on recommendation by the Texas Judicial Council, that a case is appealable regardless of the court in which it is filed.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 600 amends the Government Code to remove language rendering as final the judgment of a county court or county court at law on appeal from a small claims court to entitle a person to appeal the judgment to the court of appeals. The bill clarifies that a trial or appeal from a small claims court to a county court or county court at law is de novo.

EFFECTIVE DATE

September 1, 2009.