

BILL ANALYSIS

H.B. 1682
By: Cook
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Commissioners Court of Navarro County, Texas passed a resolution on November 24, 2008 requesting that the Texas Legislature enact a bill for the creation of a statutory county court at law for Navarro County, Texas.

H.B. 1682 addresses this request by creating the County Court at Law of Navarro County effective January 1, 2011 or on an earlier date determined by the Commissioners Court of Navarro County by an order entered in its minutes.

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. 1682 amends the Government Code to create the County Court at Law of Navarro County effective January 1, 2011 or on an earlier date determined by the Commissioners Court of Navarro County by an order entered in its minutes. The bill establishes that, in addition to the jurisdiction of statutory county courts prescribed by law, a county court at law in Navarro County has concurrent jurisdiction with the district court in Class A and Class B misdemeanor cases, family law matters, juvenile matters, probate matters, appeals from the justice and municipal courts, and in conducting certain actions in felony cases. The bill specifies that a county court at law does not have general supervisory control or appellate review of the commissioners court or jurisdiction of suits on behalf of Texas to recover penalties or escheated property, felony cases involving capital murder, misdemeanors involving official misconduct, or contested elections.

H.B. 1682 requires the judge of a county court at law in Navarro County to have the same qualifications as those required by law for a district judge and prohibits the judge from engaging in the private practice of law. The bill requires that the judge of a county court at law be paid a total annual salary set by the commissioners court at an amount that is not less than \$1,000 less than the total annual salary received by a district judge in the county, and excludes contributions and supplements paid by a county from a district court judge's or statutory county court judge's total annual salary. The bill establishes that the district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court, and requires the county clerk to serve as clerk of a county court at law in all other matters. The bill requires each clerk to establish a separate docket for a county court at law. The bill entitles the official court reporter of a county court at law to receive a salary set by the judge of the county court at law with the approval of the commissioners court. The bill authorizes jurors summoned for a county court at law or a district court in the county to be transferred to another court for service by order of the judge of the court to which they are summoned.

H.B. 1682 creates the County Court at Law of Navarro County on January 1, 2011, or on an

earlier date determined by the Commissioners Court of Navarro County by an order entered in its minutes.

EFFECTIVE DATE

September 1, 2009.