

By: Solomons

H.B. No. 692

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of statutory county courts.

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

SECTION 1. Article 4.07, Code of Criminal Procedure, is amended to read as follows:

Art. 4.07. JURISDICTION OF COUNTY COURTS. (a) The county courts shall have original jurisdiction of all misdemeanors of which exclusive original jurisdiction is not given to the justice court, and when the fine to be imposed shall exceed five hundred dollars.

(b) In addition to other jurisdiction provided by law, a statutory county court exercising original or concurrent jurisdiction over any type of misdemeanor case has concurrent jurisdiction with the district court in state jail felony cases.

SECTION 2. Section 25.0003, Government Code, is amended by adding Subsection (g) to read as follows:

(g) In addition to other jurisdiction provided by law, a statutory county court exercising original or concurrent jurisdiction over any type of misdemeanor case has concurrent jurisdiction with the district court in state jail felony cases. Notwithstanding Section 25.0001(a), this subsection prevails over any other law regarding the jurisdiction of statutory county courts.

SECTION 3. Section 74.093, Government Code, is amended by

1 adding Subsection (e) to read as follows:

2 (e) In adopting local rules of administration relating to
3 the assignment or transfer of state jail felony cases or
4 proceedings among district and statutory county courts that have
5 concurrent jurisdiction of those cases and proceedings as provided
6 by Section 25.0003 or by Article 4.07, Code of Criminal Procedure,
7 the judges of those courts shall collectively solicit at the
8 beginning of each fiscal year the advice of district attorneys,
9 county attorneys, defense attorneys, and county commissioners
10 regarding the allocation of state jail felony cases or proceedings
11 among the district and statutory county courts during that year.
12 The district and statutory county court judges may not solicit
13 advice relating to the assignment or transfer of specific state
14 jail felony cases or proceedings among those courts.

15 SECTION 4. The change in law made by this Act applies only
16 to a criminal action filed on or after the effective date of this
17 Act. A criminal action filed before the effective date of this Act
18 is covered by the law in effect when the action was filed, and the
19 former law is continued in effect for that purpose.

20 SECTION 5. This Act takes effect September 1, 2009.