

By: Cook

H.B. No. 728

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a county court at law in Navarro County.

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

SECTION 1. Subchapter C, Chapter 25, Government Code, is amended by adding Sections 25.1771 and 25.1772 to read as follows:

Sec. 25.1771. NAVARRO COUNTY. Navarro County has one statutory county court, the County Court at Law of Navarro County.

Sec. 25.1772. NAVARRO COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, and except as limited by Subsection (b), a county court at law in Navarro County has concurrent jurisdiction with the district court in:

(1) felony cases to:

(A) conduct arraignments;

(B) conduct pretrial hearings;

(C) accept guilty pleas; and

(D) conduct jury trials on assignment of a district judge presiding in Navarro County and acceptance of the assignment by the judge of the county court at law;

(2) Class A and Class B misdemeanor cases;

(3) family law matters;

(4) juvenile matters;

(5) probate matters; and

(6) appeals from the justice and municipal courts.

1       (b) A county court at law does not have general supervisory  
2 control or appellate review of the commissioners court or  
3 jurisdiction of:

4           (1) suits on behalf of this state to recover penalties  
5 or escheated property;

6           (2) felony cases involving capital murder;

7           (3) misdemeanors involving official misconduct; or

8           (4) contested elections.

9       (c) The judge of a county court at law must have the same  
10 qualifications as those required by law for a district judge.

11       (d) The judge of a county court at law shall be paid a total  
12 annual salary set by the commissioners court at an amount that is  
13 not less than \$1,000 less than the total annual salary received by a  
14 district judge in the county. A district judge's or statutory  
15 county court judge's total annual salary does not include  
16 contributions and supplements paid by a county.

17       (e) The judge of a county court at law may not engage in the  
18 private practice of law.

19       (f) The district clerk serves as clerk of a county court at  
20 law in matters of concurrent jurisdiction with the district court,  
21 and the county clerk shall serve as clerk of a county court at law in  
22 all other matters. Each clerk shall establish a separate docket for  
23 a county court at law.

24       (g) The official court reporter of a county court at law is  
25 entitled to receive a salary set by the judge of the county court at  
26 law with the approval of the commissioners court.

27       (h) Jurors summoned for a county court at law or a district

1 court in the county may by order of the judge of the court to which  
2 they are summoned be transferred to another court for service and  
3 may be used as if summoned for the court to which they are  
4 transferred.

5 SECTION 2. Notwithstanding Section 25.1771, Government  
6 Code, as added by this Act, the County Court at Law of Navarro  
7 County is created January 1, 2011, or on an earlier date determined  
8 by the Commissioners Court of Navarro County by an order entered in  
9 its minutes.

10 SECTION 3. This Act takes effect September 1, 2009.