

By: Phillips

H.B. No. 2232

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a county court at law in Fannin 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 25.0761 and 25.0762 to read as follows:

Sec. 25.0761. FANNIN COUNTY. Fannin County has one statutory county court, the County Court at Law of Fannin County.

Sec. 25.0762. FANNIN COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law and except as provided by Subsection (b), a county court at law in Fannin County has concurrent jurisdiction with the district court in:

(1) family law cases and proceedings, including proceedings under Chapter 262, Family Code; and

(2) proceedings under Title 3, Family Code.

(b) A county court at law does not have jurisdiction of proceedings under:

(1) Section 262.201, Family Code; or

(2) Section 54.03 or 54.04, Family Code.

(c) A county court at law shall transfer a family law case or proceeding instituted under Chapter 262, Family Code, from that court to the district court before a hearing governed by Section 262.201, Family Code, is commenced. A case or proceeding transferred as required by this subsection shall be completed under

1 the same cause number and in the same manner as if the case or
2 proceeding were originally filed in the district court. The
3 district court may not transfer the case or proceeding back to the
4 county court at law, except as provided by Section 262.203(a),
5 Family Code.

6 (d) A county court at law shall transfer a juvenile case or
7 proceeding instituted under Title 3, Family Code, from that court
8 to another court designated as a juvenile court under Section
9 51.04, Family Code, before a hearing governed by Section 54.03,
10 Family Code, is commenced. A case or proceeding transferred as
11 required by this subsection shall be completed under the same cause
12 number and in the same manner as if the case or proceeding were
13 originally filed in the juvenile court. The juvenile court may not
14 transfer the case or proceeding back to the county court at law.

15 SECTION 2. The County Court at Law of Fannin County is
16 created September 1, 2009.

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