

1-1 By: Phillips (Senate Sponsor - Deuell) H.B. No. 2232
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on
1-4 Jurisprudence; May 23, 2009, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 23, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of a county court at law in Fannin County.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subchapter C, Chapter 25, Government Code, is
1-11 amended by adding Sections 25.0761 and 25.0762 to read as follows:

1-12 Sec. 25.0761. FANNIN COUNTY. Fannin County has one
1-13 statutory county court, the County Court at Law of Fannin County.

1-14 Sec. 25.0762. FANNIN COUNTY COURT AT LAW PROVISIONS. (a)
1-15 In addition to the jurisdiction provided by Section 25.0003 and
1-16 other law and except as provided by Subsection (b), a county court
1-17 at law in Fannin County has concurrent jurisdiction with the
1-18 district court in:

1-19 (1) family law cases and proceedings, including
1-20 proceedings under Chapter 262, Family Code; and

1-21 (2) proceedings under Title 3, Family Code.

1-22 (b) A county court at law does not have jurisdiction of
1-23 proceedings under:

1-24 (1) Section 262.201, Family Code; or

1-25 (2) Section 54.03 or 54.04, Family Code.

1-26 (c) A county court at law shall transfer a family law case or
1-27 proceeding instituted under Chapter 262, Family Code, from that
1-28 court to the district court before a hearing governed by Section
1-29 262.201, Family Code, is commenced. A case or proceeding
1-30 transferred as required by this subsection shall be completed under
1-31 the same cause number and in the same manner as if the case or
1-32 proceeding were originally filed in the district court. The
1-33 district court may not transfer the case or proceeding back to the
1-34 county court at law, except as provided by Section 262.203(a),
1-35 Family Code.

1-36 (d) A county court at law shall transfer a juvenile case or
1-37 proceeding instituted under Title 3, Family Code, from that court
1-38 to another court designated as a juvenile court under Section
1-39 51.04, Family Code, before a hearing governed by Section 54.03,
1-40 Family Code, is commenced. A case or proceeding transferred as
1-41 required by this subsection shall be completed under the same cause
1-42 number and in the same manner as if the case or proceeding were
1-43 originally filed in the juvenile court. The juvenile court may not
1-44 transfer the case or proceeding back to the county court at law.

1-45 SECTION 2. The County Court at Law of Fannin County is
1-46 created September 1, 2009.

1-47 SECTION 3. This Act takes effect September 1, 2009.

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