

By: Woolley, Thompson

H.B. No. 3723

Substitute the following for H.B. No. 3723:

By: Alonzo

C.S.H.B. No. 3723

A BILL TO BE ENTITLED

AN ACT

relating to the designation of a judicial district in Harris County as the district court for domestic violence cases in that county.

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

SECTION 1. Section 24.112, Government Code, is amended by amending Subsection (b) and adding Subsections (g), (h), (i), (j), and (k) to read as follows:

(b) Except as provided by Subsection (g), the [The] provisions of this section apply to the 11th, 55th, 61st, 80th, 113th, 125th, 127th, 129th, 133rd, 151st, 152nd, 157th, 164th, and 165th judicial districts.

(g) Subsection (h) applies to the 11th, 55th, 61st, 80th, 113th, 125th, 127th, 129th, 133rd, 151st, 152nd, 157th, 164th, 165th, 189th, 190th, 215th, 234th, 269th, 270th, 280th, 281st, 295th, 333rd, and 334th judicial districts.

(h) The judges of the district courts listed in Subsection (g) by agreement shall designate one of the listed district courts as the domestic violence district court for Harris County. In designating the domestic violence district court, the judges shall give preference to a district court:

(1) that has a judicial vacancy at the time of the agreement; or

(2) for which the sitting judge of the district court has not at the time of the agreement announced a candidacy or become

1 a candidate in the upcoming election for that judicial office.

2 (i) Subject to any jurisdictional limitations, the district  
3 court designated in an agreement under Subsection (h) as the  
4 domestic violence district court shall give preference to:

5 (1) domestic violence cases, including cases  
6 involving:

7 (A) dating violence, as defined by Section  
8 71.0021, Family Code;

9 (B) family violence, as defined by Section  
10 71.004, Family Code;

11 (C) abuse or neglect, as defined by Section  
12 261.001, Family Code, of a child; or

13 (D) elder abuse;

14 (2) any matter in which pleadings are filed  
15 concurrently with an application for a protective order under Title  
16 4, Family Code, that involves both parties;

17 (3) any matter involving minor children if one parent  
18 is alleged to have caused the death of another parent and there is a  
19 history of domestic violence in the parents' relationship; and

20 (4) cases in which:

21 (A) a court has made an affirmative finding of  
22 family violence involving both parties; or

23 (B) a protective order has been issued under  
24 Title 4, Family Code, involving both parties.

25 (j) The district court designated in an agreement under  
26 Subsection (h) as the domestic violence district court shall:

27 (1) provide timely and efficient access to emergency

1 protective orders and other court remedies for persons the court  
2 determines are victims of domestic violence;

3 (2) integrate victims' services for persons the court  
4 determines are victims of domestic violence who have a case before  
5 the court; and

6 (3) promote an informed and consistent court response  
7 to domestic violence cases to lessen the number of misdemeanors,  
8 felonies, and fatalities related to domestic violence in Harris  
9 County.

10 (k) The clerk for the district court designated in an  
11 agreement under Subsection (h) as the domestic violence district  
12 court shall create a form to transfer a domestic violence case that  
13 the district court is required to give preference to under  
14 Subsection (i) to the domestic violence district court.

15 SECTION 2. Not later than January 1, 2010, the judges of the  
16 district courts listed in Section 24.112(g), Government Code, as  
17 added by this Act, shall by agreement designate a listed court as  
18 the domestic violence district court for Harris County.

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