

By: Deuell

S.B. No. 2566

Substitute the following for S.B. No. 2566:

By: Hartnett

C.S.S.B. No. 2566

A BILL TO BE ENTITLED

1 AN ACT
2 relating to jurisdiction of the county courts at law in Hunt County
3 and the composition and operation of the Hunt County Juvenile
4 Board.

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

6 SECTION 1. Subsections (a), (b), and (d), Section 152.1221,
7 Human Resources Code, are amended to read as follows:

8 (a) The Hunt County Juvenile Board is composed of the county
9 judge, the district judges in Hunt County, and the judges [~~judge~~] of
10 the county courts [~~court~~] at law.

11 (b) The board shall designate a juvenile court judge to
12 serve as [~~is~~] the chairman of the board and its chief administrative
13 officer.

14 (d) Each judge on the board may [~~shall~~] appoint one citizen
15 to serve on the advisory council. Members of the advisory council
16 serve without compensation.

17 SECTION 2. Section 25.1182, Government Code, is amended to
18 read as follows:

19 Sec. 25.1182. HUNT COUNTY COURT AT LAW PROVISIONS. (a) In
20 addition to the jurisdiction provided by Section 25.0003 and other
21 law, and except as limited by Subsection (b), a county court at law
22 in Hunt County has, concurrent with the district courts, the
23 jurisdiction provided by the constitution and general law for
24 district courts.

1 (b) A county court at law's civil jurisdiction concurrent
2 with the district court in civil cases is limited to cases in which
3 the matter in controversy does not exceed \$250,000. A county
4 court at law does not have general supervisory control or appellate
5 review of the commissioners court or jurisdiction of:

6 (1) felony cases involving capital murder;

7 (2) suits on behalf of the state to recover penalties
8 or escheated property;

9 (3) misdemeanors involving official misconduct; or

10 (4) contested elections [~~has the same terms of court~~
11 ~~as the County Court of Hunt County~~].

12 (c) The county clerk serves as clerk of a county court at law
13 in matters of mental health, probate, and juvenile, for the
14 criminal misdemeanor docket, and all civil matters originally filed
15 in the county courts at law. The district clerk serves as clerk for
16 all other cases.

17 (d) Jurors regularly impaneled for the week by the district
18 courts may, at the request of a county court at law judge, be made
19 available by a district judge in the numbers requested and shall
20 serve for the week or until released by the county court at law [~~The~~
21 ~~judge of a county court at law shall be paid an annual salary that is~~
22 ~~at least \$42,500, to be paid from the same fund and in the same~~
23 ~~manner as the county judge. The judge is entitled to receive travel~~
24 ~~expenses and necessary office expenses in the same manner as is~~
25 ~~allowed the county judge~~].

26 (e) A county court at law may summon jurors through the
27 county clerk for service in the county court at law in the manner

1 provided by the laws governing the drawing, selection, and service
2 of jurors for county courts. Jurors summoned shall be paid in the
3 same manner and at the same rate as jurors for district courts in
4 Hunt County. By order of the judge of a county court at law, jurors
5 summoned to a county court at law may be transferred to the district
6 court for service in noncapital felony cases [~~The judge of a~~
7 ~~county court at law shall diligently discharge the duties of his~~
8 ~~office on a full-time basis and may not engage in the private~~
9 ~~practice of law].~~

10 (f) Notwithstanding Sections 74.091 and 74.0911, a district
11 judge serves as the local administrative judge for the district and
12 county courts at law in Hunt County. The judges of the district
13 courts shall elect a district judge as local administrative judge
14 for a term of not more than two years [~~A special judge of a county~~
15 ~~court at law with the same qualifications as the regular judge may~~
16 ~~be appointed or elected in the manner provided by law for county~~
17 ~~courts. If the judge of a county court at law is disqualified to try~~
18 ~~a case pending in the judge's court, the parties or their attorneys~~
19 ~~may agree on the selection of a special judge to try the case. A~~
20 ~~special judge is entitled to receive \$100 for each day served to be~~
21 ~~paid out of the general fund of the county by the commissioners~~
22 ~~court].~~

23 (g) When administering a case for a county court at law, the
24 district clerk shall charge civil fees and court costs as if the
25 case had been filed in the district court. In a case of concurrent
26 jurisdiction, the case shall be assigned to either the district
27 court or county court at law in accordance with local

1 administrative rules established by the local administrative
2 judge [~~The county sheriff shall, in person or by deputy, attend a~~
3 ~~county court at law as required by the judge~~].

4 (h) The judge of a county court at law shall appoint an
5 official court reporter for the court and shall set the official
6 court reporter's annual salary, subject to approval by the county
7 commissioners court. The official court reporter of the county
8 court at law shall take an oath or affirmation as an officer of the
9 court. The official court reporter holds office at the pleasure of
10 the judge of the court and shall be provided a private office in
11 close proximity to the court. The official court reporter is
12 entitled to all rights and benefits afforded all other county
13 employees [~~Practice in a county court at law is that prescribed by~~
14 ~~law for county courts~~].

15 (i) With the approval of the county commissioners court and
16 through the county budget process, the judge of a county court at
17 law shall hire a staff. The staff of the judge of a county court at
18 law consists of a court coordinator and a bailiff. Court personnel
19 employed under this subsection are entitled to receive a salary set
20 by the commissioners court and other employment benefits received
21 by county employees [~~Section 25.0005(b) does not apply to a county~~
22 ~~court at law in Hunt County~~].

23 (j) Not later than one year after the date of appointment,
24 the bailiff of a county court at law must have received a peace
25 officer license under Chapter 1701, Occupations Code, from the
26 Commission on Law Enforcement Officer Standards and Education. The
27 sheriff of Hunt County shall deputize the bailiff of a county court

1 at law. The bailiff of a county court at law is subject to the
2 training and continuing education requirements of a sheriff's
3 deputy of the county. The sheriff shall remove from office a
4 bailiff who does not receive a peace officer license within one year
5 of appointment as required by this subsection.

6 (k) The judge of a county court at law must be a United
7 States citizen at the time of appointment or election.

8 (l) The judge of a county court at law shall diligently
9 discharge the duties of the office on a full-time basis and may not
10 engage in the private practice of law.

11 (m) In matters of concurrent jurisdiction, the judge of a
12 county court at law and the district judge may exchange benches,
13 transfer cases subject to acceptance, request that the local
14 administrative judge assign each other to hear cases, and otherwise
15 manage their respective dockets under local administrative rules.

16 (n) The judge of a county court at law has the same judicial
17 immunity as a district judge.

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