

## **BILL ANALYSIS**

C.S.H.B. 3796  
By: Gallego  
Judiciary & Civil Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Edwards County is currently part of the 63rd Judicial District, which covers a substantial area. Interested parties contend that transferring Edwards County from the jurisdiction of the 63rd Judicial District to the jurisdiction of the 198th Judicial District would limit the travel time of judges, attorneys, and citizens. C.S.H.B. 3796 seeks to address this issue by making changes relating to the composition of certain judicial districts.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3796 amends the Government Code to transfer Edwards County from the jurisdiction of the 63rd Judicial District to the jurisdiction of the 198th Judicial District. The bill requires the local administrative district judge to transfer all cases from Edwards County that are pending in the 63rd District Court on the bill's effective date to the 198th District Court. The bill makes all processes, writs, bonds, recognizances, or other obligations issued from the 63rd District Court returnable to the 198th District Court as if originally issued by that court when a case is transferred in such a fashion.

C.S.H.B. 3796 requires the obligees on all bonds and recognizances taken in and for the 63rd District Court and all witnesses summoned to appear in the 63rd District Court to appear before the 198th District Court as if originally required to appear before that court. The bill requires a district court in Texas, on the bill's effective date, to promptly enter any order for substitution of counsel that is necessary to permit the appearance by the district attorney for the 198th Judicial District on behalf of the state for any case pending before the district court that has been transferred as provided by the bill's provisions.

### **EFFECTIVE DATE**

September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 3796 differs from the original by transferring Edwards County from the jurisdiction of the 63rd Judicial District to the jurisdiction of the 198th Judicial District, whereas the original transfers Edwards County to the 83rd Judicial District.