

By: Lozano

H.B. No. 948

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a county court at law in Willacy 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 25.2471 and 25.2472 to read as follows:

Sec. 25.2471. WILLACY COUNTY. Willacy County has one statutory county court, the County Court at Law of Willacy County.

Sec. 25.2472. WILLACY COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, and except as limited by Subsection (b), a county court at law in Willacy County has concurrent jurisdiction with the district court in:

(1) felony cases to:

(A) conduct arraignments;

(B) conduct pretrial hearings;

(C) accept guilty pleas; and

(D) conduct jury trials on assignment of a district judge presiding in Willacy County and acceptance of the assignment by the judge of the county court at law;

(2) Class A and Class B misdemeanor cases;

(3) family law matters;

(4) juvenile matters;

(5) probate matters; and

(6) appeals from the justice and municipal courts.

1 (b) A county court at law does not have general supervisory
2 control or appellate review of the commissioners court or
3 jurisdiction of:

4 (1) suits on behalf of this state to recover penalties
5 or escheated property;

6 (2) felony cases involving capital murder;

7 (3) misdemeanors involving official misconduct; or

8 (4) contested elections.

9 (c) The judge of a county court at law must have the same
10 qualifications as those required by law for a district judge.

11 (d) The judge of a county court at law shall be paid a total
12 annual salary set by the commissioners court at an amount that is
13 not less than \$1,000 less than the total annual salary received by a
14 district judge in the county. A district judge's or statutory
15 county court judge's total annual salary does not include
16 contributions and supplements paid by a county.

17 (e) The judge of a county court at law may not engage in the
18 private practice of law.

19 (f) The district clerk serves as clerk of a county court at
20 law in matters of concurrent jurisdiction with the district court,
21 and the county clerk shall serve as clerk of a county court at law in
22 all other matters. Each clerk shall establish a separate docket for
23 a county court at law.

24 (g) The official court reporter of a county court at law is
25 entitled to receive a salary set by the judge of the county court at
26 law with the approval of the commissioners court.

27 (h) Jurors summoned for a county court at law or a district

1 court in the county may by order of the judge of the court to which
2 they are summoned be transferred to another court for service and
3 may be used as if summoned for the court to which they are
4 transferred.

5 SECTION 2. Notwithstanding Section 25.2471, Government
6 Code, as added by this Act, the County Court at Law of Willacy
7 County is created January 1, 2013, or on an earlier date determined
8 by the Commissioners Court of Willacy County by an order entered in
9 its minutes.

10 SECTION 3. This Act takes effect September 1, 2011.