

By: Truitt

H.B. No. 984

A BILL TO BE ENTITLED

AN ACT

relating to agreements between contiguous municipalities regarding jurisdiction of cases in municipal courts.

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

SECTION 1. Section 29.003, Government Code, is amended by adding Subsection (i) to read as follows:

(i) A municipality may enter into an agreement with a contiguous municipality to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for:

(1) all cases in which either municipality has jurisdiction under Subsection (a); and

(2) cases that arise under Section 821.022, Health and Safety Code, or Section 25.094, Education Code.

SECTION 2. Article 4.14, Code of Criminal Procedure, is amended by adding Subsection (g) to read as follows:

(g) A municipality may enter into an agreement with a contiguous municipality to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for:

1           (1) all cases in which either municipality has  
2 jurisdiction under Subsection (a); and

3           (2) cases that arise under Section 821.022, Health and  
4 Safety Code, or Section 25.094, Education Code.

5           SECTION 3. The changes in law made by this Act apply only to  
6 an offense committed or conduct that occurs on or after the  
7 effective date of an agreement to establish concurrent jurisdiction  
8 between contiguous municipalities authorized under Section  
9 29.003(i), Government Code, as added by this Act, or under Article  
10 4.14(g), Code of Criminal Procedure, as added by this Act. An  
11 offense committed or conduct that occurs before that date is  
12 governed by the law in effect when the offense was committed or the  
13 conduct occurred, and the former law is continued in effect for that  
14 purpose. For purposes of this section, an offense is committed or  
15 conduct occurs before the effective date of the agreement if any  
16 element of the offense or conduct occurs before that date.

17           SECTION 4. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2011.