

1-1 By: Raymond (Senate Sponsor - Zaffirini) H.B. No. 1314
1-2 (In the Senate - Received from the House May 4, 2011;
1-3 May 5, 2011, read first time and referred to Committee on
1-4 Jurisprudence; May 21, 2011, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 21, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the operation and jurisdiction of certain district
1-9 courts serving Webb County.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 24.151(f), Government Code, is amended
1-12 to read as follows:

1-13 (f) In Webb County, the clerk of the district courts shall
1-14 file all civil cases~~[, except tax suits,]~~ on the Clerk's Civil File
1-15 Docket and shall number the cases consecutively. ~~[All tax suits
1-16 shall be assigned and docketed in the 49th District Court. All
1-17 cases involving family violence, all cases under the Family Code,
1-18 and all cases under the Health and Safety Code shall be assigned and
1-19 docketed in the 406th District Court.]~~ All ~~[other]~~ civil cases not
1-20 assigned and docketed in a district court based on the types of
1-21 cases the court gives preference to under applicable law shall be
1-22 assigned and docketed at random by the district clerk. The clerk
1-23 shall keep a separate file docket, known as the Clerk's Criminal
1-24 File Docket, for criminal cases [and a separate file docket, known
1-25 as the Clerk's Tax Suit Docket, for tax suits]. The clerk shall
1-26 number the cases on the Clerk's [Tax Suit Docket consecutively with
1-27 a separate series of numbers and shall number the cases on the
1-28 Clerk's] Criminal File Docket consecutively with a separate series
1-29 of numbers.

1-30 SECTION 2. Section 24.213, Government Code, is amended by
1-31 amending Subsections (b) and (c) and adding Subsection (e) to read
1-32 as follows:

1-33 (b) The terms of the 11th District Court begin on the first
1-34 Mondays in January, April ~~[March, May]~~, July, and October
1-35 ~~[September, and November]~~. Each term continues until the court
1-36 disposes of its business.

1-37 (c) The ~~[judge of the]~~ 11th District Court has concurrent
1-38 jurisdiction with the other district courts in Webb County ~~[may not~~
1-39 ~~impanel grand juries unless he considers it necessary]~~.

1-40 (e) A criminal complaint may be presented to the grand jury
1-41 of any district court in Webb County, and a resulting indictment may
1-42 be returned to any other district court in Webb County with the
1-43 appropriate criminal jurisdiction.

1-44 SECTION 3. Section 24.487(b), Government Code, is amended
1-45 to read as follows:

1-46 (b) The judge of the 341st District Court may select jury
1-47 commissioners and impanel grand juries in Webb County. The judge of
1-48 the 341st District Court may alternate the drawing of grand juries
1-49 with the judge of any other district court in the county. By order
1-50 entered on the minutes, for any term that the judge considers it
1-51 necessary, the judge may order grand and petit juries to be drawn.
1-52 ~~[The 341st District Court has concurrent jurisdiction with the 49th~~
1-53 ~~District Court in all tax suits and cases.]~~

1-54 SECTION 4. This Act takes effect immediately if it receives
1-55 a vote of two-thirds of all the members elected to each house, as
1-56 provided by Section 39, Article III, Texas Constitution. If this
1-57 Act does not receive the vote necessary for immediate effect, this
1-58 Act takes effect September 1, 2011.

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