

By: Burkett

H.B. No. 1889

A BILL TO BE ENTITLED

AN ACT

relating to the creation of municipal courts of record in the city of Mesquite.

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

SECTION 1. Chapter 30, Government Code, is amended by adding Subchapter YY to read as follows:

SUBCHAPTER YY. MESQUITE

Sec. 30.01891. APPLICATION; DEFINITIONS. (a) This subchapter applies to the city of Mesquite.

(b) In this subchapter:

(1) "Appellate courts" means the county courts at law of Dallas County that have criminal appellate jurisdiction.

(2) "Municipal court administrator" means the clerk of the municipal courts of record.

Sec. 30.01892. JUDGE. Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Sec. 30.01893. COURT RULES. The presiding judge shall adopt rules not inconsistent with this subchapter or other law for the municipal courts of record to provide efficiency, uniformity, and fairness in the conduct of the business of the courts. The rules may:

(1) address courtroom decorum and attire;

(2) address court protocol;

(3) govern the hearing of pleas, motions for

continuance, motions to withdraw and for substitution, and pretrial motions;

(4) establish procedures related to a defendant's failure to appear;

(5) establish procedures related to a defendant's indigency or inability to pay fines; and

(6) address warrant procedures.

Sec. 30.01894. MUNICIPAL COURT ADMINISTRATOR; OTHER PERSONNEL. (a) The city manager shall appoint a municipal court administrator to serve as the clerk of the municipal courts of record.

(b) The municipal court administrator shall:

(1) perform, as applicable, the duties prescribed by law for the county clerk of a county court at law;

(2) maintain central docket records for all cases filed in the municipal courts of record;

(3) maintain an index of all municipal courts of record judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts; and

(4) request the jurors needed for cases that are set for trial by jury.

(c) The municipal court administrator may hire, direct, supervise, and remove personnel authorized in the city's annual budget for the clerk's office in accordance with the city's general government policies and procedures manual and subject to approval by the city manager.

(d) Sections 30.00009(c) and (d) do not apply to this

1 subchapter.

2 Sec. 30.01895. COURT REPORTER. The municipal court  
3 administrator shall appoint the court reporter under Section  
4 30.00010.

5 SECTION 2. This Act takes effect January 1, 2012.