

1-1 By: Burkett (Senate Sponsor - Deuell) H.B. No. 1889  
1-2 (In the Senate - Received from the House April 11, 2011;  
1-3 April 26, 2011, read first time and referred to Committee on  
1-4 Jurisprudence; May 5, 2011, reported favorably by the following  
1-5 vote: Yeas 7, Nays 0; May 5, 2011, sent to printer.)

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

1-8 relating to the creation of municipal courts of record in the city  
1-9 of Mesquite.

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

1-11 SECTION 1. Chapter 30, Government Code, is amended by  
1-12 adding Subchapter YY to read as follows:

1-13 SUBCHAPTER YY. MESQUITE

1-14 Sec. 30.01891. APPLICATION; DEFINITIONS. (a) This  
1-15 subchapter applies to the city of Mesquite.

1-16 (b) In this subchapter:

1-17 (1) "Appellate courts" means the county courts at law  
1-18 of Dallas County that have criminal appellate jurisdiction.

1-19 (2) "Municipal court administrator" means the clerk of  
1-20 the municipal courts of record.

1-21 Sec. 30.01892. JUDGE. Sections 30.00007(b)(1), (2), (3),  
1-22 and (5) do not apply to this subchapter.

1-23 Sec. 30.01893. COURT RULES. The presiding judge shall  
1-24 adopt rules not inconsistent with this subchapter or other law for  
1-25 the municipal courts of record to provide efficiency, uniformity,  
1-26 and fairness in the conduct of the business of the courts. The  
1-27 rules may:

1-28 (1) address courtroom decorum and attire;

1-29 (2) address court protocol;

1-30 (3) govern the hearing of pleas, motions for  
1-31 continuance, motions to withdraw and for substitution, and pretrial  
1-32 motions;

1-33 (4) establish procedures related to a defendant's  
1-34 failure to appear;

1-35 (5) establish procedures related to a defendant's  
1-36 indigency or inability to pay fines; and

1-37 (6) address warrant procedures.

1-38 Sec. 30.01894. MUNICIPAL COURT ADMINISTRATOR; OTHER  
1-39 PERSONNEL. (a) The city manager shall appoint a municipal court  
1-40 administrator to serve as the clerk of the municipal courts of  
1-41 record.

1-42 (b) The municipal court administrator shall:

1-43 (1) perform, as applicable, the duties prescribed by  
1-44 law for the county clerk of a county court at law;

1-45 (2) maintain central docket records for all cases  
1-46 filed in the municipal courts of record;

1-47 (3) maintain an index of all municipal courts of  
1-48 record judgments in the same manner as county clerks are required by  
1-49 law to prepare for criminal cases arising in county courts; and

1-50 (4) request the jurors needed for cases that are set  
1-51 for trial by jury.

1-52 (c) The municipal court administrator may hire, direct,  
1-53 supervise, and remove personnel authorized in the city's annual  
1-54 budget for the clerk's office in accordance with the city's general  
1-55 government policies and procedures manual and subject to approval  
1-56 by the city manager.

1-57 (d) Sections 30.00009(c) and (d) do not apply to this  
1-58 subchapter.

1-59 Sec. 30.01895. COURT REPORTER. The municipal court  
1-60 administrator shall appoint the court reporter under Section  
1-61 30.00010.

1-62 SECTION 2. This Act takes effect January 1, 2012.

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