

1-1 By: King of Parker (Senate Sponsor - Estes) H.B. No. 2330
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 April 28, 2011, read first time and referred to Committee on
1-4 Jurisprudence; May 18, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 18, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2330 By: Harris

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the statutory county courts in Wise County.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 25.2511, Government Code, is amended to
1-13 read as follows:
1-14 Sec. 25.2511. WISE COUNTY. (a) Wise County has the
1-15 following ~~[one]~~ statutory county courts:
1-16 (1) [court, the] County Court at Law No. 1 of Wise
1-17 County; and
1-18 (2) County Court at Law No. 2 of Wise County.
1-19 (b) [The] County Court at Law No. 1 of Wise County sits in
1-20 Decatur or at another location in the county determined by the judge
1-21 of County Court at Law No. 1 of Wise County and approved by the
1-22 commissioners court.
1-23 (c) County Court at Law No. 2 of Wise County sits in Decatur
1-24 or at another location in the county determined by the judge of
1-25 County Court at Law No. 2 of Wise County and approved by the
1-26 commissioners court.
1-27 SECTION 2. Section 25.2512(a), Government Code, as amended
1-28 by Chapters 518 (S.B. 1491) and 746 (H.B. 66), Acts of the 72nd
1-29 Legislature, Regular Session, 1991, is reenacted and amended to
1-30 read as follows:
1-31 (a) In addition to the jurisdiction provided by Section
1-32 25.0003 and other law, a county court at law in Wise County has:
1-33 (1) concurrent with the county court, the probate
1-34 jurisdiction provided by general law for county courts; and
1-35 (2) concurrent jurisdiction with the district court
1-36 in:
1-37 (A) ~~[(1)]~~ eminent domain cases; ~~and~~
1-38 (B) civil cases in which the amount in
1-39 controversy exceeds \$500, but does not exceed \$200,000 ~~[\$100,000]~~,
1-40 excluding interest and attorney's fees; and
1-41 (C) ~~[(2)]~~ family law cases and proceedings.
1-42 SECTION 3. Section 25.2512, Government Code, is amended by
1-43 amending Subsections (e) and (h) and adding Subsections (j) and (k)
1-44 to read as follows:
1-45 (e) In addition to the qualifications required by Section
1-46 25.0014, a regular judge of a county court at law must have the
1-47 qualifications of a district judge as required by Section 7,
1-48 Article V, Texas Constitution. A special judge of a county court at
1-49 law with the same qualifications as the regular judge may be
1-50 appointed in the manner provided by law for the appointment of a
1-51 special county judge. A special judge is entitled to the same rate
1-52 of compensation as the regular judge.
1-53 (h) The laws governing the drawing, selection, service, and
1-54 pay of jurors for county courts apply to a county court at law.
1-55 Jurors regularly impaneled for a week by the district court may, on
1-56 request of the judge of a county court at law, be made available and
1-57 shall serve for the week in a county court at law ~~[Practice in a~~
1-58 ~~county court at law is that prescribed by law for county courts].~~
1-59 (j) The jury in all matters shall be composed of 12 members,
1-60 except that in misdemeanor criminal cases and in any other cases in
1-61 which the amount in controversy is not more than \$100,000,
1-62 excluding interest and attorney's fees, the jury shall be composed
1-63 of six members unless the constitution or other law requires a

2-1 12-member jury.

2-2 (k) A judge of a county court at law and a judge of a
2-3 district court or another county court at law with concurrent
2-4 jurisdiction may transfer cases between the courts in the same
2-5 manner judges of district courts transfer cases under Section
2-6 24.303.

2-7 SECTION 4. The changes in law made to the qualifications of
2-8 a judge of a statutory county court in Wise County by this Act apply
2-9 only to a judge elected or appointed on or after the effective date
2-10 of this Act. A judge elected or appointed before the effective date
2-11 of this Act is governed by the law as it existed immediately before
2-12 the effective date of this Act, and that law is continued in effect
2-13 for that purpose.

2-14 SECTION 5. This Act takes effect September 1, 2011.

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