

By: King of Taylor

H.B. No. 3572

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the 1st Multicounty Court at Law composed of Fisher and Nolan Counties and the abolishment of the County Court at Law of Nolan County.

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

SECTION 1. Chapter 25, Government Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. MULTICOUNTY COURTS IN PARTICULAR COUNTIES

Sec. 25.2701. 1ST MULTICOUNTY COURT AT LAW (FISHER AND NOLAN COUNTIES). Fisher and Nolan Counties have a multicounty statutory county court composed of those counties, the 1st Multicounty Court at Law.

Sec. 25.2702. 1ST MULTICOUNTY COURT AT LAW PROVISIONS.

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, the 1st Multicounty Court at Law has concurrent jurisdiction with the district court in family law cases and proceedings.

(b) The county court at law has concurrent jurisdiction with the justice court in criminal matters prescribed by law for justice courts. This section does not affect the right of appeal to a county court at law from a justice court where the right of appeal to the county court exists by law.

(c) The judge may not engage in the private practice of law.

(d) An official court reporter of the county court at law is

1 entitled to receive a salary set by the commissioners courts in the
2 counties the reporter serves to be paid out of the county
3 treasuries, either by salary or by contract as set by the
4 commissioners courts. The clerk of the court shall tax as costs, in
5 each civil, criminal, and probate case in which a record of any part
6 of the evidence in the case is made by the reporter, a
7 stenographer's fee of \$25. The fee shall be paid in the same manner
8 as other costs in the case. The clerk collects the fee and pays it
9 into the general funds of the counties.

10 (e) The district clerk serves as clerk of the county court
11 at law in matters of concurrent jurisdiction with the district
12 court, and the county clerk serves as clerk of the county court at
13 law in all other cases.

14 (f) Notwithstanding Section 74.054(b), the judge of the
15 county court at law may be assigned under Chapter 74 to hear a
16 matter pending in a district court in Fisher County or Nolan County.

17 (g) In accordance with Section 25.0015 and from amounts
18 deposited in the judicial fund under Section 51.702, the state
19 shall annually compensate Fisher and Nolan Counties each in an
20 amount equal to 60 percent of the state salary of the district court
21 judge of the 32nd Judicial District for the county court at law
22 judge.

23 SECTION 2. (a) Notwithstanding Section 25.2701,
24 Government Code, as added by this Act, the 1st Multicounty Court at
25 Law is created September 1, 2011, or on an earlier date as
26 determined by an order issued by each of the commissioners courts of
27 Fisher and Nolan Counties.

1 (b) Sections 25.1791 and 25.1792, Government Code, are
2 repealed and the County Court at Law of Nolan County is abolished on
3 the date the 1st Multicounty Court at Law is created or September 1,
4 2011, whichever is earlier.

5 SECTION 3. On the date the County Court at Law of Nolan
6 County is abolished, all cases pending in the court are transferred
7 to the 1st Multicounty Court at Law. When a case is transferred
8 from one court to another as provided by this section, all
9 processes, writs, bonds, recognizances, or other obligations
10 issued from the transferring court are returnable to the court to
11 which the case is transferred as if originally issued by that court.
12 The obligees in all bonds and recognizances taken in and for a court
13 from which a case is transferred and all witnesses summoned to
14 appear in a court from which a case is transferred are required to
15 appear before the court to which a case is transferred as if
16 originally required to appear before the court to which the
17 transfer is made.

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