

SENATE AMENDMENTS

2nd Printing

By: Truitt

H.B. No. 984

A BILL TO BE ENTITLED

AN ACT

relating to agreements between contiguous municipalities regarding jurisdiction of cases in municipal courts.

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

SECTION 1. Section 29.003, Government Code, is amended by adding Subsection (i) to read as follows:

(i) A municipality may enter into an agreement with a contiguous municipality to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for:

(1) all cases in which either municipality has jurisdiction under Subsection (a); and

(2) cases that arise under Section 821.022, Health and Safety Code, or Section 25.094, Education Code.

SECTION 2. Article 4.14, Code of Criminal Procedure, is amended by adding Subsection (g) to read as follows:

(g) A municipality may enter into an agreement with a contiguous municipality to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for:

1 (1) all cases in which either municipality has
2 jurisdiction under Subsection (a); and

3 (2) cases that arise under Section 821.022, Health and
4 Safety Code, or Section 25.094, Education Code.

5 SECTION 3. The changes in law made by this Act apply only to
6 an offense committed or conduct that occurs on or after the
7 effective date of an agreement to establish concurrent jurisdiction
8 between contiguous municipalities authorized under Section
9 29.003(i), Government Code, as added by this Act, or under Article
10 4.14(g), Code of Criminal Procedure, as added by this Act. An
11 offense committed or conduct that occurs before that date is
12 governed by the law in effect when the offense was committed or the
13 conduct occurred, and the former law is continued in effect for that
14 purpose. For purposes of this section, an offense is committed or
15 conduct occurs before the effective date of the agreement if any
16 element of the offense or conduct occurs before that date.

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

ADOPTED

MAY 03 2011

By:

Chris Harris

Debra Daw
Secretary of the Senate

984

Substitute the following for ___B. No. ___:

By:

Chris Harris

C.S. H.B. No. 984

A BILL TO BE ENTITLED

AN ACT

1 relating to agreements between neighboring municipalities
2 regarding jurisdiction of cases in municipal courts.

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

4 SECTION 1. Section 29.003, Government Code, is amended by
5 adding Subsection (i) to read as follows:

6 (i) A municipality may enter into an agreement with a
7 contiguous municipality or a municipality with boundaries that are
8 within one-half mile of the municipality seeking to enter into the
9 agreement to establish concurrent jurisdiction of the municipal
10 courts in the municipalities and provide original jurisdiction to a
11 municipal court in which a case is brought as if the municipal court
12 were located in the municipality in which the case arose, for:

13 (1) all cases in which either municipality has
14 jurisdiction under Subsection (a); and

15 (2) cases that arise under Section 821.022, Health and
16 Safety Code, or Section 25.094, Education Code.

17 SECTION 2. Article 4.14, Code of Criminal Procedure, is
18 amended by adding Subsection (g) to read as follows:

19 (g) A municipality may enter into an agreement with a
20 contiguous municipality or a municipality with boundaries that are
21 within one-half mile of the municipality seeking to enter into the
22 agreement to establish concurrent jurisdiction of the municipal
23 courts in the municipalities and provide original jurisdiction to a
24

1 municipal court in which a case is brought as if the municipal court
2 were located in the municipality in which the case arose, for:

3 (1) all cases in which either municipality has
4 jurisdiction under Subsection (a); and

5 (2) cases that arise under Section 821.022, Health and
6 Safety Code, or Section 25.094, Education Code.

7 SECTION 3. The changes in law made by this Act apply only to
8 an offense committed or conduct that occurs on or after the
9 effective date of an agreement to establish concurrent jurisdiction
10 between municipalities authorized under Section 29.003(i),
11 Government Code, as added by this Act, or under Article 4.14(g),
12 Code of Criminal Procedure, as added by this Act. An offense
13 committed or conduct that occurs before that date is governed by the
14 law in effect when the offense was committed or the conduct
15 occurred, and the former law is continued in effect for that
16 purpose. For purposes of this section, an offense is committed or
17 conduct occurs before the effective date of the agreement if any
18 element of the offense or conduct occurs before that date.

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

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 3, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB984 by Truitt (Relating to agreements between neighboring municipalities regarding jurisdiction of cases in municipal courts.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code and the Code of Criminal Procedure to authorize a municipality to enter into an agreement with a contiguous municipality or a municipality with boundaries that are within one-half mile of the municipality seeking to enter into the agreement to establish concurrent jurisdiction of the municipal courts for all cases that either municipality has jurisdiction under or cases involving animal cruelty or child truancy as specified by the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, SD, JT, TP, JB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 26, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on Jurisprudence

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB984 by Truitt (relating to agreements between neighboring municipalities regarding jurisdiction of cases in municipal courts.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code and the Code of Criminal Procedure to authorize a municipality to enter into an agreement with a contiguous municipality or a municipality with boundaries that are within one-half mile of the municipality seeking to enter into the agreement to establish concurrent jurisdiction of the municipal courts for all cases that either municipality has jurisdiction under or cases involving animal cruelty or child truancy as specified by the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, JT, TP, JB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 14, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on Jurisprudence

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB984 by Truitt (Relating to agreements between contiguous municipalities regarding jurisdiction of cases in municipal courts.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to authorize a municipality to enter into an agreement with a contiguous municipality to establish concurrent jurisdiction of the municipal courts for all cases that either municipality has jurisdiction under or cases involving animal cruelty or child truancy as specified by the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, JT, JB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 2, 2011

TO: Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB984 by Truitt (Relating to agreements between contiguous municipalities regarding jurisdiction of cases in municipal courts.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to authorize a municipality to enter into an agreement with a contiguous municipality to establish concurrent jurisdiction of the municipal courts for all cases that either municipality has jurisdiction under or cases involving animal cruelty or child truancy as specified by the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, JT, TP