

SENATE AMENDMENTS

2nd Printing

By: King of Parker

H.B. No. 2330

A BILL TO BE ENTITLED

AN ACT

1

2 relating to the statutory county courts in Wise County.

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

4 SECTION 1. Section 25.2511, Government Code, is amended to
5 read as follows:

6 Sec. 25.2511. WISE COUNTY. (a) Wise County has the
7 following ~~[one]~~ statutory county courts:

8 (1) ~~[court, the]~~ County Court at Law No. 1 of Wise
9 County; and

10 (2) County Court at Law No. 2 of Wise County.

11 (b) ~~[The]~~ County Court at Law No. 1 of Wise County sits in
12 Decatur or at another location in the county determined by the judge
13 of County Court at Law No. 1 of Wise County and approved by the
14 commissioners court.

15 (c) County Court at Law No. 2 of Wise County sits in Decatur
16 or at another location in the county determined by the judge of
17 County Court at Law No. 2 of Wise County and approved by the
18 commissioners court.

19 SECTION 2. Section 25.2512(a), Government Code, as amended
20 by Chapters 518 (S.B. 1491) and 746 (H.B. 66), Acts of the 72nd
21 Legislature, Regular Session, 1991, is reenacted and amended to
22 read as follows:

23 (a) In addition to the jurisdiction provided by Section
24 25.0003 and other law, and except as limited by Subsection (a-1), a

1 county court at law in Wise County has the [+
2 [~~(1) concurrent with the county court, the probate~~
3 ~~jurisdiction provided by general law for county courts, and~~
4 [~~(2) concurrent~~] jurisdiction provided by the
5 constitution and by general law for [~~with the~~] district courts
6 ~~[court in:~~

7 [~~(A) (1) eminent domain cases, and~~
8 [~~(B) civil cases in which the amount in~~
9 ~~controversy exceeds \$500, but does not exceed \$100,000, excluding~~
10 ~~interest and attorney's fees, and~~
11 [~~(C) (2) family law cases and proceedings~~].

12 SECTION 3. Section 25.2512, Government Code, is amended by
13 adding Subsections (a-1), (j), and (k) and amending Subsections (e)
14 and (h) to read as follows:

15 (a-1) A county court at law does not have jurisdiction of:
16 (1) civil cases in which the amount in controversy
17 exceeds \$200,000, excluding interest and attorney's fees; or
18 (2) felony cases.

19 (e) In addition to the qualifications required by Section
20 25.0014, a regular judge of a county court at law must have the
21 qualifications of a district judge as required by Section 7,
22 Article V, Texas Constitution. A special judge of a county court at
23 law with the same qualifications as the regular judge may be
24 appointed in the manner provided by law for the appointment of a
25 special county judge. A special judge is entitled to the same rate
26 of compensation as the regular judge.

27 (h) The laws governing the drawing, selection, service, and

1 pay of jurors for county courts apply to a county court at law.
2 Jurors regularly impaneled for a week by the district court may, on
3 request of the judge of a county court at law, be made available and
4 shall serve for the week in a county court at law [~~Practice in a~~
5 ~~county court at law is that prescribed by law for county courts~~].

6 (j) The jury in all matters shall be composed of 12 members,
7 except that in misdemeanor criminal cases and in any other cases in
8 which the amount in controversy is not more than \$100,000,
9 excluding interest and attorney's fees, the jury shall be composed
10 of six members unless the constitution or other law requires a
11 12-member jury.

12 (k) A judge of a county court at law and a judge of a
13 district court or another county court at law with concurrent
14 jurisdiction may transfer cases between the courts in the same
15 manner judges of district courts transfer cases under Section
16 24.303.

17 SECTION 4. The changes in law made to the qualifications of
18 a judge of a statutory county court in Wise County by this Act apply
19 only to a judge elected or appointed on or after the effective date
20 of this Act. A judge elected or appointed before the effective date
21 of this Act is governed by the law as it existed immediately before
22 the effective date of this Act, and that law is continued in effect
23 for that purpose.

24 SECTION 5. This Act takes effect September 1, 2011.

ADOPTED

MAY 24 2011

Atty Gen
Secretary of the Senate

H.B. No. 2330

By: *Craig Estes*

Substitute the following for H.B. No. 2330:

By: *Chris Harris*

C.S. ____ .B. No. ____

A BILL TO BE ENTITLED

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AN ACT

relating to the statutory county courts in Wise County.

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

SECTION 1. Section 25.2511, Government Code, is amended to read as follows:

Sec. 25.2511. WISE COUNTY. (a) Wise County has the following ~~[one]~~ statutory county courts:

(1) ~~[court, the]~~ County Court at Law No. 1 of Wise County; and

(2) County Court at Law No. 2 of Wise County.

(b) ~~[The]~~ County Court at Law No. 1 of Wise County sits in Decatur or at another location in the county determined by the judge of County Court at Law No. 1 of Wise County and approved by the commissioners court.

(c) County Court at Law No. 2 of Wise County sits in Decatur or at another location in the county determined by the judge of County Court at Law No. 2 of Wise County and approved by the commissioners court.

SECTION 2. Section 25.2512(a), Government Code, as amended by Chapters 518 (S.B. 1491) and 746 (H.B. 66), Acts of the 72nd Legislature, Regular Session, 1991, is reenacted and amended to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Wise County has:

1 (1) concurrent with the county court, the probate
2 jurisdiction provided by general law for county courts; and

3 (2) concurrent jurisdiction with the district court
4 in:

5 (A) [~~1~~] eminent domain cases; [~~and~~]

6 (B) civil cases in which the amount in
7 controversy exceeds \$500, but does not exceed \$200,000
8 [~~\$100,000~~], excluding interest and attorney's fees; and

9 (C) [~~2~~] family law cases and proceedings.

10 SECTION 3. Section 25.2512, Government Code, is amended by
11 amending Subsections (e) and (h) and adding Subsections (j) and
12 (k) to read as follows:

13 (e) In addition to the qualifications required by Section
14 25.0014, a regular judge of a county court at law must have the
15 qualifications of a district judge as required by Section 7,
16 Article V, Texas Constitution. A special judge of a county
17 court at law with the same qualifications as the regular judge
18 may be appointed in the manner provided by law for the
19 appointment of a special county judge. A special judge is
20 entitled to the same rate of compensation as the regular judge.

21 (h) The laws governing the drawing, selection, service,
22 and pay of jurors for county courts apply to a county court at
23 law. Jurors regularly impaneled for a week by the district
24 court may, on request of the judge of a county court at law, be
25 made available and shall serve for the week in a county court at
26 law [~~Practice in a county court at law is that prescribed by~~
27 ~~law for county courts~~].

1 (j) The jury in all matters shall be composed of 12
2 members, except that in misdemeanor criminal cases and in any
3 other cases in which the amount in controversy is not more than
4 \$100,000, excluding interest and attorney's fees, the jury shall
5 be composed of six members unless the constitution or other law
6 requires a 12-member jury.

7 (k) A judge of a county court at law and a judge of a
8 district court or another county court at law with concurrent
9 jurisdiction may transfer cases between the courts in the same
10 manner judges of district courts transfer cases under Section
11 24.303.

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

19 SECTION 5. This Act takes effect September 1, 2011.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 24, 2011

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

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

IN RE: HB2330 by King, Phil (Relating to the statutory county courts in Wise County.), **As Passed
2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, SD, JT, TP

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 17, 2011

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

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

IN RE: HB2330 by King, Phil (relating to the statutory county courts in Wise County.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, JT, TP

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 13, 2011

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

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

IN RE: HB2330 by King, Phil (Relating to the statutory county courts in Wise County.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, JT, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 31, 2011

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

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

IN RE: HB2330 by King, Phil (relating to the statutory county courts in Wise County.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, JT, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 16, 2011

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

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

IN RE: HB2330 by King, Phil (Relating to the statutory county courts in Wise County.), As
Introduced

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, JT, TP