

By: King of Taylor

H.B. No. 2116

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the 1st Multicounty Court at Law composed of Fisher, Mitchell, and Nolan Counties and the abolishment of the County Court at Law of Nolan County; imposing a stenographer's fee.

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 STATUTORY COUNTY COURTS IN PARTICULAR  
COUNTIES

Sec. 25.2701. 1ST MULTICOUNTY COURT AT LAW (FISHER, MITCHELL, AND NOLAN COUNTIES). Fisher, Mitchell, 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.

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

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

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

16       (f) Sections 25.0006, 25.0008, and 74.054(b) do not apply to  
17 the county court at law.

18       (g) From amounts deposited in the judicial fund under  
19 Section 51.702, the state shall annually compensate Fisher,  
20 Mitchell, and Nolan Counties each in the amount required under  
21 Section 25.0015.

22       (h) Notwithstanding Section 74.121(b)(1), in matters of  
23 concurrent jurisdiction, the judge of the 1st Multicounty Court at  
24 Law and the judges of the district courts in Fisher, Mitchell, and  
25 Nolan Counties may exchange benches and courtrooms and may transfer  
26 cases between their dockets in the same manner that judges of  
27 district courts exchange benches and transfer cases under Section

1 24.003.

2 SECTION 2. Subchapter E, Chapter 101, Government Code, is  
3 amended by adding Section 101.08117 to read as follows:

4 Sec. 101.08117. ADDITIONAL STATUTORY COUNTY COURT FEES:  
5 GOVERNMENT CODE. The clerk of the 1st Multicounty Court at Law  
6 shall collect a stenographer's fee of \$25 under Section 25.2702,  
7 Government Code, in each civil or probate case in which a record of  
8 any part of the evidence is made by the official court reporter of  
9 the court.

10 SECTION 3. Subchapter D, Chapter 102, Government Code, is  
11 amended by adding Section 102.0619 to read as follows:

12 Sec. 102.0619. ADDITIONAL COURT COSTS ON CONVICTION IN  
13 CERTAIN STATUTORY COUNTY COURTS: GOVERNMENT CODE. The clerk of the  
14 1st Multicounty Court at Law shall collect a stenographer's fee of  
15 \$25 under Section 25.2702, Government Code, in each criminal case  
16 in which a record of any part of the evidence is made by the official  
17 court reporter of the court.

18 SECTION 4. (a) Notwithstanding Section 25.2701, Government  
19 Code, as added by this Act, the 1st Multicounty Court at Law is  
20 created September 1, 2013, or on an earlier date as determined by an  
21 order issued by each of the commissioners courts of Fisher,  
22 Mitchell, and Nolan Counties.

23 (b) Sections 25.1791 and 25.1792, Government Code, are  
24 repealed and the County Court at Law of Nolan County is abolished on  
25 the date the 1st Multicounty Court at Law is created.

26 SECTION 5. On the date the County Court at Law of Nolan  
27 County is abolished, all cases pending in the court are transferred

1 to the 1st Multicounty Court at Law. When a case is transferred  
2 from one court to another as provided by this section, all  
3 processes, writs, bonds, recognizances, or other obligations  
4 issued from the transferring court are returnable to the court to  
5 which the case is transferred as if originally issued by that court.  
6 The obligees in all bonds and recognizances taken in and for a court  
7 from which a case is transferred and all witnesses summoned to  
8 appear in a court from which a case is transferred are required to  
9 appear before the court to which a case is transferred as if  
10 originally required to appear before the court to which the  
11 transfer is made.

12 SECTION 6. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2013.