

By: Lewis

H.B. No. 3153

A BILL TO BE ENTITLED

AN ACT

relating to the creation and composition of district courts and statutory county courts and county courts at law.

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

SECTION 1. Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.586 to read as follows:

Sec. 24.586. 442ND JUDICIAL DISTRICT (DENTON COUNTY). The 442nd Judicial District is composed of Denton County.

SECTION 2. The 442nd Judicial District is created on the effective date of this Act.

SECTION 3. Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.591 to read as follows:

Sec. 24.591. 447TH JUDICIAL DISTRICT (KENEDY AND KLEBERG COUNTIES). The 447th Judicial District is composed of Kenedy and Kleberg Counties.

SECTION 4. The 447th Judicial District is created on the effective date of this Act.

SECTION 5. SECTION 1. Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.594 to read as follows:

Sec. 24.594. 450TH JUDICIAL DISTRICT (TRAVIS COUNTY). (a) The 450th Judicial District is composed of Travis County.

(b) The 450th District Court shall give preference to criminal matters.

SECTION 6. The 450th Judicial District is created on the

1 effective date of this Act.

2 SECTION 7. Section 25.0701 and Section 25.0702 are amended
3 to read as follows: Sec. 25.0701. ECTOR COUNTY. (a) Ector County
4 has only the following statutory county courts:

5 (1) County Court at Law of Ector County; and

6 (2) County Court at Law No. 2 of Ector County.

7 (b) A county court at law sits in Odessa.

8 Sec. 25.0702. ECTOR COUNTY COURT AT LAW. (a) In addition to
9 the jurisdiction provided by Section 25.0003 and other law, a
10 county court at law in Ector County only has concurrent
11 jurisdiction with the district court in family law cases and
12 proceedings.

13 SECTION 8. Section 25.0041 and 25.0042 is amended to read as
14 follows: Sec. 25.0041. ANDERSON COUNTY. (a) Anderson County has
15 only one statutory county court, the County Court at Law of Anderson
16 County.

17 (b) The County Court at Law of Anderson County sits in
18 Palestine.

19 Sec. 25.0042. ANDERSON COUNTY COURT AT LAW PROVISIONS. (a)
20 In addition to the jurisdiction provided by Section 25.0003 and
21 other law, a county court at law in Anderson County has only:

22 (1) concurrent jurisdiction with the district court
23 in:

24 (A) probate matters and proceedings, including
25 will contests;

26 (B) family law cases and proceedings;

27 (C) criminal cases; and

1 (D) actions and proceedings under Subtitle B,
2 Title 9, Property Code; and

3 (2) concurrent jurisdiction with the county and
4 district courts over all suits arising under the Family Code.

5 (a-1) A county court at law also has concurrent jurisdiction
6 with the district court in felony cases to conduct arraignments,
7 conduct pretrial hearings, and accept guilty pleas.

8 (b) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 3, Sec.
9 4.50(a)(1), eff. January 1, 2012.

10 (c) Repealed by Acts 1991, 72nd Leg., ch. 746, Sec. 70, eff.
11 Oct. 1, 1991.

12 (d) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 3, Sec.
13 4.50(a)(1), eff. January 1, 2012.

14 (e) The salary of the judge of a county court at law shall be
15 paid out of the county treasury by the commissioners court. The
16 judge is entitled to travel expenses and necessary office expenses,
17 including administrative and clerical assistance, in the same
18 manner as the county judge.

19 (f) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 3, Sec.
20 4.50(a)(1), eff. January 1, 2012.

21 (g) The district clerk serves as clerk of a county court at
22 law in all cases arising under the Family Code and Section 23.001
23 and shall establish a separate docket for a county court at law; the
24 county clerk serves as clerk of the court in all other cases.

25 (h) The judge of a county court at law may appoint an
26 official court reporter or the judge may contract for the services
27 of a court reporter under guidelines established by the

1 commissioners court.

2 (i) If a case under the Family Code or Section 23.001 is
3 tried before a jury, the jury shall be composed of 12 members.

4 (j) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 3, Sec.
5 4.50(a)(1), eff. January 1, 2012.

6 (k) Appeals in all civil cases from judgments and orders of
7 a county court at law are to the court of appeals as provided for
8 appeals from district and county courts. Appeals in all criminal
9 cases are to the court of appeals as provided for appeals from
10 county courts. All cases appealed from the justice courts and other
11 inferior courts in Anderson County must be made directly to a county
12 court at law, unless otherwise provided by law.

13 SECTION 9. Subchapter C, Chapter 25, Government Code, is
14 amended by adding Sections 25.0091 and 25.0092 to read as follows:

15 Sec. 25.0091. ATASCOSA COUNTY. Atascosa County has one
16 statutory county court, the County Court at Law of Atascosa County.

17 Sec. 25.0092. ATASCOSA COUNTY COURT AT LAW PROVISIONS. (a)
18 In addition to the jurisdiction provided by Section 25.0003 and
19 other law, and except as limited by Subsection (b), a county court
20 at law in Atascosa County has concurrent jurisdiction with the
21 district court in:

22 (1) Class A and Class B misdemeanor cases;

23 (2) family law matters;

24 (3) juvenile matters;

25 (4) probate matters; and

26 (5) appeals from the justice and municipal courts.

27 (b) A county court at law does not have general supervisory

1 control or appellate review of the commissioners court or
2 jurisdiction of:

3 (1) suits on behalf of this state to recover penalties
4 or escheated property;

5 (2) misdemeanors involving official misconduct; or

6 (3) contested elections.

7 (c) The judge of a county court at law must have the same
8 qualifications as those required by law for a district judge.

9 (d) The judge of a county court at law shall be paid a total
10 annual salary set by the commissioners court at an amount that is
11 not less than \$1,000 less than the total annual salary received by
12 a district judge in the county. A district judge's or statutory
13 county court judge's total annual salary does not include
14 contributions and supplements paid by a county.

15 (e) The district clerk serves as clerk of a county court at
16 law in matters of concurrent jurisdiction with the district court,
17 and the county clerk shall serve as clerk of a county court at law in
18 all other matters. Each clerk shall establish a separate docket for
19 a county court at law.

20 (f) The official court reporter of a county court at law is
21 entitled to receive a salary set by the judge of the county court at
22 law with the approval of the commissioners court.

23 (g) Jurors summoned for a county court at law or a district
24 court in the county may by order of the judge of the court to which
25 they are summoned be transferred to another court for service and
26 may be used as if summoned for the court to which they are
27 transferred.

1 SECTION 10. Notwithstanding Section 25.0091, Government
2 Code, as added by this Act, the County Court at Law of Atascosa
3 County is created January 1, 2014, or on an earlier date determined
4 by the Commissioners Court of Atascosa County by an order entered in
5 its minutes.

6 SECTION 11. This Act takes effect September 1, 2013.