

By: Paddie

H.B. No. 3661

A BILL TO BE ENTITLED

AN ACT

relating to the Harrison County Court at Law.

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

SECTION 1. Section 25.1042, Government Code, is amended by adding Subsection (a) to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Harrison County has concurrent jurisdiction with the district court, on assignment of a district judge presiding in Harrison County, in felony cases other than capital murder cases. This subsection expires January 1, 2015.

SECTION 2. Effective January 1, 2015, Section 25.1042, Government Code, is amended by adding Subsection (a) to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Harrison County has concurrent jurisdiction with the district court, on assignment of a district judge presiding in Harrison County, in:

(1) felony cases other than capital murder cases;

(2) family law cases and proceedings; and

(3) civil cases.

SECTION 3. Section 25.1042, Government Code, is amended by adding Subsections (b), (c), and (d) to read as follows:

(b) Assignment and transfer of cases under Subsection (a) is at the discretion of the judge of the district court making the

1 assignment. Assignment or transfer from a county court at law to a
2 district court is governed by Section 74.121(b)(1).

3 (c) The district clerk serves as clerk of a county court at
4 law in cases assigned under Subsection (a), and the county clerk
5 serves as clerk of the court in all other cases.

6 (d) A party to a case assigned under Subsection (a) may
7 request a jury of 12 persons if the party makes the request not
8 later than the 30th day before the trial date. A party who does not
9 make a timely request under this subsection waives the right to
10 request a 12-person jury and the case will proceed with a six-person
11 jury.

12 SECTION 4. Section 25.1042(g), Government Code, is amended
13 to read as follows:

14 (g) The criminal district attorney is entitled to the same
15 fees prescribed by law for prosecutions in the county court, except
16 that in cases assigned under Subsection (a), the criminal district
17 attorney is entitled to the same fees prescribed by law for
18 prosecutions in district court.

19 SECTION 5. Section 25.1042(a), Government Code, as added by
20 Section 1 of this Act, applies only to an action filed in a district
21 court in Harrison County on or after the effective date of this Act.
22 An action filed in a district court in Harrison County before the
23 effective date of this Act is governed by the law in effect on the
24 date the action was filed, and the former law is continued in effect
25 for that purpose.

26 SECTION 6. Section 25.1042(a), Government Code, as added by
27 Section 2 of this Act, applies only to an action filed in a district

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1 court in Harrison County on or after January 1, 2015. An action
2 filed in a district court in Harrison County before January 1, 2015,
3 is governed by the law in effect on the date the action was filed,
4 and the former law is continued in effect for that purpose.

5 SECTION 7. Except as otherwise provided by this Act, this
6 Act takes effect September 1, 2013.