

By: West

S.B. No. 1629

A BILL TO BE ENTITLED

AN ACT

relating to the operation and administration of, and practice and procedures in courts in, the judicial branch of state government.

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

ARTICLE 1. DISTRICT COURTS

SECTION 1.01. Section 24.503, Government Code, is transferred to Subchapter D, Chapter 24, Government Code, and redesignated as Section 24.641, Government Code, to read as follows:

Sec. 24.641 [~~24.503~~]. 357TH JUDICIAL DISTRICT (CAMERON COUNTY). The 357th Judicial District is composed of Cameron County.

SECTION 1.02. (a) 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.

(b) The 442nd Judicial District is created on January 1, 2014.

SECTION 1.03. (a) 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.

(b) The 447th Judicial District is created on the effective

1 date of this Act.

2 SECTION 1.04. (a) Subchapter C, Chapter 24, Government
3 Code, is amended by adding Section 24.594 to read as follows:

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

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

8 (b) The 450th Judicial District is created on September 1,
9 2015.

10 ARTICLE 2. STATUTORY COUNTY COURTS

11 SECTION 2.01. (a) Subchapter C, Chapter 25, Government
12 Code, is amended by adding Sections 25.0091 and 25.0092 to read as
13 follows:

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

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

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

22 (2) family law matters;

23 (3) juvenile matters;

24 (4) probate matters; and

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

26 (b) A county court at law does not have general supervisory
27 control or appellate review of the commissioners court or

1 jurisdiction of:

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

4 (2) misdemeanors involving official misconduct; or

5 (3) contested elections.

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

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

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

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

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

27 (b) Notwithstanding Section 25.0091, Government Code, as

1 added by this section, the County Court at Law of Atascosa County is
2 created January 1, 2014, or on an earlier date determined by the
3 Commissioners Court of Atascosa County by an order entered in its
4 minutes.

5 ARTICLE 3. JUVENILE BOARDS

6 SECTION 3.01. Section 51.04, Family Code, is amended by
7 amending Subsections (b) and (e) and adding Subsection (i) to read
8 as follows:

9 (b) In each county, the county's juvenile board shall
10 designate one or more district, criminal district, domestic
11 relations, juvenile, or county courts or county courts at law as the
12 juvenile court, subject to Subsections (c), ~~[and]~~ (d), and (i) ~~[of~~
13 ~~this section]~~.

14 (e) A designation made under Subsection (b), ~~[or]~~ (c), or
15 (i) ~~[of this section]~~ may be changed from time to time by the
16 authorized boards or judges for the convenience of the people and
17 the welfare of children. However, there must be at all times a
18 juvenile court designated for each county. It is the intent of the
19 legislature that in selecting a court to be the juvenile court of
20 each county, the selection shall be made as far as practicable so
21 that the court designated as the juvenile court will be one which is
22 presided over by a judge who has a sympathetic understanding of the
23 problems of child welfare and that changes in the designation of
24 juvenile courts be made only when the best interest of the public
25 requires it.

26 (i) If the court designated as the juvenile court under
27 Subsection (b) does not have jurisdiction over proceedings under

1 Subtitle E, Title 5, the county's juvenile board shall designate at
2 least one other court that does have jurisdiction over proceedings
3 under Subtitle E, Title 5, as a juvenile court or alternative
4 juvenile court.

5 SECTION 3.02. Section 152.0771(a), Human Resources Code, is
6 amended to read as follows:

7 (a) The juvenile board of El Paso County is composed of:

8 (1) the county judge or:

9 (A) a member of the commissioners court
10 designated by the county judge; or

11 (B) an individual who is not a member of the
12 commissioners court and who is designated by the county judge and
13 approved by the commissioners court by majority vote;

14 (2) each family district court judge;

15 (3) each juvenile court judge;

16 (4) up to five judges on the "El Paso Council of
17 Judges" to be elected by majority vote of that council;

18 (5) a municipal judge from El Paso County selected by
19 the chairman of the juvenile board of El Paso County; and

20 (6) a justice of the peace in El Paso County selected
21 by the chairman of the juvenile board of El Paso County.

22 ARTICLE 4. EFFECTIVE DATE

23 SECTION 4.01. This Act takes effect September 1, 2013.