

BILL ANALYSIS

Senate Research Center
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S.B. 909
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of this local bill is to make technical amendments to the enabling legislation for the Bexar County courts at law, mostly either to clarify or update unclear or superseded language.

For example, the enabling statute for Bexar County's judiciary specifies courts that may hear criminal cases and appeals from municipal and justice courts (a function that now may be addressed by local rule); specifies that a particular court, County Court at Law No. 13, specializes in family violence actions (there are now two such courts); contains detailed language governing the salary for judges of the county courts at law (in conflict with a later-enacted provision that applies generally to all judges in this state); enumerates courts whose judges are not subject to a bonding and removal requirement; and contains an outdated reference to "County Court at Law No. 1 and Probate Court."

S.B. 909 broadens language in the statute to provide that any county court at law may hear criminal cases and appeals from municipal and justice courts, leaving to local rule the determination of any case-type preferences that may apply to those courts; amend the statute to reflect the fact that, in addition to County Court at Law No. 13, County Court at Law No. 7 also now specializes in family violence cases; harmonize the judicial salary provisions of the statute with the more general statewide provisions that now apply; make the bonding and removal provisions uniform for all county courts of law within the county; and strike the outmoded reference to County Court at Law No. 1 and substitute the more general and descriptive phrase "statutory probate courts."

As proposed, S.B. 909 amends current law relating to the county courts at law in Bexar County.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 25.0172(c), (c-1), (j), (v), and (w), Government Code, as follows:

(c) Authorizes any of the county courts at law to hear criminal cases and appeals de novo from the municipal and justice courts, rather than requires the County Courts at Law Nos. 4, 6, 11, and 12 to give preference to criminal cases and appeals de novo from the municipal and justice courts.

(c-1) Requires the County Courts at Law Nos. 7 and 13, rather than the County Court at Law No. 13, of Bexar County, Texas, to give preference to certain cases.

(j) Requires the judge of a county court at law to be paid as provided by Section 25.0005 (Judge's Salary), rather than paid an annual salary in an amount not less than \$25,000 and not more than the total annual salary, including supplements, paid a district judge in the county. Deletes existing text requiring the commissioners court to consider the financial condition of the county and the duties and needs of the county court at law judges in setting the salaries of the judges.

(v) Provides that Section 25.0006 (Bond; Removal) does not apply to a county court at law in Bexar County, rather than providing that Section 25.0006(a) (relating to the judge of a statutory court executing a bond) does not apply to County Courts at Law Nos. 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Bexar County. Deletes text providing that Section 25.0006(b) does not apply to County Courts at Law Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Bexar County.

(w) Provides that this section does not apply to the statutory probate courts, rather than County Court at Law No. 1 and Probate Court.

SECTION 2. Repealers: Sections 25.0172(a) (relating to County Court No. 1 giving preference to criminal cases), (b) (relating to County Court No. 10 giving preference to civil cases), and (i) (relating to bond requirements for judges of County Courts Nos. 2, 3, and 5), Government Code.

SECTION 3. Effective date: September 1, 2015.