

1 AN ACT

2 relating to the operation and administration of and practice in  
3 courts in the judicial branch of state government, the composition  
4 of certain juvenile boards, and the increase of certain filing  
5 fees.

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

7 ARTICLE 1. ASSOCIATE JUDGES FOR CHILD SUPPORT AND CHILD PROTECTION  
8 CASES

9 SECTION 1.01. Section 201.101, Family Code, is amended by  
10 amending Subsections (b) and (d) and adding Subsection (b-1) to  
11 read as follows:

12 (b) If the presiding judge of an administrative judicial  
13 region determines under Subsection (a) that the courts in the  
14 region require the appointment of an associate judge, the presiding  
15 judge shall appoint an associate judge from a list of the qualified  
16 applicants who have submitted an application to the office of court  
17 administration. Before making the appointment, the presiding judge  
18 must provide the list to the judges of the courts from which cases  
19 will be referred to the associate judge. Each judge may recommend  
20 to the presiding judge the names of one or more applicants for  
21 appointment. An associate judge appointed under this subsection  
22 serves for a term of four years from the date the associate judge is  
23 appointed and qualifies for office. The appointment of an  
24 associate judge for a term does not affect the at-will employment

1 status of the associate judge. The presiding judge [~~may limit the~~  
2 ~~appointment to a specified time period and~~] may terminate an  
3 appointment at any time.

4 (b-1) Before reappointing an associate judge appointed  
5 under Subsection (b), the presiding judge must notify each judge of  
6 the courts from which cases will be referred to the associate judge  
7 of the presiding judge's intent to reappoint the associate judge to  
8 another term. Each judge may submit to the presiding judge a  
9 recommendation on whether the associate judge should be  
10 reappointed.

11 (d) [~~If the presiding judge determines that a court requires~~  
12 ~~an associate judge for Title IV-D cases, the presiding judge shall~~  
13 ~~appoint an associate judge for that purpose.] Except as provided  
14 under Subsection (e), if an associate judge is appointed for a court  
15 under this subchapter, all Title IV-D cases shall be referred to the  
16 associate judge by a general order for each county issued by the  
17 judge of the court for which the associate judge is appointed, or,  
18 in the absence of that order, by a general order issued by the  
19 presiding judge who appointed the associate judge. Referral of  
20 Title IV-D cases may not be made for individual cases or case by  
21 case.~~

22 SECTION 1.02. Section 201.1066, Family Code, is amended to  
23 read as follows:

24 Sec. 201.1066. SUPERVISION OF ASSOCIATE JUDGES. (a) The  
25 office of court administration shall assist the presiding judges  
26 in:

27 (1) monitoring the associate judges' compliance with

1 job performance standards and federal and state laws and policies;

2 (2) addressing the training needs and resource  
3 requirements of the associate judges;

4 (3) conducting annual performance evaluations for the  
5 associate judges and other personnel appointed under this  
6 subchapter based on written personnel performance standards  
7 adopted by the presiding judges and performance information  
8 solicited from the referring courts and other relevant persons; and

9 (4) receiving, investigating, and resolving  
10 complaints about particular associate judges or the associate judge  
11 program under this subchapter based on a uniform process adopted by  
12 the presiding judges.

13 (b) The office of court administration shall develop  
14 procedures and a written evaluation form to be used by the presiding  
15 judges in conducting the annual performance evaluations under  
16 Subsection (a)(3).

17 (c) Each judge of a court that refers cases to an associate  
18 judge under this subchapter may submit to the presiding judge or the  
19 office of court administration information on the associate judge's  
20 performance during the preceding year based on a uniform process  
21 adopted by the presiding judges.

22 SECTION 1.03. Section 201.201, Family Code, is amended by  
23 amending Subsections (a), (b), and (d) and adding Subsection (b-1)  
24 to read as follows:

25 (a) The presiding judge of each administrative judicial  
26 region, after conferring with the judges of courts in the region  
27 having family law jurisdiction and a child protection caseload,

1 shall determine which courts require the appointment of a full-time  
2 or part-time associate judge to complete cases under Subtitle E  
3 within the times specified under that subtitle.

4 (b) If the presiding judge of an administrative judicial  
5 region determines under Subsection (a) that the courts in the  
6 region require the appointment of an associate judge, the presiding  
7 judge shall appoint an associate judge from a list of the qualified  
8 applicants who have submitted an application to the office of court  
9 administration. Before making the appointment, the presiding judge  
10 must provide the list to the judges of the courts from which cases  
11 will be referred to the associate judge. Each judge may recommend  
12 to the presiding judge the names of one or more applicants for  
13 appointment. An associate judge appointed under this subsection  
14 serves for a term of four years from the date the associate judge is  
15 appointed and qualifies for office. The appointment of an  
16 associate judge for a term does not affect the at-will employment  
17 status of the associate judge. The presiding judge [~~may limit the~~  
18 ~~appointment to a specified period and~~ may terminate an appointment  
19 at any time.

20 (b-1) Before reappointing an associate judge appointed  
21 under Subsection (b), the presiding judge must notify each judge of  
22 the courts from which cases will be referred to the associate judge  
23 of the presiding judge's intent to reappoint the associate judge to  
24 another term. Each judge may submit to the presiding judge a  
25 recommendation on whether the associate judge should be  
26 reappointed.

27 (d) [~~If the presiding judge determines that a court requires~~

1 ~~an associate judge, the presiding judge shall appoint an associate~~  
2 ~~judge.]~~ If an associate judge is appointed for a court, all child  
3 protection cases shall be referred to the associate judge by a  
4 general order for each county issued by the judge of the court for  
5 which the associate judge is appointed or, in the absence of that  
6 order, by a general order issued by the presiding judge who  
7 appointed the associate judge.

8 SECTION 1.04. Section 201.2061, Family Code, is amended to  
9 read as follows:

10 Sec. 201.2061. SUPERVISION OF ASSOCIATE JUDGES. (a) The  
11 office of court administration shall assist the presiding judges  
12 in:

13 (1) monitoring the associate judges' compliance with  
14 any applicable job performance standards, uniform practices  
15 adopted by the presiding judges, and federal and state laws and  
16 policies;

17 (2) addressing the training needs and resource  
18 requirements of the associate judges;

19 (3) conducting annual performance evaluations for the  
20 associate judges and other personnel appointed under this  
21 subchapter based on written personnel performance standards  
22 adopted by the presiding judges and performance information  
23 solicited from the referring courts and other relevant persons; and

24 (4) receiving, investigating, and resolving  
25 complaints about particular associate judges or the associate judge  
26 program under this subchapter based on a uniform process adopted by  
27 the presiding judges.

1        (b) The office of court administration shall develop  
2 procedures and a written evaluation form to be used by the presiding  
3 judges in conducting the annual performance evaluations under  
4 Subsection (a)(3).

5        (c) Each judge of a court that refers cases to an associate  
6 judge under this subchapter may submit to the presiding judge or the  
7 office of court administration information on the associate judge's  
8 performance during the preceding year based on a uniform process  
9 adopted by the presiding judges.

10        SECTION 1.05. (a) The changes in law made by this article  
11 apply to the appointment of an associate judge under Subchapters B  
12 and C, Chapter 201, Family Code, on or after the effective date of  
13 this Act.

14        (b) An associate judge serving under Subchapter B or C,  
15 Chapter 201, Family Code, on the effective date of this Act is  
16 subject to the changes in law made by this article on and after that  
17 date. A presiding judge of an administrative judicial region who  
18 appoints or reappoints associate judges under those subchapters is  
19 subject to the changes in law made by this article on and after that  
20 date.

21        (c) Not later than October 1, 2015, the presiding judge  
22 shall either reappoint an associate judge serving under Subchapter  
23 B or C, Chapter 201, Family Code, or appoint a new associate judge  
24 to serve under those subchapters consistent with the changes in law  
25 made by this article.

26        ARTICLE 2. DISTRICT COURTS AND DISTRICT ATTORNEYS

27        SECTION 2.01. Section [24.154\(b\)](#), Government Code, is

1 amended to read as follows:

2 (b) The terms of the 52nd District Court begin on the first  
3 Mondays in January and July [~~June~~].

4 SECTION 2.02. (a) Effective January 1, 2017, Section  
5 [24.275](#), Government Code, is amended to read as follows:

6 Sec. 24.275. 216TH JUDICIAL DISTRICT (GILLESPIE[~~7~~  
7 ~~KENDALL~~] AND KERR COUNTIES). The 216th Judicial District is  
8 composed of Gillespie[~~7, Kendall~~] and Kerr counties.

9 (b) Effective January 1, 2017, Subchapter C, Chapter 24,  
10 Government Code, is amended by adding Section 24.591 to read as  
11 follows:

12 Sec. 24.591. 451ST JUDICIAL DISTRICT (KENDALL COUNTY).

13 (a) The 451st Judicial District is composed of Kendall County.

14 (b) In addition to the other jurisdiction provided by law,  
15 the 451st District Court has concurrent jurisdiction with the  
16 County Court of Kendall County in all civil and criminal matters  
17 over which the county court would have original or appellate  
18 jurisdiction, including probate matters and proceedings under  
19 Subtitle C, Title 7, Health and Safety Code.

20 (c) All civil and criminal matters within the concurrent  
21 jurisdiction of the county and district courts must be filed with  
22 the county clerk in the county court. The county clerk serves as  
23 the clerk of the district court for those matters.

24 (c) Effective January 1, 2017, Section [44.001](#), Government  
25 Code, is amended to read as follows:

26 Sec. 44.001. ELECTION. The voters of each of the following  
27 counties elect a criminal district attorney: Anderson, Austin,

1 Bastrop, Bexar, Bowie, Brazoria, Caldwell, Calhoun, Cass, Collin,  
2 Comal, Dallas, Deaf Smith, Denton, Eastland, Fannin, Galveston,  
3 Grayson, Gregg, Harrison, Hays, Hidalgo, Jackson, Jasper,  
4 Jefferson, Kaufman, Kendall, Lubbock, McLennan, Madison, Navarro,  
5 Newton, Panola, Polk, Randall, Rockwall, San Jacinto, Smith,  
6 Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker,  
7 Waller, Wichita, Wood, and Yoakum.

8 (d) Effective January 1, 2017, Subchapter B, Chapter 44,  
9 Government Code, is amended by adding Section 44.230 to read as  
10 follows:

11 Sec. 44.230. KENDALL COUNTY. (a) The criminal district  
12 attorney of Kendall County must meet the following qualifications:

13 (1) be at least 30 years old;

14 (2) have been a practicing attorney in this state for  
15 at least five years; and

16 (3) have been a resident of Kendall County for at least  
17 one year before election or appointment.

18 (b) The criminal district attorney has all the powers,  
19 duties, and privileges in Kendall County that are conferred by law  
20 on county and district attorneys in the various counties and  
21 districts.

22 (c) The criminal district attorney shall attend each term  
23 and session of the district and inferior courts of Kendall County,  
24 except municipal courts, held for the transaction of criminal  
25 business and shall exclusively represent the state in all criminal  
26 matters before those courts.

27 (d) The criminal district attorney shall represent Kendall



1 County in any court in which the county has pending business. This  
2 subsection does not require the criminal district attorney to  
3 represent the county in a delinquent tax suit or condemnation  
4 proceeding and does not prevent the county from retaining other  
5 legal counsel in a civil matter at any time it considers appropriate  
6 to do so.

7 (e) The criminal district attorney shall collect the fees,  
8 commissions, and perquisites that are provided by law for similar  
9 services rendered by a district or county attorney.

10 (f) The criminal district attorney is entitled to receive in  
11 equal monthly installments compensation from the state equal to the  
12 amount paid by the state to district attorneys. The state  
13 compensation shall be paid by the comptroller as appropriated by  
14 the legislature. The Commissioners Court of Kendall County shall  
15 pay the criminal district attorney an additional amount so that the  
16 total compensation of the criminal district attorney equals at  
17 least 90 percent of the total salary paid to the judge of the 451st  
18 District Court in Kendall County. The compensation paid by the  
19 county shall be paid in semiweekly or bimonthly installments, as  
20 determined by the commissioners court.

21 (g) The criminal district attorney or the Commissioners  
22 Court of Kendall County may accept gifts and grants from any  
23 individual, partnership, corporation, trust, foundation,  
24 association, or governmental entity for the purpose of financing or  
25 assisting effective prosecution, crime prevention or suppression,  
26 rehabilitation of offenders, substance abuse education, treatment  
27 and prevention, or crime victim assistance programs in Kendall

1 County. The criminal district attorney shall account for and  
2 report to the commissioners court all gifts or grants accepted  
3 under this subsection.

4 (h) The criminal district attorney, for the purpose of  
5 conducting affairs of the office, may appoint a staff composed of  
6 assistant criminal district attorneys, investigators,  
7 stenographers, clerks, and other personnel that the commissioners  
8 court may authorize. The salary of a staff member is an amount  
9 recommended by the criminal district attorney and approved by the  
10 commissioners court. The commissioners court shall pay the  
11 salaries of the staff in equal semiweekly or bimonthly installments  
12 from county funds.

13 (i) The criminal district attorney shall, with the advice  
14 and consent of the commissioners court, designate one or more  
15 individuals to act as an assistant criminal district attorney with  
16 exclusive responsibility for assisting the commissioners court. An  
17 individual designated as an assistant criminal district attorney  
18 under this subsection must have extensive experience in  
19 representing public entities and knowledge of the laws affecting  
20 counties, including the open meetings and open records laws under  
21 Chapters 551 and 552.

22 (j) Kendall County is entitled to receive from the state an  
23 amount equal to the amount provided in the General Appropriations  
24 Act to district attorneys for the payment of staff salaries and  
25 office expenses.

26 (k) The legislature may provide for additional staff  
27 members to be paid from state funds if it considers supplementation

1 of the criminal district attorney's staff to be necessary.

2 (1) The criminal district attorney and assistant criminal  
3 district attorney may not engage in the private practice of law or  
4 receive a fee for the referral of a case.

5 (e) Effective January 1, 2017, Section 46.002, Government  
6 Code, is amended to read as follows:

7 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter  
8 applies to the state prosecuting attorney, all county prosecutors,  
9 and the following state prosecutors:

10 (1) the district attorneys for Kenedy and Kleberg  
11 Counties and for the 1st, 2nd, 8th, 9th, 18th, 21st, 23rd, ~~[25th,~~  
12 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th, 39th,  
13 42nd, 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th,  
14 66th, 69th, 70th, 76th, 79th, 81st, 83rd, 84th, 85th, 88th, 90th,  
15 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th,  
16 123rd, 132nd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th,  
17 198th, 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th,  
18 268th, 271st, 286th, 287th, 329th, 344th, 349th, 355th, 369th,  
19 452nd, and 506th judicial districts;

20 (2) the criminal district attorneys for the counties  
21 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,  
22 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,  
23 Fannin, Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo,  
24 Jasper, Jefferson, Kaufman, Kendall, Lubbock, McLennan, Madison,  
25 Navarro, Newton, Panola, Polk, Randall, Rockwall, San Jacinto,  
26 Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker,  
27 Waller, Wichita, Wood, and Yoakum; and

1           (3) the county attorneys performing the duties of  
2 district attorneys in the counties of Andrews, Aransas, Callahan,  
3 Cameron, Castro, Colorado, Crosby, Ellis, Falls, Freestone,  
4 Gonzales, Guadalupe, Lamar, Lamb, Lampasas, Lavaca, Lee,  
5 Limestone, Marion, Milam, Morris, Ochiltree, Oldham, Orange,  
6 Rains, Red River, Robertson, Rusk, Swisher, Terry, Webb, and  
7 Willacy.

8           (f) Effective January 1, 2017, the office of county attorney  
9 of Kendall County is abolished.

10          (g) Sections [25.1321](#) and [25.1322](#), Government Code, are  
11 repealed, and the County Court at Law of Kendall County is abolished  
12 on the date the 451st District Court is created.

13          (h) On the date the 451st District Court is created, all  
14 cases from Kendall County pending in the 216th District Court are  
15 transferred to the 451st District Court. On the date the County  
16 Court at Law of Kendall County is abolished, all cases pending in  
17 the court are transferred to the 451st District Court. When a case  
18 is transferred from one court to another as provided by this  
19 section, all processes, writs, bonds, recognizances, or other  
20 obligations issued from the transferring court are returnable to  
21 the court to which the case is transferred as if originally issued  
22 by that court. The obligees in all bonds and recognizances taken in  
23 and for a court from which a case is transferred and all witnesses  
24 summoned to appear in a court from which a case is transferred are  
25 required to appear before the court to which a case is transferred  
26 as if originally required to appear before the court to which the  
27 transfer is made.

1 (i) The 451st Judicial District is created January 1, 2017.

2 SECTION 2.03. (a) Effective January 1, 2017, Subchapter C,  
3 Chapter 24, Government Code, is amended by adding Section 24.584 to  
4 read as follows:

5 Sec. 24.584. 440TH JUDICIAL DISTRICT (CORYELL COUNTY). The  
6 440th Judicial District is composed of Coryell County.

7 (b) The 440th Judicial District is created January 1, 2017.

8 (c) Subchapter D, Chapter 74, Government Code, is amended by  
9 adding Section 74.0971 to read as follows:

10 Sec. 74.0971. LOCAL ADMINISTRATIVE DISTRICT JUDGE FOR  
11 CORYELL COUNTY. Notwithstanding Section 74.091(b), the local  
12 administrative district judge for Coryell County is selected on the  
13 basis of seniority from the district judges of the 52nd Judicial  
14 District and the 440th Judicial District.

15 SECTION 2.04. (a) Subchapter C, Chapter 24, Government  
16 Code, is amended by adding Section 24.590 to read as follows:

17 Sec. 24.590. 446TH JUDICIAL DISTRICT (ECTOR COUNTY). The  
18 446th Judicial District is composed of Ector County.

19 (b) The 446th Judicial District is created September 1,  
20 2015.

21 SECTION 2.05. (a) Effective January 1, 2016, Subchapter D,  
22 Chapter 24, Government Code, is amended by adding Section 24.641 to  
23 read as follows:

24 Sec. 24.641. 507TH JUDICIAL DISTRICT (HARRIS COUNTY). The  
25 507th Judicial District is composed of Harris County.

26 (b) The 507th Judicial District is created January 1, 2016.

27 SECTION 2.06. (a) Subchapter D, Chapter 24, Government

1 Code, is amended by adding Sections 24.642 and 24.643 to read as  
2 follows:

3 Sec. 24.642. 469TH JUDICIAL DISTRICT (COLLIN COUNTY). The  
4 469th Judicial District is composed of Collin County. The 469th  
5 District Court shall hear family law matters.

6 Sec. 24.643. 470TH JUDICIAL DISTRICT (COLLIN COUNTY). The  
7 470th Judicial District is composed of Collin County. The 470th  
8 District Court shall hear family law matters.

9 (b) The 469th and 470th Judicial Districts are created  
10 September 1, 2015.

11 SECTION 2.07. (a) Subchapter D, Chapter 24, Government  
12 Code, is amended by adding Section 24.644 to read as follows:

13 Sec. 24.644. 505TH JUDICIAL DISTRICT (FORT BEND COUNTY).  
14 The 505th Judicial District is composed of Fort Bend County.

15 (b) The 505th Judicial District is created September 1,  
16 2015.

17 SECTION 2.08. (a) Effective September 1, 2015, Section  
18 [46.002](#), Government Code, is amended to read as follows:

19 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter  
20 applies to the state prosecuting attorney, all county prosecutors,  
21 and the following state prosecutors:

22 (1) the district attorneys for Kenedy and Kleberg  
23 Counties and for the 1st, 2nd, 8th, 9th, 18th, 21st, 23rd, 25th,  
24 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th, 39th,  
25 42nd, 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th,  
26 66th, 69th, 70th, 76th, 79th, 81st, 83rd, 84th, 85th, 88th, 90th,  
27 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th,

1 123rd, 132nd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th,  
2 198th, 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th,  
3 268th, 271st, 286th, 287th, 329th, 344th, 349th, 355th, 369th,  
4 452nd, and 506th judicial districts;

5 (2) the criminal district attorneys for the counties  
6 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,  
7 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,  
8 Fannin, Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo,  
9 Jasper, Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro,  
10 Newton, Panola, Polk, Randall, Rockwall, San Jacinto, Smith,  
11 Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker,  
12 Waller, Wichita, Wood, and Yoakum; and

13 (3) the county attorneys performing the duties of  
14 district attorneys in the counties of Andrews, Aransas, Callahan,  
15 Cameron, Castro, Colorado, Crosby, Ellis, Falls, Freestone,  
16 Gonzales, Lamar, Lamb, Lampasas, Lavaca, Lee, Limestone, Marion,  
17 Milam, Morris, Ochiltree, Oldham, Orange, Rains, Red River,  
18 Robertson, Rusk, Swisher, Terry, Webb, and Willacy.

19 (b) Section 43.156(b), Government Code, is repealed.

20 ARTICLE 3. STATUTORY COUNTY COURTS, COUNTY COURTS, COUNTY  
21 ATTORNEYS, AND CERTAIN COUNTY JUDGES

22 SECTION 3.01. (a) Section 25.0331(a), Government Code, is  
23 amended to read as follows:

24 (a) Cameron County has the following statutory county  
25 courts:

26 (1) County Court at Law No. 1 of Cameron County;

27 (2) County Court at Law No. 2 of Cameron County; [~~and~~]

- 1 (3) County Court at Law No. 3 of Cameron County;
- 2 (4) County Court at Law No. 4 of Cameron County; and
- 3 (5) County Court at Law No. 5 of Cameron County.

4 (b) Section 25.0332, Government Code, is amended by adding  
5 Subsection (b) to read as follows:

6 (b) The County Court at Law No. 4 of Cameron County shall  
7 give preference to probate, guardianship, and mental health  
8 matters.

9 (c) The County Court at Law No. 4 of Cameron County is  
10 created January 1, 2017.

11 (d) The County Court at Law No. 5 of Cameron County is  
12 created January 1, 2018.

13 SECTION 3.02. (a) Section 25.0451(a), Government Code, is  
14 amended to read as follows:

15 (a) Collin County has the following statutory county  
16 courts:

- 17 (1) County Court at Law No. 1 of Collin County;
- 18 (2) County Court at Law No. 2 of Collin County;
- 19 (3) County Court at Law No. 3 of Collin County;
- 20 (4) County Court at Law No. 4 of Collin County;
- 21 (5) County Court at Law No. 5 of Collin County; ~~and~~
- 22 (6) County Court at Law No. 6 of Collin County; and
- 23 (7) County Court at Law No. 7 of Collin County.

24 (b) The County Court at Law No. 7 of Collin County is created  
25 on the effective date of this Act.

26 SECTION 3.03. (a) Section 25.0811, Government Code, is  
27 amended to read as follows:



1           Sec. 25.0811. FORT BEND COUNTY. Fort Bend County has the  
2 following statutory county courts:

- 3           (1) County Court at Law No. 1 of Fort Bend County;
- 4           (2) County Court at Law No. 2 of Fort Bend County;
- 5           (3) County Court at Law No. 3 of Fort Bend County;
- 6 ~~[and]~~
- 7           (4) County Court at Law No. 4 of Fort Bend County; and
- 8           (5) County Court at Law No. 5 of Fort Bend County.

9           (b) The County Court at Law No. 5 of Fort Bend County is  
10 created January 1, 2016.

11           SECTION 3.04. (a) Effective January 1, 2016, Section  
12 [25.1031\(b\)](#), Government Code, is amended to read as follows:

- 13           (b) Harris County has the following county criminal courts:
- 14           (1) County Criminal Court at Law No. 1 of Harris  
15 County, Texas;
- 16           (2) County Criminal Court at Law No. 2 of Harris  
17 County, Texas;
- 18           (3) County Criminal Court at Law No. 3 of Harris  
19 County, Texas;
- 20           (4) County Criminal Court at Law No. 4 of Harris  
21 County, Texas;
- 22           (5) County Criminal Court at Law No. 5 of Harris  
23 County, Texas;
- 24           (6) County Criminal Court at Law No. 6 of Harris  
25 County, Texas;
- 26           (7) County Criminal Court at Law No. 7 of Harris  
27 County, Texas;

1           (8) County Criminal Court at Law No. 8 of Harris  
2 County, Texas;

3           (9) County Criminal Court at Law No. 9 of Harris  
4 County, Texas;

5           (10) County Criminal Court at Law No. 10 of Harris  
6 County, Texas;

7           (11) County Criminal Court at Law No. 11 of Harris  
8 County, Texas;

9           (12) County Criminal Court at Law No. 12 of Harris  
10 County, Texas;

11           (13) County Criminal Court at Law No. 13 of Harris  
12 County, Texas;

13           (14) County Criminal Court at Law No. 14 of Harris  
14 County, Texas; ~~and~~

15           (15) County Criminal Court at Law No. 15 of Harris  
16 County, Texas; and

17           (16) County Criminal Court at Law No. 16 of Harris  
18 County, Texas.

19           (b) The County Criminal Court at Law No. 16 of Harris County  
20 is created January 1, 2016.

21           SECTION 3.05. Section 25.1112(e), Government Code, is  
22 amended to read as follows:

23           (e) The district clerk serves as the clerk of a county court  
24 at law for all criminal and civil matters except that the county  
25 clerk serves as the clerk of the county court at law in  
26 [~~uncontested~~] probate and guardianship matters. [~~The county clerk~~  
27 ~~shall transfer to the district clerk any contested probate and~~

1 ~~guardianship matters filed with the county clerk.]~~

2 SECTION 3.06. Section 25.2222(a), Government Code, is  
3 amended to read as follows:

4 (a) A county court at law in Tarrant County has jurisdiction  
5 over all civil matters and causes, original and appellate,  
6 prescribed by law for county courts. The County Court at Law No. 1  
7 of Tarrant County also has jurisdiction over all criminal matters  
8 and causes, original and appellate, prescribed by law for county  
9 courts. The County Courts at Law Nos. 2 and 3 of Tarrant County do  
10 not have criminal jurisdiction. Notwithstanding any other  
11 provision, a county court at law in Tarrant County has jurisdiction  
12 on any appeal from a municipal court of record in Tarrant County  
13 that is not an appeal of a criminal law case or proceeding.

14 SECTION 3.07. (a) Subchapter D, Chapter 25, Government  
15 Code, is amended by adding Section 25.2607 to read as follows:

16 Sec. 25.2607. DESIGNATION OF ADMINISTRATIVE COUNTY FOR  
17 MULTICOUNTY STATUTORY COUNTY COURTS. (a) If a statute that  
18 establishes a multicounty statutory county court does not designate  
19 one of the counties that compose the multicounty statutory county  
20 court as the administrative county for that court, the county with  
21 the greatest population of the counties composing the court at the  
22 time the court is established is the administrative county for that  
23 court.

24 (b) The commissioners courts of the counties that compose a  
25 multicounty statutory county court may enter into an agreement to  
26 provide support for the court. The administrative county for the  
27 court may receive contributions from the other counties composing

1 the court to pay the operating expenses of the court.

2 (c) Except for money provided by state appropriations or  
3 under an agreement under Subsection (b), the administrative county  
4 shall pay out of the county's general fund the salaries,  
5 compensation, and expenses incurred in operating the multicounty  
6 statutory county court.

7 (d) Notwithstanding Section 25.0015, the state shall  
8 annually compensate the administrative county of a multicounty  
9 statutory county court in an amount equal to 100 percent of the  
10 state salary of a district court judge in the county for the salary  
11 of the judge of the multicounty statutory county court.

12 (e) The court fees and costs collected by the clerk of a  
13 multicounty statutory county court shall be deposited in the  
14 appropriate county fund as provided by law.

15 (b) Effective January 1, 2019, Section 25.2701, Government  
16 Code, is amended to read as follows:

17 Sec. 25.2701. 1ST MULTICOUNTY COURT AT LAW (FISHER[~~7~~  
18 ~~MITCHELL~~], AND NOLAN COUNTIES). Fisher[~~7~~~~Mitchell~~] and Nolan  
19 Counties have a multicounty statutory county court composed of  
20 those counties, the 1st Multicounty Court at Law.

21 (c) Section 25.2702, Government Code, is amended by adding  
22 Subsection (c-1) to read as follows:

23 (c-1) Nolan County is the administrative county for the 1st  
24 Multicounty Court at Law.

25 (d) Section 25.2702(g), Government Code, is repealed.

26 SECTION 3.08. Section 26.223, Government Code, is amended  
27 by amending Subsection (a) and adding Subsection (a-1) to read as

1 follows:

2 (a) If the county judge is licensed to practice law in this  
3 state, the [The] County Court of Jefferson County has [the general]  
4 jurisdiction concurrent with the County Court at Law of Jefferson  
5 County over all causes and proceedings, civil and criminal, [of a  
6 probate court and] juvenile and probate, original and appellate,  
7 over which by the constitution and general laws of this state county  
8 courts have jurisdiction [as provided by Section 26.042(b) but has  
9 no other civil or criminal jurisdiction].

10 (a-1) If the county judge is not licensed to practice law in  
11 this state, the County Court of Jefferson County has concurrent  
12 jurisdiction with the county courts at law in Jefferson County only  
13 in probate proceedings, administrations of estates, guardianship  
14 proceedings, mental illness proceedings, and juvenile matters as  
15 provided by Section 26.042(b).

16 SECTION 3.09. (a) Section 43.122, Government Code, is  
17 amended to read as follows:

18 Sec. 43.122. 36TH JUDICIAL DISTRICT. The voters of  
19 [~~Aransas and~~] San Patricio County [~~counties~~] elect a district  
20 attorney for the 36th Judicial District who represents the state in  
21 that district court only in that county [~~those counties~~]. In  
22 addition to exercising the duties and authority conferred on  
23 district attorneys by general law, the district attorney represents  
24 the state in all criminal cases in the district courts in that  
25 county [~~those counties~~].

26 (b) Subchapter B, Chapter 45, Government Code, is amended by  
27 adding Section 45.104 to read as follows:

1       Sec. 45.104. ARANSAS COUNTY. (a) In Aransas County, the  
2 county attorney of Aransas County shall perform the duties imposed  
3 on and have the powers conferred on district attorneys by general  
4 law.

5       (b) The county attorney of Aransas County or the  
6 Commissioners Court of Aransas County may accept gifts or grants  
7 from any individual, partnership, corporation, trust, foundation,  
8 association, or governmental entity for the purpose of financing or  
9 assisting the operation of the office of county attorney in Aransas  
10 County. The county attorney shall account for and report to the  
11 commissioners court all gifts or grants accepted under this  
12 subsection.

13       SECTION 3.10. (a) Effective January 1, 2017, Subchapter B,  
14 Chapter 45, Government Code, is amended by adding Section 45.194 to  
15 read as follows:

16       Sec. 45.194. GUADALUPE COUNTY. (a) In Guadalupe County  
17 the county attorney of Guadalupe County shall perform the duties  
18 imposed on and have the powers conferred on district attorneys by  
19 general law and is entitled to be compensated by the state in the  
20 manner and amount set by general law relating to the salary paid to  
21 district attorneys by the state.

22       (b) The county attorney of Guadalupe County or the  
23 Commissioners Court of Guadalupe County may accept gifts or grants  
24 from any individual, partnership, corporation, trust, foundation,  
25 association, or governmental entity for the purpose of financing or  
26 assisting the operation of the office of county attorney in  
27 Guadalupe County. The county attorney shall account for and report

1 to the commissioners court all gifts or grants accepted under this  
2 subsection.

3 (b) Effective January 1, 2017, Section 43.112, Government  
4 Code, as amended by Chapters 644 (H.B. 717) and 872 (H.B. 696), Acts  
5 of the 83rd Legislature, Regular Session, 2013, is repealed.

6 (c) On January 1, 2017, the office of district attorney for  
7 the 25th Judicial District is abolished.

8 ARTICLE 4. ELECTRONIC FILING

9 SECTION 4.01. Section 51.851(b), Government Code, is  
10 amended to read as follows:

11 (b) In addition to other fees authorized or required by law,  
12 the clerk of the supreme court, a court of appeals, a district  
13 court, a county court, a statutory county court, or a statutory  
14 probate court shall collect a \$30 [~~\$20~~] fee on the filing of any  
15 civil action or proceeding requiring a filing fee, including an  
16 appeal, and on the filing of any counterclaim, cross-action,  
17 intervention, interpleader, or third-party action requiring a  
18 filing fee to be used as provided by Section 51.852.

19 SECTION 4.02. Section 51.607, Government Code, does not  
20 apply to the imposition of a fee assessed under Section 51.851(b),  
21 Government Code, as amended by this article.

22 SECTION 4.03. The change in law made by amending Section  
23 51.851(b), Government Code, applies only to a fee that becomes  
24 payable on or after September 1, 2015. A fee that becomes payable  
25 before that date is governed by the law in effect when the fee  
26 became payable, and the former law is continued in effect for that  
27 purpose.

ARTICLE 5. BAILIFFS

SECTION 5.01. Chapter 53, Government Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. BAILIFFS FOR COUNTY COURTS AT LAW

IN TARRANT COUNTY

Sec. 53.101. ASSIGNMENT OF BAILIFF. At least one bailiff shall be assigned regularly to each county court at law of Tarrant County.

Sec. 53.102. OFFICE OF BAILIFF; APPOINTMENT. (a) The judge of each county court at law of Tarrant County may appoint one person to serve as bailiff of that court.

(b) The bailiff is an officer of the court and performs the duties of the office under the direction and supervision of the judge of the court.

Sec. 53.103. TERM OF OFFICE. The bailiff holds office at the will of the judge of the court served by the bailiff.

Sec. 53.104. DUTIES. A bailiff shall perform the duties imposed on bailiffs under the general laws of this state and the other duties required by the judge of the court served.

Sec. 53.105. ASSIGNMENT OF BAILIFF BY SHERIFF. (a) If the judge of a county court at law of Tarrant County does not appoint a person to serve as bailiff under Section 53.102, the sheriff of Tarrant County shall assign a bailiff for the court on written request of the judge.

(b) A bailiff assigned by the sheriff serves at the pleasure of the court to which the bailiff is assigned and shall perform the duties required by the judge of the court.





1 appointment from the judge, a constable of the county may deputize  
2 the bailiff in addition to other deputies authorized by law.

3 Sec. 53.125. OATH. The following oath must be administered  
4 by the appointing judge to the bailiff appointed under this  
5 subchapter: "I solemnly swear that I will perform faithfully and  
6 impartially all duties required of me and required by law so help me  
7 God."

8 Sec. 53.126. TERM OF OFFICE. The bailiff holds office at  
9 the will of the judge of the court served by the bailiff.

10 Sec. 53.127. DUTIES. A bailiff shall perform the duties  
11 imposed on bailiffs under the general laws of this state and the  
12 other duties required by the judge of the court served.

13 Sec. 53.128. COMPENSATION. The bailiff shall be  
14 compensated out of the general fund of the county in an amount to be  
15 set by the Commissioners Court of Tarrant County.

16 ARTICLE 6. CERTAIN CRIMINAL LAW MAGISTRATE COURTS, CERTAIN  
17 CRIMINAL LAW HEARING OFFICERS, AND A JUVENILE BOARD

18 SECTION 6.01. (a) Section 54.732, Government Code, is  
19 amended to read as follows:

20 Sec. 54.732. CREATION. The El Paso Criminal Law Magistrate  
21 Court is a court having the jurisdiction provided by this  
22 subchapter over offenses allegedly committed in El Paso County  
23 [~~except for that portion of the county in the corporate limits of~~  
24 ~~Vinton, Texas~~].

25 (b) Section 54.733, Government Code, is amended by adding  
26 Subsection (j) to read as follows:

27 (j) The criminal law magistrate court has concurrent

1 criminal jurisdiction with the justice courts located in El Paso  
2 County.

3 (c) Section 54.735, Government Code, is amended to read as  
4 follows:

5 Sec. 54.735. POWERS AND DUTIES. (a) The criminal law  
6 magistrate court or a judge of the criminal law magistrate court may  
7 issue writs of injunction and all other writs necessary for the  
8 enforcement of the jurisdiction of the court and may issue  
9 misdemeanor writs of habeas corpus in cases in which the offense  
10 charged is within the jurisdiction of the court or of any other  
11 court of inferior jurisdiction in the county. The court and the  
12 judge may punish for contempt as provided by law for district  
13 courts. A judge of the criminal law magistrate court has all other  
14 powers, duties, immunities, and privileges provided by law for:

15 (1) justices of the peace when acting in a Class C  
16 misdemeanor case;

17 (2) county court judges when acting in a Class A or  
18 Class B misdemeanor case; and

19 (3) [for] district court judges when acting in a  
20 felony case.

21 (b) A judge of the criminal law magistrate court may hold an  
22 indigency hearing and a capias pro fine hearing. When acting as the  
23 judge who issued the capias pro fine, a judge of the criminal law  
24 magistrate court may make all findings of fact and conclusions of  
25 law required of the judge who issued the capias pro fine. In  
26 conducting a hearing under this subsection, the judge of the  
27 criminal law magistrate court is empowered to make all findings of

1 fact and conclusions of law and to issue all orders necessary to  
2 properly dispose of the capias pro fine or indigency hearing in  
3 accordance with the provisions of the Code of Criminal Procedure  
4 applicable to a misdemeanor or felony case of the same type and  
5 level.

6 (d) Section 54.736(b), Government Code, is amended to read  
7 as follows:

8 (b) The council of judges shall ensure that the criminal law  
9 magistrate court gives preference to magistrate duties, as those  
10 duties apply to the county jail inmate population first and then to  
11 newly detained individuals, until the commissioners court provides  
12 funds for more than one judge to sit on the criminal law magistrate  
13 court.

14 (e) Section 54.737(c), Government Code, is amended to read  
15 as follows:

16 (c) The rules must provide that [~~+~~  
17 [~~(1) a criminal law magistrate judge may not, on a~~  
18 ~~regular basis, hold court or perform magistrate duties after 7 p.m.~~  
19 ~~or before 7 a.m.; and~~

20 [~~(2)~~] a criminal law magistrate judge may only release  
21 a defendant under Article 17.031, Code of Criminal Procedure, under  
22 guidelines established by the council of judges.

23 (f) Sections 54.738(a) and (c), Government Code, are  
24 amended to read as follows:

25 (a) Except as provided by Subsection (b) or local  
26 administrative rules, the local administrative judge or a judge of  
27 the criminal law magistrate court may transfer between courts a

1 case that is pending in the court of any magistrate in the criminal  
2 law magistrate court's jurisdiction if the case is:

- 3           (1) an [any] unindicted felony case;  
4           (2) a[~~r~~] Class A [~~misdemeanor case,~~] or Class B  
5 misdemeanor case if an information has not been filed; or  
6           (3) a Class C misdemeanor [and if the] case [is pending  
7 in the court of any magistrate in the criminal law magistrate  
8 court's jurisdiction].

9           (c) Except as provided by Subsection (d) or local  
10 administrative rules, the local administrative judge may assign a  
11 judge on the council of judges, a judge of the criminal law  
12 magistrate court, a retired judge, or any other magistrate to act as  
13 presiding judge in a case that is pending in the court of any  
14 magistrate in the criminal law magistrate court's jurisdiction if  
15 the case is:

- 16           (1) an [any] unindicted felony case;  
17           (2) a[~~r~~] Class A [~~misdemeanor case,~~] or Class B  
18 misdemeanor case if an information has not been filed; or  
19           (3) a Class C misdemeanor [and if the] case [is pending  
20 in the court of any magistrate in the criminal law magistrate  
21 court's jurisdiction].

22           (g) Section 54.739(d), Government Code, is amended to read  
23 as follows:

24           (d) A case assigned under this subchapter to the criminal  
25 law magistrate court from a district court, [~~or~~] a county court at  
26 law, or a justice court remains on the docket of the assigning court  
27 and in the assigning court's jurisdiction.

1 (h) Section 54.741, Government Code, is amended to read as  
2 follows:

3 Sec. 54.741. FORFEITURES. Bail bonds and personal bonds  
4 may be forfeited by the criminal law magistrate court in the manner  
5 provided by Chapter 22, Code of Criminal Procedure, and those  
6 forfeitures shall be filed with:

7 (1) the district clerk if associated with a felony  
8 case;

9 (2) [~~except in cases in which~~] the county clerk if  
10 associated with a Class A or Class B misdemeanor case; or

11 (3) the same justice court clerk associated with the  
12 Class C misdemeanor case in which the bond was originally filed [~~is~~  
13 ~~the clerk under this subchapter~~].

14 (i) Section 54.742, Government Code, is amended by adding  
15 Subsection (c) to read as follows:

16 (c) When a justice clerk is the clerk under this subchapter,  
17 the justice clerk shall charge the same court costs for cases filed  
18 in, transferred to, or assigned to the criminal law magistrate  
19 court that are charged in the justice courts.

20 (j) Section 54.744, Government Code, is amended to read as  
21 follows:

22 Sec. 54.744. JUDGES ON EL PASO COUNCIL OF JUDGES. Unless  
23 the local rules of administration provide otherwise, the judges on  
24 the El Paso Council of Judges and the judges on the criminal law  
25 magistrate court may sit and act for any magistrate in El Paso  
26 County on any unindicted felony or Class A or B misdemeanor case if  
27 an information has not been filed or any Class C misdemeanor case

1 filed in a justice court.

2 (k) Section 54.745(a), Government Code, is amended to read  
3 as follows:

4 (a) As a condition for a defendant to enter any pretrial  
5 diversion program, including a behavioral modification program, a  
6 health care program, a specialty court program, or the functional  
7 equivalent that may be operated in El Paso County by El Paso County,  
8 Emergence Health Network, the City of El Paso, the West Texas  
9 Regional Adult Probation Department, a community partner approved  
10 by the council of judges, or a county or district attorney of El  
11 Paso County, a defendant must file in the court in which the charges  
12 are pending a sworn waiver of speedy trial motion requesting the  
13 court to approve without a hearing defendant's waiver of his speedy  
14 trial rights under the constitution and other law. If the court  
15 approves the waiver, the defendant is eligible for consideration  
16 for acceptance into a pretrial diversion program or equivalent  
17 program.

18 (l) Sections 54.746(d) and (e), Government Code, are  
19 amended to read as follows:

20 (d) A judge of a county court at law in El Paso County shall  
21 exercise jurisdiction granted by Subsection (a) over felony  
22 indictments and felony informations and justice court cases  
23 [~~information~~] only as a judge presiding for the court in which the  
24 felony or Class C misdemeanor is pending and only if the El Paso  
25 Council of Judges has so provided in the local administrative rules  
26 by a unanimous vote. The exercise of this jurisdiction outside El  
27 Paso County is as provided by Chapter 74 and other law.

1 (e) A judge of a district court in El Paso County shall  
2 exercise jurisdiction granted by Subsection (a) over misdemeanor  
3 information and justice court cases only as a judge presiding for  
4 the court in which the misdemeanor is pending and only if the  
5 council of judges has so provided in the local administrative rules  
6 by a unanimous vote. The exercise of this jurisdiction outside El  
7 Paso County is as provided by the Court Administration Act (Chapter  
8 74) and other law.

9 (m) Section 54.750, Government Code, is amended by adding  
10 Subsection (d) to read as follows:

11 (d) When conducting a capias pro fine hearing for any court,  
12 the criminal law magistrate court acts in the same capacity and with  
13 the same authority as the judge who issued the capias pro fine.

14 (n) Sections 54.753(a) and (b), Government Code, are  
15 amended to read as follows:

16 (a) The district clerk serves as clerk of the criminal law  
17 magistrate court, except that:

18 (1) after a Class A or Class B misdemeanor information  
19 is filed in the county court at law and assigned to the criminal law  
20 magistrate court, the county clerk serves as clerk for that  
21 misdemeanor case; and

22 (2) after a Class C misdemeanor is filed in a justice  
23 court and assigned to the criminal law magistrate court, the  
24 originating justice court clerk serves as clerk for that  
25 misdemeanor case.

26 (b) The district clerk shall establish a docket and keep the  
27 minutes for the cases filed in or transferred to the criminal law



1 magistrate court. The district clerk shall perform any other  
2 duties that local administrative rules require in connection with  
3 the implementation of this subchapter. The local administrative  
4 judge shall ensure that the duties required under this subsection  
5 are performed. To facilitate the duties associated with serving as  
6 the clerk of the criminal law magistrate court, the district clerk  
7 and the deputies of the district clerk may serve as deputy justice  
8 clerks and deputy county clerks at the discretion of the district  
9 clerk.

10 (o) Section 54.759, Government Code, is amended to read as  
11 follows:

12 Sec. 54.759. LOCATION OF COURT. (a) The criminal law  
13 magistrate court may be held at one or more locations [~~the location~~  
14 ~~that is~~] provided by the local administrative rules or ordered by  
15 the local administrative judge.

16 (b) A defendant may be brought before the court in person or  
17 by means of an electronic broadcast system through which an image of  
18 the defendant is presented to the court. For purposes of this  
19 subsection, "electronic broadcast system" means a two-way  
20 electronic communication of image and sound between the defendant  
21 and the court.

22 SECTION 6.02. (a) Section 54.1356(a), Government Code, is  
23 amended to read as follows:

24 (a) A criminal law hearing officer appointed under this  
25 subchapter has limited concurrent jurisdiction over criminal cases  
26 filed in the district courts, statutory county courts, and justice  
27 courts of the county. The jurisdiction of the criminal law hearing

1 officer is limited to:

2 (1) determining probable cause for further detention  
3 of any person detained on a criminal complaint, information, or  
4 indictment filed in the district courts, statutory county courts,  
5 or justice courts of the county;

6 (2) committing the defendant to jail, discharging the  
7 defendant from custody, or admitting the defendant to bail, as the  
8 law and facts of the case require;

9 (3) issuing search warrants and arrest warrants as  
10 provided by law for magistrates;

11 (4) as to criminal cases filed in justice courts,  
12 disposing of cases as provided by law, other than by trial, and  
13 collecting fines and enforcing judgments and orders of the justice  
14 courts in criminal cases;

15 (5) hearing, considering, and ruling on writs of  
16 habeas corpus filed under Article 17.151, Code of Criminal  
17 Procedure; ~~and~~

18 (6) on motion of the district attorney:

19 (A) dismissing a criminal case when the arresting  
20 agency has not timely filed the offense report with the district  
21 attorney; and

22 (B) reducing the amount of bond on prisoners held  
23 at the county jail whose cases have not been filed in a district  
24 court or a statutory county court; and

25 (7) presiding over an extradition proceeding under  
26 Article 51.13, Code of Criminal Procedure.

27 (b) Section 54.1358, Government Code, is amended by adding

1 Subsections (f) and (g) to read as follows:

2 (f) In accordance with Article 26.13, Code of Criminal  
3 Procedure, a criminal law hearing officer may accept a plea of  
4 guilty or nolo contendere.

5 (g) A criminal law hearing officer may determine whether a  
6 defendant is indigent and appoint counsel for an indigent  
7 defendant.

8 (c) Subchapter BB, Chapter 54, Government Code, is amended  
9 by adding Section 54.1362 to read as follows:

10 Sec. 54.1362. PROCEEDINGS THAT MAY BE REFERRED. A district  
11 judge or a county court at law judge may refer to a criminal law  
12 hearing officer any criminal case for proceedings involving:

- 13 (1) a bond forfeiture;  
14 (2) the arraignment of defendants;  
15 (3) the determination of whether a defendant is  
16 indigent and the appointment of counsel for an indigent defendant;  
17 and

18 (4) a negotiated plea of guilty or nolo contendere  
19 before the court, in accordance with Article 26.13, Code of  
20 Criminal Procedure.

21 SECTION 6.03. Section 152.0131(a), Human Resources Code, is  
22 amended to read as follows:

23 (a) The juvenile board of Atascosa County is composed of the  
24 county judge, ~~and~~ the district judges in Atascosa County, and the  
25 judge of the County Court at Law of Atascosa County.

26 ARTICLE 7. TEMPORARY JUSTICES IN CERTAIN JUSTICE PRECINCTS

27 SECTION 7.01. Section 27.055, Government Code, is amended

1 by adding Subsection (g) to read as follows:

2 (g) This subsection applies to a county with a population of  
3 at least 120,000 but not more than 130,000, with territory less than  
4 940 square miles that includes a state park, and with not more than  
5 two justice precincts provided that at least one of the precincts  
6 contains all or part of a municipality with a population of at least  
7 190,000 but not more than 200,000. The county judge of a county to  
8 which this subsection applies may appoint a qualified person to  
9 serve as a temporary justice of the peace for the precinct within  
10 which a municipality or part of a municipality is located to hold  
11 court and perform the duties of the justice when necessary to  
12 dispose of accumulated business in the precinct.

13 ARTICLE 8. TELEPHONE INTERPRETER SERVICES IN CRIMINAL PROCEEDING

14 SECTION 8.01. Article 38.30(a-1), Code of Criminal  
15 Procedure, is amended to read as follows:

16 (a-1) A qualified telephone interpreter may be sworn to  
17 interpret for the person in any criminal [~~the trial of a Class C~~  
18 ~~misdemeanor or a~~] proceeding before a judge or magistrate if an  
19 interpreter is not available to appear in person at the proceeding  
20 [~~before the court~~] or if the only available interpreter is not  
21 considered to possess adequate interpreting skills for the  
22 particular situation or is unfamiliar with the use of slang. In  
23 this subsection, "qualified telephone interpreter" means a  
24 telephone service that employs:

25 (1) licensed court interpreters as defined by Section  
26 157.001, Government Code; or

27 (2) federally certified court interpreters.

1 ARTICLE 9. COURTS AUTHORIZED TO HEAR MATTERS RELATED TO CAPIAS PRO  
2 FINE

3 SECTION 9.01. Article 43.05, Code of Criminal Procedure, is  
4 amended by adding Subsection (c) to read as follows:

5 (c) If the court that issued the capias pro fine is  
6 unavailable, the arresting officer may take the defendant to one of  
7 the following locations in lieu of placing the defendant in jail:

8 (1) if the court that issued the capias pro fine was a  
9 county court or a statutory county court with Class A and Class B  
10 misdemeanor jurisdiction, to another court in the same county with  
11 concurrent jurisdiction over Class A and Class B misdemeanors or to  
12 a county criminal law magistrate in the same county; or

13 (2) if the court that issued the capias pro fine was a  
14 district court with felony jurisdiction, to another court in the  
15 same county with concurrent jurisdiction over felony cases or to a  
16 county criminal law magistrate in the same county.

17 SECTION 9.02. Article 45.045, Code of Criminal Procedure,  
18 is amended by adding Subsection (a-1) to read as follows:

19 (a-1) If the court that issued the capias pro fine is  
20 unavailable, the arresting officer may take the defendant to one of  
21 the following locations in lieu of placing the defendant in jail:

22 (1) if the court that issued the capias pro fine was a  
23 justice of the peace, to a justice of the peace or county criminal  
24 law magistrate court with jurisdiction over Class C misdemeanors  
25 that is located within the same county; or

26 (2) if the court that issued the capias pro fine was a  
27 municipal court, to a municipal court judge that is located within

1 the same city.

2 SECTION 9.03. Article 45.046, Code of Criminal Procedure,  
3 is amended by adding Subsection (d) to read as follows:

4 (d) For purposes of a hearing described by Subsection (a),  
5 if the court that issued the capias pro fine is unavailable, the  
6 following judicial officers may conduct the hearing:

7 (1) if the court that issued the capias pro fine was a  
8 justice of the peace, a justice of the peace or a county criminal  
9 law magistrate with jurisdiction over Class C misdemeanors that is  
10 located within the same county as the issuing court; or

11 (2) if the court that issued the capias pro fine was a  
12 municipal court, a municipal court judge that is located within the  
13 same city as the issuing municipal court.

14 ARTICLE 10. EFFECTIVE DATE

15 SECTION 10.01. Except as otherwise provided by this Act,  
16 this Act takes effect September 1, 2015.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1139 passed the Senate on April 27, 2015, by the following vote: Yeas 30, Nays 0; May 25, 2015, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2015, House granted request of the Senate; May 30, 2015, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1139 passed the House, with amendments, on May 22, 2015, by the following vote: Yeas 138, Nays 2, two present not voting; May 27, 2015, House granted request of the Senate for appointment of Conference Committee; May 31, 2015, House adopted Conference Committee Report by the following vote: Yeas 140, Nays 2, three present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor