

By: Rodríguez
(Thompson of Harris)

S.B. No. 1233

Substitute the following for S.B. No. 1233:

By: Smithee

C.S.S.B. No. 1233

A BILL TO BE ENTITLED

AN ACT

relating to a writ of mandamus by a court of appeals against certain judges.

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

SECTION 1. Section 22.221(b), Government Code, is amended to read as follows:

(b) Each court of appeals for a court of appeals district may issue all writs of mandamus, agreeable to the principles of law regulating those writs, against [a]:

(1) a judge of a district, statutory county, statutory probate county, or county court in the court of appeals district; ~~[or]~~

(2) a judge of a district court who is acting as a magistrate at a court of inquiry under Chapter 52, Code of Criminal Procedure, in the court of appeals district; or

(3) an associate judge of a district or county court appointed by a judge under Chapter 201, Family Code, in the court of appeals district for the judge who appointed the associate judge.

SECTION 2. (a) Section 22.221(b)(1), Government Code, as amended by this Act, applies only to a proceeding seeking a writ of mandamus filed in a court of appeals under Section 22.221, Government Code, on or after the effective date of this Act. A proceeding seeking a writ of mandamus filed before the effective date of this Act is governed by the law in effect on the date the

1 suit was filed, and the former law is continued in effect for that
2 purpose.

3 (b) Section 22.221(b)(3), Government Code, as amended by
4 this Act, applies only to a suit filed under Chapter 45, Title 1,
5 Title 4, or Title 5, Family Code, on or after the effective date of
6 this Act. A suit filed under Chapter 45, Title 1, Title 4, or Title
7 5, Family Code, before the effective date of this Act is governed by
8 the law in effect on the date the suit was filed, and the former law
9 is continued in effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2017.