

Amend CSSB 891 (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2.____. (a) Section 25.1972, Government Code, is amended by amending Subsections (a), (e), (g), and (i) and adding Subsections (b), (c), (f), and (h) to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, and except as limited by Subsection (c), a county court at law in Reeves County has:

(1) the jurisdiction provided by the constitution and by general law for district courts, including concurrent jurisdiction with the district court:

(A) in family law cases and proceedings;

(B) in disputes ancillary to probate, eminent domain, condemnation, or landlord and tenant matters relating to the adjudication and determination of land titles and trusts, whether testamentary, inter vivos, constructive, resulting, or any other class or type of trust, regardless of the amount in controversy or the remedy sought;

(C) over civil forfeitures, including surety bond forfeitures without minimum or maximum limitation as to the amount in controversy or remedy sought; and

(D) in all actions by or against a personal representative, in all actions involving an inter vivos trust, in all actions involving a charitable trust, and in all actions involving a testamentary trust, whether the matter is appertaining to or incident to an estate;

(2) jurisdiction in mental health matters, original or appellate, provided by law for constitutional county courts, statutory county courts, or district courts with mental health jurisdiction, including proceedings under:

(A) Chapter 462, Health and Safety Code; and

(B) Subtitles C and D, Title 7, Health and Safety Code;

(3) jurisdiction over the collection and management of estates of minors, persons with a mental illness or intellectual disability, and deceased persons; and

(4) jurisdiction in all cases assigned, transferred, or heard under Sections 74.054, 74.059, and 74.094.

(b) A county court at law has original concurrent jurisdiction with the justice courts in all civil and criminal matters prescribed by law for justice courts. Appeals from justice courts and other courts of inferior jurisdiction in Reeves County must be made directly to a county court at law.

(c) A county court at law does not have jurisdiction of:

(1) felony cases, except as otherwise provided by law;

(2) misdemeanors involving official misconduct unless assigned under Sections 74.054 and 74.059; or

(3) contested elections.

(e) A ~~The~~ judge of a county court at law in Reeves County shall be paid an annual salary equal to the amount that is \$1,000 less than ~~[that does not exceed 90 percent of]~~ the ~~[total]~~ salary paid by the state to a district judge in the county. The salary shall be paid in the same manner and from the same fund as prescribed by law for the county judge ~~[out of the county treasury on order of the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance].~~

(f) A county court at law may not issue writs of habeas corpus in felony cases.

(g) The district clerk serves as clerk of a county court at law in the ~~[family law]~~ cases described by Subsection (a). The district clerk shall establish a separate docket for each county court at law. In matters of concurrent jurisdiction with the district court, the district clerk shall charge the same fees as are allowed in district court cases, except that in cases described by Subsections (a)(1)(A) and (2) and in misdemeanor cases other than those involving official misconduct, the clerk may not charge higher fees than the fees charged by county clerks for similar cases ~~[and proceedings, and the county clerk serves as clerk of the court in all other matters].~~

(h) If a jury trial is requested in a case that is in a county court at law's jurisdiction, the jury shall be composed of 6 members unless the constitution requires a 12-member jury. Failure

to object before a 6-member jury is seated and sworn constitutes a waiver of a 12-member jury.

(i) If any cause or proceeding is lodged with the district clerk and the district clerk files, docket, or assigns the cause or proceeding in or to a county court at law that does not have subject matter jurisdiction over the cause or proceeding, the filing, docketing, or assignment of the cause or proceeding in or to a county court at law is considered a clerical error. That clerical error must be corrected by a judgment or order nunc pro tunc. The cause or proceeding is considered filed, docketed, or assigned to the district court of the local administrative judge in the first instance rather than to the county court at law. The judge of a county court at law who acts in the cause or proceeding is considered assigned to the district court of the local administrative judge for that purpose and has all the powers of the judge of that district court under the assignment ~~[Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings involving family law cases and proceedings are governed by this section and the laws and rules pertaining to district courts. If a family law case is tried before a jury, the jury shall be composed of 12 members]~~.

(b) Section 25.1972(k), Government Code, is repealed.