S.B. No. 1887

AN ACT

relating to jurisdiction over certain child protection and juvenile matters involving juvenile offenders.

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

SECTION 1.  Section 51.04, Family Code, is amended by amending Subsection (a) and adding Subsection (h) to read as follows:

(a)  This title covers the proceedings in all cases involving the delinquent conduct or conduct indicating a need for supervision engaged in by a person who was a child within the meaning of this title at the time the person engaged in the conduct, and, except as provided by Subsection (h) or Section 51.0414, the juvenile court has exclusive original jurisdiction over proceedings under this title.

(h)  A judge exercising jurisdiction over a child in a suit instituted under Subtitle E, Title 5, may refer any aspect of a suit involving the child that is instituted under this title to the appropriate associate judge appointed under Subchapter C, Chapter 201, serving in the county and exercising jurisdiction over the child under Subtitle E, Title 5, if the associate judge consents to the referral. The scope of an associate judge's authority over a suit referred under this subsection is subject to any limitations placed by the court judge in the order of referral.

SECTION 2.  Chapter 51, Family Code, is amended by adding Section 51.0414 to read as follows:

Sec. 51.0414.  DISCRETIONARY TRANSFER TO COMBINE PROCEEDINGS. (a)  The juvenile court may transfer a child's case, including transcripts of records and documents for the case, to a district or statutory county court located in another county that is exercising jurisdiction over the child in a suit instituted under Subtitle E, Title 5. A case may only be transferred under this section with the consent of the judge of the court to which the case is being transferred.

(b)  Notwithstanding Section 51.04, a district or statutory county court to which a case is transferred under this section has jurisdiction over the transferred case regardless of whether the court is a designated juvenile court or alternative juvenile court in the county.

(c)  If the court exercising jurisdiction over the child under Subtitle E, Title 5, consents to a transfer under this section, the juvenile court shall file the transfer order with the clerk of the transferring court. On receipt and without a hearing or further order from the juvenile court, the clerk of the transferring court shall transfer the files, including transcripts of records and documents for the case as soon as practicable but not later than the 10th day after the date an order of transfer is filed.

(d)  On receipt of the pleadings, documents, and orders from the transferring court, the clerk of the receiving court shall notify the judge of the receiving court, all parties, and the clerk of the transferring court.

SECTION 3.  Section 201.204, Family Code, is amended by adding Subsection (e) to read as follows:

(e)  An associate judge may hear and render an order in a suit referred to the associate judge by a juvenile court under Section 51.04, subject to the limitations placed on the associate judge's authority in the order of referral.

SECTION 4.  The changes in law made by this Act apply only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose. For the purposes of this section, conduct occurred before the effective date of this Act if any element of the conduct occurred before that date.

SECTION 5.  This Act takes effect September 1, 2019.

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I hereby certify that S.B. No. 1887 passed the Senate on April 11, 2019, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 23, 2019, by the following vote: Yeas 31, Nays 0.

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

I hereby certify that S.B. No. 1887 passed the House, with amendment, on May 17, 2019, by the following vote: Yeas 147, Nays 0, two present not voting.

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

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_             Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_           Governor