

By: Zaffirini

S.B. No. 561

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of, and qualifications of judges and justices of the peace for, certain courts.

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

SECTION 1. Section 24.007(b), Government Code, is amended to read as follows:

(b) A district court has original jurisdiction of a civil matter in which the amount in controversy is more than \$10,000 [~~\$500~~], exclusive of interest.

SECTION 2. Section 25.0003(c), Government Code, is amended to read as follows:

(c) In addition to other jurisdiction provided by law, a statutory county court exercising civil jurisdiction concurrent with the constitutional jurisdiction of the county court has concurrent jurisdiction with the district court in:

(1) civil cases in which the matter in controversy exceeds \$10,000 [~~\$500~~] but does not exceed \$200,000, excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs, as alleged on the face of the petition; and

(2) appeals of final rulings and decisions of the division of workers' compensation of the Texas Department of Insurance regarding workers' compensation claims, regardless of the amount in controversy.

SECTION 3. Section 25.0014, Government Code, is amended to read as follows:

Sec. 25.0014. QUALIFICATIONS OF JUDGE. The judge of a statutory county court must:

- (1) be at least 30 [~~25~~] years of age;
- (2) be a United States citizen and have resided in the county for at least two years before election or appointment; and
- (3) be a licensed attorney in this state who has practiced law or served as a judge of a court in this state, or both combined, for the four years preceding election or appointment, unless otherwise provided for by law.

SECTION 4. Section 25.0033, Government Code, is amended to read as follows:

Sec. 25.0033. QUALIFICATIONS OF JUDGE. The judge of a statutory probate court must:

- (1) be at least 30 [~~25~~] years of age;
- (2) be a United States citizen and have resided in the county for at least two years before election or appointment; and
- (3) be a licensed attorney in this state who has practiced law or served as a judge of a court in this state, or both combined, for the five years preceding election or appointment, unless otherwise provided for by law.

SECTION 5. Section 26.042(a), Government Code, is amended to read as follows:

- (a) A county court has concurrent jurisdiction with the justice courts in civil cases in which the matter in controversy exceeds \$200 in value but does not exceed \$20,000 [~~\$10,000~~],

exclusive of interest.

SECTION 6. Section 27.031(a), Government Code, is amended to read as follows:

(a) In addition to the jurisdiction and powers provided by the constitution and other law, the justice court has original jurisdiction of:

(1) civil matters in which exclusive jurisdiction is not in the district or county court and in which the amount in controversy is not more than \$20,000 [~~\$10,000~~], exclusive of interest;

(2) cases of forcible entry and detainer;

(3) foreclosure of mortgages and enforcement of liens on personal property in cases in which the amount in controversy is otherwise within the justice court's jurisdiction; and

(4) cases arising under Chapter 707, Transportation Code, outside a municipality's territorial limits.

SECTION 7. Section 30.00006(c), Government Code, is amended to read as follows:

(c) A municipal judge must:

(1) be a resident of this state;

(2) be a citizen of the United States;

(3) be a licensed attorney in good standing; ~~and~~

(4) have eight [~~two~~] or more years of experience in the practice of law or as a judge of a court in this state, or both combined, preceding election or appointment; and

(5) be at least 25 years of age.

SECTION 8. Section 26.042(d), Government Code, is repealed.

1 SECTION 9. Sections 25.0014, 25.0033, and 30.00006(c),
2 Government Code, as amended by this Act, and Section 27.007,
3 Government Code, as added by this Act, apply only to a judge or
4 justice of the peace who is elected or appointed on or after the
5 effective date of this Act. A judge or justice of the peace elected
6 or appointed before the effective date of this Act continues to
7 serve for the term to which the judge or justice of the peace was
8 elected or appointed unless otherwise removed as provided by law.

9 SECTION 10. Sections 24.007(b), 25.0003(c), 26.042(a), and
10 27.031(a), Government Code, as amended by this Act, and the repeal
11 of Section 26.042(d), Government Code, by this Act, apply only to a
12 cause of action filed on or after the effective date of this Act. A
13 cause of action filed before the effective date of this Act is
14 governed by the law in effect immediately before that date, and that
15 law is continued in effect for that purpose.

16 SECTION 11. This Act takes effect September 1, 2019.