87R5935 ANG-F

By:  Birdwell S.B. No. 1286

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an additional county court at law in McLennan County and the operation of the county courts at law in that county.

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

SECTION 1.  Section 25.1571, Government Code, is amended to read as follows:

Sec. 25.1571.  MCLENNAN COUNTY. McLennan County has the following statutory county courts:

(1)  County Court at Law of McLennan County; [~~and~~]

(2)  County Court at Law No. 2 of McLennan County; and

(3)  County Court at Law No. 3 of McLennan County.

SECTION 2.  Section 25.1572, Government Code, is amended by amending Subsections (a), (d), and (i) and adding Subsections (b) and (e) to read as follows:

(a)  In addition to the jurisdiction provided by Section 25.0003 and other law, and except as limited by Subsection (b), a county court at law in McLennan County has concurrent jurisdiction with the district court in:

(1)  [~~third degree~~] felony cases [~~and jurisdiction~~] to:

(A)  conduct arraignments;

(B)  [~~,~~] conduct pretrial hearings;

(C)  [~~,~~] accept guilty pleas; [~~,~~] and

(D)  conduct jury trials on assignment of a district judge presiding in McLennan County and acceptance of the assignment by the judge of the county court at law;

(2)  Class A and Class B misdemeanor cases;

(3)  probate matters;

(4)  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; and

(5)  appeals from the justice and municipal courts [~~probation revocation hearings in felony cases~~].

(b)  A county court at law does not have jurisdiction in:

(1)  suits on behalf of the state to recover penalties or escheated property;

(2)  felony cases involving capital murder;

(3)  misdemeanors involving official misconduct; or

(4)  contested elections.

(d)  A judge of a county court at law shall be paid a total [~~an~~] annual salary set by the commissioners court in an amount that is not less than $1,000 less than the annual base salary received by a district judge with equivalent years of service as a judge [~~of not more than $20,000~~]. A county court at law judge's salary and a district judge's annual base salary do not include contributions and supplements paid by the county [~~Each judge receives the same amount as salary. The salary shall be paid out of the county treasury by the commissioners court~~].

(e)  The district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court, and the county clerk serves as clerk of a county court at law in all other matters. Each clerk shall establish a separate docket for a county court at law.

(i)  The official court reporter of a county court at law is entitled to receive a salary set by the judge of the county court at law with the approval of the commissioners court [~~the same compensation and to be paid in the same manner as the court reporters of the district courts in McLennan County~~].

SECTION 3.  The County Court at Law No. 3 of McLennan County is created on the effective date of this Act.

SECTION 4.  This Act takes effect September 1, 2021.