

By: Birdwell

S.B. No. 1286

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of an additional county court at law in
3 McLennan County and the operation of the county courts at law in
4 that county.

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

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

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

- 10 (1) County Court at Law of McLennan County; ~~and~~
11 (2) County Court at Law No. 2 of McLennan County; and
12 (3) County Court at Law No. 3 of McLennan County.

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

16 (a) In addition to the jurisdiction provided by Section
17 25.0003 and other law, and except as limited by Subsection (b), a
18 county court at law in McLennan County has concurrent jurisdiction
19 with the district court in:

- 20 (1) [third-degree] felony cases [and jurisdiction] to:
21 (A) conduct arraignments;
22 (B) [7] conduct pretrial hearings;
23 (C) [7] accept guilty pleas; [7] and
24 (D) conduct jury trials on assignment of a

1 district judge presiding in McLennan County and acceptance of the
2 assignment by the judge of the county court at law;

3 (2) Class A and Class B misdemeanor cases;

4 (3) probate matters;

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

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

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

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

16 (2) felony cases involving capital murder;

17 (3) misdemeanors involving official misconduct; or

18 (4) contested elections.

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

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

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

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

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