88R12166 AMF-D

By:  Leach H.B. No. 3474

A BILL TO BE ENTITLED

AN ACT

relating to the operation and administration of and practices and procedures related to proceedings in the judicial branch of state government.

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

ARTICLE 1. APPELLATE AND DISTRICT COURTS

SECTION 1.001.  Subchapter D, Chapter 22, Government Code, is amended by adding Section 22.3015 to read as follows:

Sec. 22.3015.  EXPENSES OF APPELLATE COURT JUDGE OR JUSTICE. (a) A justice of the supreme court, a judge of the court of criminal appeals, or a justice of a court of appeals engaged in the discharge of official duties in a county other than the justice's or judge's county of residence is entitled to traveling and other necessary expenses, as provided by Chapter 660.

(b)  A justice of the supreme court, a judge of the court of criminal appeals, or a justice of a court of appeals is entitled to receive from the state the actual and necessary postage, telegraph, and telephone expenses incurred in the discharge of official duties.

(c)  The expenses shall be paid by the state on a sworn itemized account showing the expenses.

SECTION 1.002.  (a) Effective January 1, 2025, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.600201 to read as follows:

Sec. 24.600201.  477TH JUDICIAL DISTRICT (DENTON COUNTY). The 477th Judicial District is composed of Denton County.

(b)  The 477th Judicial District is created on January 1, 2025.

SECTION 1.003.  (a) Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.60038 to read as follows:

Sec. 24.60038.  493RD JUDICIAL DISTRICT (COLLIN COUNTY). (a) The 493rd Judicial District is composed of Collin County.

(b)  The 493rd District Court shall give preference to civil cases.

(b)  The 493rd Judicial District is created on September 1, 2023.

SECTION 1.004.  (a) Effective September 1, 2024, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.60039 to read as follows:

Sec. 24.60039.  494TH JUDICIAL DISTRICT (COLLIN COUNTY). (a) The 494th Judicial District is composed of Collin County.

(b)  The 494th District Court shall give preference to family law matters.

(b)  The 494th Judicial District is created on September 1, 2024.

SECTION 1.005.  (a) Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.6009 to read as follows:

Sec. 24.6009.  465TH JUDICIAL DISTRICT (BASTROP COUNTY). The 465th Judicial District is composed of Bastrop County.

(b)  The 465th Judicial District is created on September 1, 2023.

SECTION 1.006.  (a) Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.60095 to read as follows:

Sec. 24.60095.  472ND JUDICIAL DISTRICT (BRAZOS COUNTY). (a) The 472nd Judicial District is composed of Brazos County.

(b)  The 472nd District Court has primary responsibility for cases involving civil matters, family law matters, and juvenile matters.

(b)  The 472nd Judicial District is created on September 1, 2023.

SECTION 1.007.  Section 659.012(b), Government Code, is amended to read as follows:

(b)  A judge or justice for whom the amount of a state base salary is prescribed by Subsection (a) is entitled to an annual salary from the state in the amount equal to:

(1)  110 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position, beginning with the pay period that begins after the judge or justice accrues four years of:

(A)  contributing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two;

(B)  service as a judge of a statutory county court, multicounty statutory county court, or statutory probate court or as a district attorney, criminal district attorney, or county attorney; or

(C)  combined contributing service credit and service as provided by Paragraphs (A) and (B); and

(2)  120 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position, beginning with the pay period that begins after the judge or justice accrues eight years of:

(A)  contributing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two;

(B)  service as a judge of a statutory county court, multicounty statutory county court, or statutory probate court or as a district attorney, criminal district attorney, or county attorney; or

(C)  combined contributing service credit and service as provided by Paragraphs (A) and (B).

ARTICLE 2. STATUTORY COUNTY COURTS

SECTION 2.001.  Section 25.0005(a), Government Code, is amended to read as follows:

(a)  A statutory county court judge, other than a statutory county court judge who engages in the private practice of law, shall be paid a total annual salary set by the commissioners court at an amount that is not less than $1,000 less than the sum of the annual salary as set by the General Appropriations Act in accordance with Section 659.012 paid to a district judge with comparable years of service as the statutory county court judge and any state or county contributions and supplements paid to a district judge in the county, other than contributions received as compensation under Section 74.051. A statutory county court judge's total annual salary includes any state or county contributions and supplements paid to the judge. For purposes of this subsection, the years of service of a statutory county court judge include any years of service as:

(1)  an appellate court, district court, multicounty statutory county court, or statutory probate court justice or judge; or

(2)  a district attorney, criminal district attorney, or county attorney.

SECTION 2.002.  Section 25.0023(a), Government Code, is amended to read as follows:

(a)  The commissioners court shall set the total annual salary of each judge of a statutory probate court at an amount that is at least equal to the sum of the annual salary as set by the General Appropriations Act in accordance with Section 659.012 paid to a district judge with comparable years of service as the statutory probate court judge and any state or county contributions and supplements paid to a district judge in the county, other than contributions received as compensation under Section 74.051. A statutory probate court judge's total annual salary includes any state or county contributions and supplements paid to the judge, other than contributions paid under Section 25.0022(e). For purposes of this subsection, the years of service of a statutory probate court judge include any years of service as:

(1)  an appellate court, district court, multicounty statutory county court, or statutory county court justice or judge; or

(2)  a district attorney, criminal district attorney, or county attorney.

SECTION 2.003.  Section 25.0932, Government Code, is amended by amending Subsection (a) and adding Subsection (b) to read as follows:

(a)  In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Grayson County has:

(1)  original concurrent jurisdiction with the justice court in all civil and criminal matters over which the justice court has jurisdiction; and

(2)  concurrent jurisdiction with the district court in family law cases and proceedings.

(b)  The district clerk serves as clerk of a county court at law in family law cases and proceedings, and the county clerk serves as clerk of the court in all other cases.

SECTION 2.004.  (a) Effective October 1, 2023, Section 25.1721, Government Code, is amended to read as follows:

Sec. 25.1721.  MONTGOMERY COUNTY. (a) Montgomery County has the following statutory county courts:

(1)  County Court at Law No. 1 of Montgomery County;

(2)  [~~County Court at Law No. 2 of Montgomery County;~~

[~~(3)~~]  County Court at Law No. 3 of Montgomery County;

(3) [~~(4)~~]  County Court at Law No. 4 of Montgomery County;

(4) [~~(5)~~]  County Court at Law No. 5 of Montgomery County; and

(5) [~~(6)~~]  County Court at Law No. 6 of Montgomery County.

(b)  Montgomery County has one statutory probate court, the Probate Court No. 1 of Montgomery County.

(b)  The County Court at Law No. 2 of Montgomery County is redesignated as the Probate Court No. 1 of Montgomery County effective October 1, 2023.

(c)  Effective October 1, 2023, the judge of the County Court at Law No. 2 of Montgomery County is the judge of the Probate Court No. 1 of Montgomery County. Unless otherwise removed, the judge serves until December 31, 2026, and until the judge's successor is elected and has qualified. In the 2026 general election and every four years following that election, the qualified voters of the county shall elect a judge of the Probate Court No. 1 of Montgomery County for a regular term of four years.

SECTION 2.005.  (a) Effective October 1, 2023, Subchapter C, Chapter 25, Government Code, is amended by adding Section 25.1723 to read as follows:

Sec. 25.1723.  MONTGOMERY COUNTY PROBATE COURT PROVISIONS. (a) In this section, "remote proceeding" means a proceeding before a court in which one or more of the participants, including a judge, party, attorney, witness, court reporter, or other individual, attends the proceeding remotely through the use of technology.

(b)  A statutory probate court of Montgomery County has concurrent jurisdiction with the district court, regardless of the amount in controversy or the relief sought, in:

(1)  disputes relating to the creation of a constructive trust;

(2)  declaratory judgment actions;

(3)  actions in which the only relief sought is a writ of injunction; and

(4)  actions to appoint a receiver under any law, including Section 11.402, Business Organizations Code.

(c)  A statutory probate court of Montgomery County has eminent domain jurisdiction, including the jurisdiction provided to a district court under Sections 21.002 and 21.003, Property Code, regardless of the amount in controversy or the remedy sought. All eminent domain actions, cases, matters, or proceedings arising under Chapter 21, Property Code, or under Section 251.101, Transportation Code, shall be filed and docketed in a statutory probate court.

(d)  A statutory probate court of Montgomery County may conduct docket matters at any location in the county as the statutory probate court judge considers necessary for the protection of wards or mental health respondents or as otherwise provided by law.

(e)  A statutory probate court of Montgomery County may:

(1)  conduct a hearing or other proceeding as a remote proceeding without the consent of the parties unless the United States Constitution or Texas Constitution requires consent; and

(2)  allow or require a party, attorney, witness, court reporter, or any other individual to participate in a remote proceeding, including a deposition, hearing, or other proceeding under this title.

(f)  A judge of a statutory probate court in Montgomery County and a judge of a district court or statutory county court in Montgomery County may exchange benches and may sit and act for each other in any matter pending before the court.

(g)  The county clerk of Montgomery County serves as clerk of a statutory probate court.

(h)  A statutory probate court of Montgomery County may appoint as a court investigator an employee of the court or another department in the county to comply with Section 25.0025.

(i)  In addition to the uses authorized by Section 135.159, Local Government Code, Montgomery County may use the fees collected under Section 135.102, Local Government Code, and deposited into the judicial education and support fund to provide staff for the statutory probate courts and for court-related purposes for the support of the statutory probate courts.

(b)  The judge of the County Court at Law No. 2 of Montgomery County shall transfer all active cases over which the court loses jurisdiction under this section and that are pending in the court on October 1, 2023, to a district court, county court at law, or county court in the county with jurisdiction over the case.

(c)  The local administrative statutory county court judge shall transfer any active probate matter that is pending in a statutory county court in Montgomery County on October 1, 2023, to Probate Court No. 1 of Montgomery County.

(d)  When a case is transferred as provided by Subsection (b) or (c) of this section, all processes, writs, bonds, recognizances, or other obligations issued from the transferring court are returnable to the court to which the case is transferred as if originally issued by that court. The obligees on all bonds and recognizances taken in and for a court from which a case is transferred, and all witnesses summoned to appear in a court from which a case is transferred, are required to appear before the court to which a case is transferred as if originally required to appear before that court.

SECTION 2.006.  (a) Effective October 1, 2023, Section 25.2291(c), Government Code, is amended to read as follows:

(c)  Travis County has the following [~~one~~] statutory probate courts:

(1)  [~~court, the~~] Probate Court No. 1 of Travis County; and

(2)  Probate Court No. 2 of Travis County.

(b)  The Probate Court No. 2 of Travis County is created on October 1, 2023.

SECTION 2.007.  Effective October 1, 2023, Section 25.2293, Government Code, is amended by amending Subsection (c) and adding Subsections (d), (e), (h), and (k) to read as follows:

(c)  A statutory probate court has eminent domain jurisdiction. All actions, cases, matters, or proceedings of eminent domain arising under Chapter 21, Property Code, or under Section 251.101, Transportation Code, shall be filed and docketed in Probate Court Nos. [~~No.~~] 1 and 2 of Travis County. A statutory probate court may transfer an eminent domain proceeding to a county court at law in the county.

(d)  Probate Court No. 2 of Travis County has primary responsibility for mental health matters.

(e)  The county clerk shall docket:

(1)  all mental health matters in Probate Court No. 2, notwithstanding the local rules adopted under Section 74.093;

(2)  all odd-numbered probate, guardianship, and trust cases, and related cases, as defined by the local rules, in Probate Court No. 1; and

(3)  all even-numbered probate, guardianship, and trust cases, and related cases, as defined by the local rules, in Probate Court No. 2.

(h)  The county clerk shall appoint a deputy clerk for each statutory probate court. A deputy clerk serves at the pleasure of the judge of the court to which the deputy clerk is assigned. A deputy clerk must take the constitutional oath of office, and the county clerk may require the deputy clerk to furnish a bond in an amount, conditioned and payable, as required by law. A deputy clerk acts in the name of the county clerk and may perform any official act or other service required of the county clerk and shall perform any other service required by the judge of a statutory probate court. A deputy clerk shall attend all sessions of the court to which the deputy clerk is assigned.

(k)  In case of the absence, disqualification, or incapacity of a judge of a statutory probate court of Travis County, or for any other reason, the judges of the statutory probate courts of Travis County may sit and act for each other in any matter or proceeding pending in either court.

SECTION 2.008.  (a) Section 25.2391, Government Code, is amended to read as follows:

Sec. 25.2391.  WALLER COUNTY. (a) Waller County has the following [~~one~~] statutory county courts:

(1)  [~~court, the~~] County Court at Law No. 1 of Waller County; and

(2)  County Court at Law No. 2 of Waller County.

(b)  The county courts at law [~~County Court at Law~~] of Waller County sit [~~sits~~] in Hempstead.

(b)  On September 1, 2023, the County Court at Law of Waller County is redesignated County Court at Law No. 1 of Waller County.

(c)  The judge of the County Court at Law of Waller County is the judge of County Court at Law No. 1 of Waller County.

(d)  This section does not affect the term of office of a judge of a court redesignated by this section. The judge, unless otherwise removed as provided by law, continues to serve for the term for which the judge was elected.

(e)  The County Court at Law No. 2 of Waller County is created on September 1, 2023.

SECTION 2.009.  Section 25.2392, Government Code, is amended by adding Subsection (b) to read as follows:

(b)  County Court at Law No. 2 has the jurisdiction provided by the constitution and by general law for district courts, including jurisdiction in felony criminal cases.

SECTION 2.010.  Section 25.2607(d), Government Code, is amended to read as follows:

(d)  Notwithstanding Section 25.0015, the state shall annually compensate the administrative county of a multicounty statutory county court for the salary of the judge of the multicounty statutory county court in an amount equal to 100 percent of the state [~~base~~] salary paid to a district judge with comparable years of service as the multicounty statutory county court judge, as set by the General Appropriations Act in accordance with Section 659.012 [~~659.012(a)~~]. For purposes of this subsection, the years of service of a multicounty statutory county court judge include any years of service as:

(1)  an appellate court, district court, statutory county court, or statutory probate court justice or judge; or

(2)  a district attorney, criminal district attorney, or county attorney.

SECTION 2.011.  (a) Subchapter F, Chapter 25, Government Code, is amended by adding Sections 25.2703 and 25.2704 to read as follows:

Sec. 25.2703.  2ND MULTICOUNTY COURT AT LAW (BEE, LIVE OAK, AND MCMULLEN COUNTIES). Bee, Live Oak, and McMullen Counties have a multicounty statutory county court composed of those counties, the 2nd Multicounty Court at Law.

Sec. 25.2704.  2ND MULTICOUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, the 2nd Multicounty Court at Law has concurrent jurisdiction with the district courts, except in civil cases in which the matter in controversy exceeds the amount provided by Section 25.0003(c)(1).

(b)  Bee County is the administrative county for the 2nd Multicounty Court at Law.

(c)  Bee, Live Oak, and McMullen Counties shall enter into an interlocal agreement allocating the financial obligations of each county in relation to the county court at law and the budget, powers, and duties of the court and salaries of court personnel.

(d)  If the counties served by the county court at law are unable to reach an agreement under Subsection (c) before the first day of the fiscal year for a county served by the court, each county shall pay to the court's administrative county a share of the court's administrative and operational costs for the fiscal year based on the proportion of the court's caseload originating in the county during the preceding year. A county is entitled to compensation from the state under Section 25.0015 in proportion to the amount paid under this subsection.

(e)  The district clerk serves as clerk of the county court at law in matters of concurrent jurisdiction with the district court, and the county clerk serves as clerk of the county court at law in all other cases.

(f)  Sections 25.0006, 25.0008, and 74.054(b) do not apply to the county court at law.

(g)  Notwithstanding Section 74.121(b)(1), in matters of concurrent jurisdiction, the judge of the 2nd Multicounty Court at Law and the judges of the district courts in Bee, Live Oak, and McMullen Counties may exchange benches and courtrooms and may transfer cases between their dockets in the same manner that judges of district courts exchange benches and courtrooms and transfer cases under Section 24.003.

(b)  The 2nd Multicounty Court at Law is created on September 1, 2023.

ARTICLE 3. JUSTICE COURTS

SECTION 3.001.  Section 154.005, Local Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  A justice of the peace who receives any fee, commission, or payment authorized under Subsection (a) during a calendar year shall submit to the Texas Ethics Commission a report on the total amount of fees, commissions, and payments received under that subsection during the year. The report must be filed not later than May 1 of the following year and is public information for purposes of Chapter 552, Government Code.

SECTION 3.002.  (a) Section 92.0563(e), Property Code, is amended to read as follows:

(e)  A justice court may not award a judgment under this section, including an order of repair, that exceeds $20,000 [~~$10,000~~], excluding interest and costs of court.

(b)  Section 92.0563(e), Property Code, as amended by this section, applies only to a cause of action that accrues on or after September 1, 2023. A cause of action that accrues before that date is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

ARTICLE 4. CRIMINAL LAW MAGISTRATES

SECTION 4.001.  Chapter 54, Government Code, is amended by adding Subchapter RR to read as follows:

SUBCHAPTER RR. GRAYSON COUNTY CRIMINAL MAGISTRATES

Sec. 54.2701.  AUTHORIZATION; APPOINTMENT; ELIMINATION. (a) The Commissioners Court of Grayson County may authorize the judges of the district and statutory county courts in Grayson County to appoint one or more part-time or full-time magistrates to perform the duties authorized by this subchapter.

(b)  The judges of the district and statutory county courts in Grayson County by a unanimous vote may appoint magistrates as authorized by the Commissioners Court of Grayson County.

(c)  An order appointing a magistrate must be signed by the local presiding judge of the district courts serving Grayson County, and the order must state:

(1)  the magistrate's name; and

(2)  the date the magistrate's employment is to begin.

(d)  An authorized magistrate's position may be eliminated on a majority vote of the Commissioners Court of Grayson County.

Sec. 54.2702.  QUALIFICATIONS; OATH OF OFFICE. (a) To be eligible for appointment as a magistrate, a person must be a resident of this state and:

(1)  have served as a justice of the peace or municipal court judge for at least four years before the date of appointment; or

(2)  have been licensed to practice law in this state for at least four years before the date of appointment.

(b)  A magistrate appointed under Section 54.2701 must take the constitutional oath of office required of appointed officers of this state.

Sec. 54.2703.  COMPENSATION. A magistrate is entitled to the salary determined by the Commissioners Court of Grayson County.

Sec. 54.2704.  JURISDICTION. A magistrate has concurrent criminal jurisdiction with the judges of the justice of the peace courts of Grayson County.

Sec. 54.2705.  POWERS AND DUTIES. (a) The Commissioners Court of Grayson County shall establish the powers and duties of a magistrate appointed under this subchapter. Except as otherwise provided by the commissioners court, a magistrate has the powers of a magistrate under the Code of Criminal Procedure and other laws of this state and may administer an oath for any purpose.

(b)  A magistrate shall give preference to performing the duties of a magistrate under Article 15.17, Code of Criminal Procedure.

(c)  The commissioners court may designate one or more magistrates to hold regular hearings to:

(1)  give admonishments;

(2)  set and review bail and conditions of release;

(3)  appoint legal counsel; and

(4)  determine other routine matters relating to preindictment or pending cases within those courts' jurisdiction.

(d)  In the hearings described by Subsection (c), a magistrate shall give preference to the case of an individual held in county jail.

(e)  A magistrate may inquire into a defendant's intended plea to the charge and set the case for an appropriate hearing before a judge or master.

Sec. 54.2706.  JUDICIAL IMMUNITY. A magistrate has the same judicial immunity as a district judge.

Sec. 54.2707.  WITNESSES. (a) A witness who is sworn and who appears before a magistrate is subject to the penalties for perjury and aggravated perjury provided by law.

(b)  A referring court may fine or imprison a witness or other court participant for failure to appear after being summoned, refusal to answer questions, or other acts of direct contempt before a magistrate.

ARTICLE 5. VISITING JUDGES AND ASSOCIATE JUDGES

SECTION 5.001.  Section 201.113, Family Code, is amended to read as follows:

Sec. 201.113.  VISITING ASSOCIATE JUDGE. (a) The [~~If an associate judge appointed under this subchapter is temporarily unable to perform the associate judge's official duties because of absence resulting from family circumstances, illness, injury, disability, or military service, or if there is a vacancy in the position of associate judge, the~~] presiding judge of an [~~the~~] administrative judicial region [~~in which the associate judge serves or the vacancy occurs~~] may assign [~~appoint~~] a visiting associate judge for Title IV-D cases to perform the duties of an [~~the~~] associate judge appointed under this subchapter only if:

(1)  the associate judge is temporarily unable to perform the associate judge's official duties because of absence resulting from:

(A)  illness;

(B)  injury;

(C)  disability;

(D)  personal emergency;

(E)  military service;

(F)  vacation; or

(G)  attendance at a continuing legal education program;

(2)  the associate judge requests assistance due to a heavy workload or a pandemic-related emergency; or

(3)  a vacancy occurs in the position of associate judge.

(b)  The presiding judge of an administrative judicial region may assign a visiting associate judge under Subsection (a) during the period the associate judge is unable to perform the associate judge's duties, during the period assistance is needed to manage the associate judge's workload, or until another associate judge is appointed to fill the vacancy.

(c) [~~(b)~~]  A person is not eligible for assignment [~~appointment~~] under this section unless the person has served as a master or associate judge under this chapter, a district judge, or a statutory county court judge for at least two years before the date of assignment [~~appointment~~].

(d) [~~(c)~~]  A visiting associate judge assigned [~~appointed~~] under this section is subject to each provision of this chapter that applies to an associate judge serving under a regular appointment under this subchapter. A visiting associate judge assigned [~~appointed~~] under this section is entitled to compensation to be determined by a majority vote of the presiding judges of the administrative judicial regions through use of funds under this subchapter. A visiting associate judge is not considered to be a state employee for any purpose.

(e) [~~(d)~~]  Section 2252.901, Government Code, does not apply to the assignment [~~appointment~~] of a visiting associate judge under this section.

SECTION 5.002.  Section 201.208, Family Code, is amended to read as follows:

Sec. 201.208.  ASSIGNMENT OF JUDGES AND [~~APPOINTMENT OF~~] VISITING ASSOCIATE JUDGES. (a) This chapter does not limit the authority of a presiding judge to assign a judge eligible for assignment under Chapter 74, Government Code, to assist in processing cases in a reasonable time.

(b)  The [~~If an associate judge appointed under this subchapter is temporarily unable to perform the associate judge's official duties because of absence resulting from family circumstances, illness, injury, disability, or military service, or if there is a vacancy in the position of associate judge, the~~] presiding judge of an [~~the~~] administrative judicial region [~~in which the associate judge serves or the vacancy occurs~~] may appoint a visiting associate judge to perform the duties of an [~~the~~] associate judge appointed under this subchapter only if:

(1)  the associate judge is temporarily unable to perform the associate judge's official duties because of absence resulting from:

(A)  illness;

(B)  injury;

(C)  disability;

(D)  personal emergency;

(E)  military service;

(F)  vacation; or

(G)  attendance at a continuing legal education program;

(2)  the associate judge requests assistance due to a heavy workload or a pandemic-related emergency; or

(3)  a vacancy occurs in the position of associate judge.

(c)  The presiding judge of an administrative judicial region may assign a visiting associate judge under Subsection (b) during the period the associate judge is unable to perform the associate judge's duties, during the period assistance is needed to manage the associate judge's workload, or until another associate judge is appointed to fill the vacancy.

(d) [~~(c)~~]  A person is not eligible for assignment [~~appointment~~] under this section unless the person has served as a master or associate judge under this chapter, a district judge, or a statutory county court judge for at least two years before the date of assignment [~~appointment~~].

(e) [~~(d)~~]  A visiting associate judge assigned [~~appointed~~] under this section is subject to each provision of this chapter that applies to an associate judge serving under a regular appointment under this subchapter. A visiting associate judge assigned [~~appointed~~] under this section is entitled to compensation, to be determined by a majority vote of the presiding judges of the administrative judicial regions, through use of funds under this subchapter. A visiting associate judge is not considered to be a state employee for any purpose.

(f) [~~(e)~~]  Section 2252.901, Government Code, does not apply to the assignment [~~appointment~~] of a visiting associate judge under this section.

SECTION 5.003.  Section 602.007, Government Code, is amended to read as follows:

Sec. 602.007.  FILING OF OATH MADE BY CERTAIN JUDICIAL OFFICERS AND JUDICIAL APPOINTEES. The oath made and signed statement executed as required by Section 1, Article XVI, Texas Constitution, by any of the following judicial officers and judicial appointees shall be filed with the secretary of state:

(1)  an officer appointed by the supreme court, the court of criminal appeals, or the State Bar of Texas; [~~and~~]

(2)  an associate judge appointed under Subchapter B or C, Chapter 201, Family Code; and

(3)  a retired or former judge on the list maintained by the presiding judge of an administrative judicial region under Section 74.055.

ARTICLE 6. PROSECUTING ATTORNEYS

SECTION 6.001.  Section 41.013, Government Code, is amended to read as follows:

Sec. 41.013.  COMPENSATION OF CERTAIN PROSECUTORS. (a) Except as otherwise provided by law, a district attorney or criminal district attorney is entitled to receive from the state annual compensation in an amount equal to at least 80 percent of the state annual salary as set by the General Appropriations Act in accordance with Section 659.012 paid to a district judge with comparable years of service as the district attorney or criminal district attorney.

(b)  For purposes of this section, the years of service of a district attorney or criminal district attorney include any years of service as:

(1)  a district attorney, criminal district attorney, or county attorney; or

(2)  an appellate court justice, district judge, judge of a statutory county court, judge of a multicounty statutory county court, or judge or justice of a statutory probate court.

SECTION 6.002.  Section 46.003, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  For purposes of this section, the years of service of the state prosecuting attorney or a state prosecutor include any years of service as:

(1)  a county attorney; or

(2)  an appellate court justice, district judge, judge of a statutory county court, judge of a multicounty statutory county court, or judge or justice of a statutory probate court.

ARTICLE 7. JUVENILE BOARDS

SECTION 7.001.  Section 152.1761(a), Human Resources Code, is amended to read as follows:

(a)  The juvenile board of Montgomery County is composed of the county judge, the district judges in Montgomery County, the judge of each statutory probate court, and the judge of each county court at law.

ARTICLE 8. COURT ADMINISTRATION

SECTION 8.001.  (a) Subchapter E, Chapter 52, Government Code, is amended by adding Section 52.060 to read as follows:

Sec. 52.060.  TRANSCRIPT FEE EXEMPTION FOR CERTAIN COUNTIES. (a) This section applies only to a county that provides and maintains court reporting equipment for a court in the county in accordance with the county's established plan for the periodic replacement of obsolete equipment.

(b)  A county official or employee while transacting county business is exempt from the payment of any fee authorized under this chapter for issuance of a transcript of a case heard in a court for which the county provides and maintains court reporting equipment in accordance with the plan described by Subsection (a).

(b)  Section 52.060, Government Code, as added by this section, applies only to a fee for a transcript requested in accordance with that section on or after September 1, 2023.

SECTION 8.002.  The heading to Section 57.002, Government Code, is amended to read as follows:

Sec. 57.002.  APPOINTMENT OF INTERPRETER OR CART PROVIDER; CART PROVIDER LIST; PAYMENT OF INTERPRETER COSTS.

SECTION 8.003.  (a) Section 57.002, Government Code, is amended by adding Subsection (g) to read as follows:

(g)  A party to a proceeding in a court who files a statement of inability to afford payment of court costs under Rule 145, Texas Rules of Civil Procedure, is not required to provide an interpreter at the party's expense or pay the costs associated with the services of an interpreter appointed under this section that are incurred during the course of the action, unless the statement has been contested and the court has ordered the party to pay costs pursuant to Rule 145.

(b)  Section 57.002, Government Code, as amended by this section, applies to an action pending on September 1, 2023, or filed on or after that date.

ARTICLE 9. EFFECTIVE DATE

SECTION 9.001.  Except as otherwise provided by this Act, this Act takes effect September 1, 2023.