88R12484 AMF-F

By:  Anderson H.B. No. 5378

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction and operation of the county courts at law in McLennan County.

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

SECTION 1.  Sections 25.1572(a), (d), and (e), Government Code, are amended 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:

(1)  concurrent jurisdiction with the district courts in state jail, third degree, and second degree felony cases and family law cases on assignment from a district judge presiding in McLennan County and acceptance of the assignment by the judge of the county court at law to:

(A)  conduct arraignments;

(B)  conduct pretrial hearings;

(C)  accept guilty pleas and conduct sentencing;

(D)  conduct jury trials and nonjury trials;

(E)  conduct probation revocation hearings;

(F)  conduct post-trial proceedings; and

(G)  conduct family law cases and proceedings; and

(2)  jurisdiction in:

(A)  Class A and Class B misdemeanor cases;

(B)  probate proceedings;

(C)  eminent domain;

(D)  appeals from the justice and municipal courts; and

(E)  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 [~~to conduct arraignments, conduct pretrial hearings, accept guilty pleas, and conduct probation revocation hearings in felony cases~~].

(d)  A judge of a county court at law shall be paid a total [~~an~~] annual [~~base~~] salary set by the commissioners court in an amount not less than $1,000 less than the annual [~~base~~] salary received by [~~the state pays to~~] a district judge [~~as set by the General Appropriations Act in accordance with Section 659.012~~] with equivalent years of service as a [~~the~~] judge, as provided under Section 25.0005, to be paid out of the county treasury by the commissioners court. [~~A county court at law judge's and a district judge's annual base salaries do not include contributions and supplements paid by the county.~~]

(e)  The district clerk serves as clerk of a county court at law in cases instituted in the district courts in which the county courts at law have [~~matters of~~] concurrent jurisdiction with the district court. The county clerk serves as the clerk of a county court at law in all other matters. Each clerk shall establish a separate docket for a county court at law.

SECTION 2.  This Act takes effect September 1, 2023.