

By: Leach, et al.

H.B. No. 3474

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the operation and administration of and practices and  
3 procedures regarding proceedings in the judicial branch of state  
4 government, including the service of process and delivery of  
5 documents related to the proceedings, the administration of oaths,  
6 and the management of the Texas Indigent Defense Commission, and  
7 the composition of certain juvenile boards; establishing a civil  
8 penalty; increasing certain court costs; authorizing fees.

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

10 ARTICLE 1. APPELLATE AND DISTRICT COURTS

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

13 Sec. 22.3015. EXPENSES OF APPELLATE COURT JUDGE OR JUSTICE.

14 (a) A justice of the supreme court, a judge of the court of criminal  
15 appeals, or a justice of a court of appeals engaged in the discharge  
16 of official duties in a county other than the justice's or judge's  
17 county of residence is entitled to traveling and other necessary  
18 expenses, as provided by Chapter 660.

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

24 (c) The expenses shall be paid by the state on a sworn

1 itemized account showing the expenses.

2 SECTION 1.002. (a) Effective January 1, 2025, Section  
3 24.275, Government Code, is amended to read as follows:

4 Sec. 24.275. 216TH JUDICIAL DISTRICT (~~[GILLESPIE AND]~~ KERR  
5 COUNTY [~~COUNTIES~~]). The 216th Judicial District is composed of  
6 [~~Gillespie and~~ Kerr County [~~counties~~].

7 (b) The local administrative district judge shall transfer  
8 all cases from Gillespie County that are pending in the 216th  
9 District Court on January 1, 2025, to the 499th District Court.

10 (c) When a case is transferred from a district court to  
11 another district court as provided by Subsection (b) of this  
12 section, all processes, writs, bonds, recognizances, or other  
13 obligations issued from the transferring court are returnable to  
14 the court to which the case is transferred as if originally issued  
15 by that court. The obligees in all bonds and recognizances taken in  
16 and for a court from which a case is transferred, and all witnesses  
17 summoned to appear in a court from which a case is transferred, are  
18 required to appear before the court to which a case is transferred  
19 as if originally required to appear before the court to which the  
20 transfer is made.

21 SECTION 1.003. Section 24.392, Government Code, is amended  
22 by amending Subsections (b) and (c) and adding Subsection (d) to  
23 read as follows:

24 (b) The 213th District Court shall give preference to  
25 criminal cases.

26 (c) The terms of the 213th District Court begin on the first  
27 Mondays in January, April, July, and October.

1        (d) [~~(e)~~] In addition to other jurisdiction provided by  
2 law, the 213th District Court has concurrent original jurisdiction  
3 with the county criminal courts in Tarrant County over misdemeanor  
4 cases.

5        SECTION 1.004. Section 24.516, Government Code, is amended  
6 by amending Subsection (c) and adding Subsection (d) to read as  
7 follows:

8        (c) The terms of the 371st District Court begin on the first  
9 Mondays in January, April, July, and October.

10       (d) In addition to other jurisdiction provided by law, the  
11 371st District Court has concurrent original jurisdiction with the  
12 county criminal courts in Tarrant County over misdemeanor cases.

13        SECTION 1.005. Section 24.517, Government Code, is amended  
14 by amending Subsection (c) and adding Subsection (d) to read as  
15 follows:

16       (c) The terms of the 372nd District Court begin on the first  
17 Mondays in January, April, July, and October.

18       (d) In addition to other jurisdiction provided by law, the  
19 372nd District Court has concurrent original jurisdiction with the  
20 county criminal courts in Tarrant County over misdemeanor cases.

21        SECTION 1.006. Section 24.541, Government Code, is amended  
22 by amending Subsection (c) and adding Subsection (d) to read as  
23 follows:

24       (c) The terms of the 396th District Court begin on the first  
25 Mondays in January, April, July, and October.

26       (d) In addition to other jurisdiction provided by law, the  
27 396th District Court has concurrent original jurisdiction with the

1 county criminal courts and the justice courts in Tarrant County  
2 over misdemeanor cases.

3 SECTION 1.007. Section 24.576, Government Code, is amended  
4 by adding Subsections (c) and (d) to read as follows:

5 (c) The terms of the 432nd District Court begin on the first  
6 Mondays in January, April, July, and October.

7 (d) In addition to other jurisdiction provided by law, the  
8 432nd District Court has concurrent original jurisdiction with the  
9 county criminal courts in Tarrant County over misdemeanor cases.

10 SECTION 1.008. Section 24.591, Government Code, is amended  
11 by adding Subsections (d) and (e) to read as follows:

12 (d) Notwithstanding Section 24.030, a district court in  
13 Kendall County may sit outside the county seat in a suitable  
14 facility designated by the Kendall County Commissioners Court as an  
15 auxiliary court facility, as provided by Section 292.031, Local  
16 Government Code.

17 (e) A district court in Kendall County sitting in an  
18 auxiliary court facility designated by the Kendall County  
19 Commissioners Court may hear motions, arguments, nonjury trials,  
20 and jury trials for all actions and any other matter before the  
21 court and within the court's jurisdiction.

22 SECTION 1.009. (a) Effective January 1, 2025, the heading  
23 to Section 24.596, Government Code, is amended to read as follows:

24 Sec. 24.596. 452ND JUDICIAL DISTRICT (~~[EDWARDS, KIMBLE,]~~  
25 MCCULLOCH, MASON, AND MENARD COUNTIES).

26 (b) Effective January 1, 2025, Section 24.596(a),  
27 Government Code, is amended to read as follows:

1 (a) The 452nd Judicial District is composed of [~~Edwards,~~  
2 ~~Kimble,~~] McCulloch, Mason, and Menard Counties.

3 (c) The local administrative district judge shall transfer  
4 all cases from Edwards and Kimble Counties that are pending in the  
5 452nd District Court on January 1, 2025, to the 499th District  
6 Court.

7 (d) When a case is transferred from a district court to  
8 another district court as provided by Subsection (c) of this  
9 section, all processes, writs, bonds, recognizances, or other  
10 obligations issued from the transferring court are returnable to  
11 the court to which the case is transferred as if originally issued  
12 by that court. The obligees in all bonds and recognizances taken in  
13 and for a court from which a case is transferred, and all witnesses  
14 summoned to appear in a court from which a case is transferred, are  
15 required to appear before the court to which a case is transferred  
16 as if originally required to appear before the court to which the  
17 case is transferred.

18 SECTION 1.010. (a) Effective January 1, 2025, Subchapter  
19 C, Chapter 24, Government Code, is amended by adding Section  
20 24.600201 to read as follows:

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

23 (b) The 477th Judicial District is created on January 1,  
24 2025.

25 SECTION 1.011. Section 24.60030, Government Code, is  
26 amended by adding Subsections (c) and (d) to read as follows:

27 (c) The terms of the 485th District Court begin on the first

1 Mondays in January, April, July, and October.

2 (d) In addition to other jurisdiction provided by law, the  
3 485th District Court has concurrent original jurisdiction with the  
4 county criminal courts in Tarrant County over misdemeanor cases.

5 SECTION 1.012. (a) Effective October 1, 2023, Subchapter  
6 C, Chapter 24, Government Code, is amended by adding Sections  
7 24.60031, 24.60032, and 24.60033 to read as follows:

8 Sec. 24.60031. 486TH JUDICIAL DISTRICT (HARRIS COUNTY).

9 (a) The 486th Judicial District is composed of Harris County.

10 (b) The 486th District Court shall give preference to  
11 criminal cases.

12 Sec. 24.60032. 487TH JUDICIAL DISTRICT (HARRIS COUNTY).

13 (a) The 487th Judicial District is composed of Harris County.

14 (b) The 487th District Court shall give preference to  
15 criminal cases.

16 Sec. 24.60033. 488TH JUDICIAL DISTRICT (HARRIS COUNTY).

17 (a) The 488th Judicial District is composed of Harris County.

18 (b) The 488th District Court shall give preference to  
19 criminal cases.

20 (b) The 486th, 487th, and 488th Judicial Districts are  
21 created on October 1, 2023.

22 SECTION 1.013. (a) Effective January 1, 2024, Subchapter  
23 C, Chapter 24, Government Code, is amended by adding Section  
24 24.60034 to read as follows:

25 Sec. 24.60034. 489TH JUDICIAL DISTRICT (KAUFMAN COUNTY).

26 The 489th Judicial District is composed of Kaufman County.

27 (b) The 489th Judicial District is created on January 1,

1 2024.

2 SECTION 1.014. (a) Subchapter C, Chapter 24, Government  
3 Code, is amended by adding Section 24.60038 to read as follows:

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

6 (b) The 493rd Judicial District is created on September 1,  
7 2023.

8 SECTION 1.015. (a) Effective September 1, 2024, Subchapter  
9 C, Chapter 24, Government Code, is amended by adding Section  
10 24.60039 to read as follows:

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

13 (b) The 494th Judicial District is created on September 1,  
14 2024.

15 SECTION 1.016. (a) Effective October 1, 2024, Subchapter  
16 C, Chapter 24, Government Code, is amended by adding Sections  
17 24.60040, 24.60041, and 24.60042 to read as follows:

18 Sec. 24.60040. 495TH JUDICIAL DISTRICT (HARRIS COUNTY).  
19 (a) The 495th Judicial District is composed of Harris County.

20 (b) The 495th District Court shall give preference to  
21 criminal cases.

22 Sec. 24.60041. 496TH JUDICIAL DISTRICT (HARRIS COUNTY).  
23 (a) The 496th Judicial District is composed of Harris County.

24 (b) The 496th District Court shall give preference to  
25 criminal cases.

26 Sec. 24.60042. 497TH JUDICIAL DISTRICT (HARRIS COUNTY).  
27 (a) The 497th Judicial District is composed of Harris County.

1       (b) The 497th District Court shall give preference to  
2 criminal cases.

3       (b) The 495th, 496th, and 497th Judicial Districts are  
4 created on October 1, 2024.

5       SECTION 1.017. (a) Effective October 1, 2025, Subchapter  
6 C, Chapter 24, Government Code, is amended by adding Section  
7 24.60043 to read as follows:

8       Sec. 24.60043. 498TH JUDICIAL DISTRICT (KENDALL COUNTY).

9       (a) The 498th Judicial District is composed of Kendall County.

10       (b) This section applies to all district courts in Kendall  
11 County.

12       (c) In addition to the other jurisdiction provided by law,  
13 the 498th District Court has concurrent jurisdiction with the other  
14 district courts in Kendall County and with the County Court of  
15 Kendall County in all civil and criminal matters over which the  
16 county court has original or appellate jurisdiction, including  
17 probate matters and proceedings under Subtitle C, Title 7, Health  
18 and Safety Code.

19       (d) All civil and criminal matters within the concurrent  
20 jurisdiction of the county and district courts must be filed with  
21 the county clerk in the county court. The county clerk serves as  
22 the clerk of the district court for those matters.

23       (e) Notwithstanding Section 24.030, a district court in  
24 Kendall County may sit outside the county seat in a suitable  
25 facility designated by the Kendall County Commissioners Court as an  
26 auxiliary court facility, as provided by Section 292.031, Local  
27 Government Code.



1       (f) A district court in Kendall County sitting in an  
2 auxiliary court facility designated by the Kendall County  
3 Commissioners Court may hear motions, arguments, nonjury trials,  
4 and jury trials for all actions and any other matter before the  
5 court and within the court's jurisdiction.

6       (b) The 498th Judicial District is created on October 1,  
7 2025.

8       SECTION 1.018. (a) Effective January 1, 2025, Subchapter  
9 C, Chapter 24, Government Code, is amended by adding Section  
10 24.60044 to read as follows:

11       Sec. 24.60044. 499TH JUDICIAL DISTRICT (EDWARDS,  
12 GILLESPIE, AND KIMBLE COUNTIES). The 499th Judicial District is  
13 composed of Edwards, Gillespie, and Kimble Counties.

14       (b) The 499th Judicial District is created on January 1,  
15 2025.

16       SECTION 1.019. (a) Subchapter C, Chapter 24, Government  
17 Code, is amended by adding Section 24.6009 to read as follows:

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

20       (b) The 465th Judicial District is created on September 1,  
21 2023.

22       SECTION 1.020. (a) Subchapter C, Chapter 24, Government  
23 Code, is amended by adding Section 24.60095 to read as follows:

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

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

1 matters.

2 (b) The 472nd Judicial District is created on September 1,  
3 2023.

4 SECTION 1.021. (a) Section 24.910, Government Code, is  
5 amended by adding Subsection (a-1) and amending Subsections (b),  
6 (c), and (e) to read as follows:

7 (a-1) Subchapter C applies to the Tarrant County Criminal  
8 District Court No. 1.

9 (b) This section applies to the Tarrant County Criminal  
10 District Courts Nos. 1, 2, ~~and~~ 3, and 4.

11 (c) The criminal district courts have jurisdiction of  
12 criminal cases within the jurisdiction of a district court. The  
13 criminal district courts also have concurrent original  
14 jurisdiction with the county criminal courts in Tarrant County over  
15 misdemeanor cases. The criminal district courts do not have  
16 appellate misdemeanor jurisdiction.

17 (e) The judge of each criminal district court or county  
18 criminal court may, on motion of the judge or the criminal district  
19 attorney, transfer misdemeanor cases between the courts by an order  
20 entered in the minutes of the transferor ~~[transferring]~~ court. The  
21 clerk of the transferor ~~[transferring]~~ court shall certify the  
22 style and number of the case to the clerk of the transferee court  
23 ~~[to which it is transferred]~~ and include the papers of the case with  
24 the certification. The ~~[receiving]~~ clerk of the transferee court  
25 shall promptly docket the transferred case. The transferee  
26 ~~[receiving]~~ court shall dispose of the case as if it had been  
27 originally instituted in that court.

1 (b) Section 24.910(f), Government Code, is repealed.

2 SECTION 1.022. Section 24.911, Government Code, is amended  
3 by adding Subsection (a-1) to read as follows:

4 (a-1) Subchapter C applies to the Tarrant County Criminal  
5 District Court No. 2.

6 SECTION 1.023. Section 24.912, Government Code, is amended  
7 by adding Subsection (a-1) to read as follows:

8 (a-1) Subchapter C applies to the Tarrant County Criminal  
9 District Court No. 3.

10 SECTION 1.024. (a) The heading to Section 24.913,  
11 Government Code, is amended to read as follows:

12 Sec. 24.913. TARRANT COUNTY CRIMINAL JUDICIAL DISTRICT  
13 NO. 4 [~~OF TARRANT COUNTY~~].

14 (b) Section 24.913, Government Code, is amended by amending  
15 Subsections (a) and (d) and adding Subsection (d-1) to read as  
16 follows:

17 (a) The Tarrant County Criminal Judicial District No. 4 [~~of~~  
18 ~~Tarrant County~~] is composed of Tarrant County.

19 (d) Subchapter C applies to the Tarrant County Criminal  
20 District Court No. 4 [~~of Tarrant County~~].

21 (d-1) Section 24.910, relating to the Tarrant County  
22 Criminal District Court No. 1, contains provisions applicable to  
23 both that court and the Tarrant County Criminal District Court  
24 No. 4.

25 (c) Sections 24.913(b), (c), and (e), Government Code, are  
26 repealed.

27 SECTION 1.025. Subchapter C, Chapter 72, Government Code,

1 is amended by adding Section 72.039 to read as follows:

2 Sec. 72.039. DISTRICT COURT CASELOAD ANALYSIS. (a) In this  
3 section:

4 (1) "Clearance rate" has the meaning assigned by  
5 Section 72.083.

6 (2) "Judicial officer" means a district judge or an  
7 associate judge, master, magistrate, or referee who conducts  
8 proceedings for district courts.

9 (b) The office at least once every two years shall conduct a  
10 district court caseload analysis. The analysis must concentrate  
11 on the weighted caseload of the district courts in the 30 most  
12 populous counties in this state, considering the nature and  
13 complexity of cases heard by each court, and include the following  
14 information, disaggregated by county:

15 (1) the number of cases filed in each district court  
16 with jurisdiction in the county in each of the preceding five state  
17 fiscal years;

18 (2) the clearance rate for each district court with  
19 jurisdiction in the county in each of the preceding five state  
20 fiscal years;

21 (3) the number of estimated full-time equivalent  
22 judicial officers serving district courts in the county in the  
23 preceding state fiscal year;

24 (4) the number of full-time equivalent judicial  
25 officers needed to serve the district courts in the county based on  
26 the most recent weighted caseload analysis;

27 (5) the calendar year for creation of the most

1 recently created district court in the county; and

2 (6) any other relevant information identified by the  
3 director.

4 (c) Not later than October 1 of each even-numbered year, the  
5 office shall report the results of the analysis conducted under  
6 Subsection (b) to the governor, the lieutenant governor, and each  
7 member of the legislature.

8 SECTION 1.026. Section 659.012(b), Government Code, is  
9 amended to read as follows:

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

13 (1) 110 percent of the state base salary paid in  
14 accordance with Subsection (a) for the judge's or justice's  
15 position, beginning with the pay period that begins after the judge  
16 or justice accrues four years of:

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

20 (B) service as a judge or a full-time associate  
21 judge of a district court, statutory county court, multicounty  
22 statutory county court, or statutory probate court or as a district  
23 attorney, criminal district attorney, or county attorney; or

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

26 (2) 120 percent of the state base salary paid in  
27 accordance with Subsection (a) for the judge's or justice's

1 position, beginning with the pay period that begins after the judge  
2 or justice accrues eight years of:

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

6 (B) service as a judge or a full-time associate  
7 judge of a district court, statutory county court, multicounty  
8 statutory county court, or statutory probate court or as a district  
9 attorney, criminal district attorney, or county attorney; or

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

12 ARTICLE 2. STATUTORY COUNTY COURTS

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

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

1 service as:

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

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

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

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

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

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

27 SECTION 2.003. (a) Sections 25.0062(a) and (b), Government

1 Code, are amended to read as follows:

2 (a) In addition to the jurisdiction provided by Section  
3 25.0003 and other law, a county court at law of Aransas County has  
4 concurrent jurisdiction with the district court in:

5 (1) family law cases and proceedings; ~~and~~

6 (2) felony cases to conduct arraignments, conduct  
7 pretrial hearings, and accept guilty pleas; and

8 (3) civil cases in which the matter in controversy  
9 exceeds the maximum amount provided by Section 25.0003.

10 (b) The district clerk serves as clerk of a county court at  
11 law in felony cases, in ~~and~~ family law cases and proceedings, and  
12 in civil cases in which the matter in controversy exceeds \$250,000.

13 The ~~and the~~ county clerk serves as clerk of a county court at law  
14 in all other cases. The district clerk shall establish a separate  
15 docket for a county court at law. The commissioners court shall  
16 provide the deputy clerks, bailiffs, and other personnel necessary  
17 to operate a county court at law.

18 (b) Sections 25.0062(a) and (b), Government Code, as  
19 amended by this section, apply only to a case filed or proceeding  
20 commenced on or after September 1, 2023. A case filed or proceeding  
21 commenced before September 1, 2023, is governed by the law in effect  
22 on the date the case was filed or the proceeding was commenced, and  
23 the former law is continued in effect for that purpose.

24 SECTION 2.004. (a) Section 25.0171(c), Government Code, is  
25 amended to read as follows:

26 (c) Bexar County also has the following statutory probate  
27 courts:



- 1 (1) Probate Court No. 1 of Bexar County, Texas; ~~[and]~~
- 2 (2) Probate Court No. 2 of Bexar County, Texas; and
- 3 (3) Probate Court No. 3 of Bexar County, Texas.

4 (b) The Probate Court No. 3 of Bexar County, Texas, is  
5 created on September 1, 2023.

6 SECTION 2.005. (a) Section 25.0173, Government Code, is  
7 amended by amending Subsections (a) and (o) and adding Subsection  
8 (p) to read as follows:

9 (a) A statutory probate court in Bexar County has the  
10 general jurisdiction of a probate court as provided by Section  
11 25.0021. Probate Courts Nos. 1, ~~[and]~~ 2, and 3 have eminent domain  
12 jurisdiction and jurisdiction to decide the issue of title to real  
13 or personal property. Notwithstanding the local rules adopted  
14 under Section 74.093, the county clerk shall docket all eminent  
15 domain cases equally among ~~[in]~~ Probate Courts Nos. ~~[Court No.]~~ 1,  
16 ~~[and Probate Court No.]~~ 2, and 3.

17 (o) Notwithstanding the local rules adopted under Section  
18 74.093, the county clerk shall:

19 (1) docket all mental health matters in Probate Court  
20 No. 1; and

21 (2) assign equally among the statutory probate courts  
22 in Bexar County and ~~[shall]~~ docket at random all other matters and  
23 proceedings filed in the statutory probate courts in Bexar County  
24 ~~[even-numbered probate cases in Probate Court No. 2 and all~~  
25 ~~odd-numbered probate cases in Probate Court No. 1].~~

26 (p) Notwithstanding Section 25.0022(h), in the absence,  
27 disqualification, or incapacity of a statutory probate judge in

1 Bexar County or on the judge's request, the statutory probate  
2 judges in Bexar County may sit and act for each other in any probate  
3 matter or proceeding. A statutory probate judge in Bexar County  
4 may:

5           (1) hear and determine any matter or proceeding  
6 pending in another statutory probate court in Bexar County; or

7           (2) enter any order in the matter or proceeding that  
8 the judge of the other statutory probate court in Bexar County may  
9 enter.

10           (b) Section 25.0173(j), Government Code, is repealed.

11           (c) Notwithstanding Section 25.0173, Government Code, as  
12 amended by this section, the county clerk for Bexar County shall  
13 assign to Probate Court No. 3 of Bexar County, Texas, one-third of  
14 all cases pending on September 1, 2023, in Probate Court No. 1 of  
15 Bexar County, Texas, and Probate Court No. 2 of Bexar County,  
16 Texas, that were filed before January 1, 2020.

17           SECTION 2.006. (a) Section 25.0331, Government Code, is  
18 amended by amending Subsection (a) and adding Subsection (a-1) to  
19 read as follows:

20           (a) Cameron County has the following statutory county  
21 courts:

22           (1) County Court at Law No. 1 of Cameron County;

23           (2) County Court at Law No. 2 of Cameron County;

24           (3) County Court at Law No. 3 of Cameron County; and

25           (4) [~~County Court at Law No. 4 of Cameron County, and~~

26           ~~(5)] County Court at Law No. 5 of Cameron County.~~

27           (a-1) Cameron County has one statutory probate court, the

1 Probate Court No. 1 of Cameron County.

2 (b) The County Court at Law No. 4 of Cameron County is  
3 redesignated as the Probate Court No. 1 of Cameron County effective  
4 September 1, 2023.

5 SECTION 2.007. (a) Section 25.0332(a), Government Code, is  
6 amended to read as follows:

7 (a) In addition to the jurisdiction provided by Section  
8 25.0003 and other law, a county court at law in Cameron County has[+]

9 ~~[(1) concurrent with the county court, the probate~~  
10 ~~jurisdiction provided by general law for county courts; and~~

11 ~~[(2)]~~ concurrent jurisdiction with the district court  
12 in civil cases in which the amount in controversy exceeds \$500 but  
13 does not exceed \$1 million, excluding interest.

14 (b) Subchapter C, Chapter 25, Government Code, is amended by  
15 adding Section 25.0333 to read as follows:

16 Sec. 25.0333. CAMERON COUNTY PROBATE COURT PROVISIONS. (a)  
17 A statutory probate court in Cameron County has the jurisdiction of  
18 a probate court as provided by Section 25.0021.

19 (b) A statutory probate court in Cameron County has  
20 jurisdiction over mental health cases diverted from the criminal  
21 justice system in the county.

22 (c) Section 25.0332(b), Government Code, is repealed.

23 (d) The judge of the County Court at Law No. 4 of Cameron  
24 County shall transfer all active cases over which the court loses  
25 jurisdiction under this section and that are pending in the court on  
26 September 1, 2023, to a district court, county court at law, or  
27 county court in the county with jurisdiction over the case.

1 (e) The local administrative statutory county court judge  
2 shall transfer any active probate matter that is pending in a  
3 statutory county court in Cameron County on September 1, 2023, to  
4 Probate Court No. 1 of Cameron County.

5 (f) When a case is transferred as provided by Subsection (d)  
6 or (e) of this section, all processes, writs, bonds, recognizances,  
7 or other obligations issued from the transferring court are  
8 returnable to the court to which the case is transferred as if  
9 originally issued by that court. The obligees on all bonds and  
10 recognizances taken in and for a court from which a case is  
11 transferred, and all witnesses summoned to appear in a court from  
12 which a case is transferred, are required to appear before the court  
13 to which a case is transferred as if originally required to appear  
14 before that court.

15 SECTION 2.008. (a) Section 25.0592(1), Government Code, is  
16 amended to read as follows:

17 (1) Sections 25.0006 and 25.0007(b) [~~25.0007~~] do not apply  
18 to a county court at law in Dallas County.

19 (b) Section 25.0592(1), Government Code, as amended by this  
20 section, applies only to a jury impaneled on or after September 1,  
21 2023.

22 SECTION 2.009. Section 25.0732, Government Code, is amended  
23 by adding Subsection (c) to read as follows:

24 (c) The County Criminal Court at Law No. 2 of El Paso  
25 County, Texas, is designated to conduct the DWI Drug Court  
26 Intervention and Treatment Program of El Paso County as a drug court  
27 program under Chapter 123 for persons arrested for, charged with,

1 or convicted of an offense involving the operation of a motor  
2 vehicle while intoxicated.

3 SECTION 2.010. Section 25.0932, Government Code, is amended  
4 by amending Subsection (a) and adding Subsection (b) to read as  
5 follows:

6 (a) In addition to the jurisdiction provided by Section  
7 25.0003 and other law, a county court at law in Grayson County has:

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

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

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

16 SECTION 2.011. (a) Section 25.1031(c), Government Code, is  
17 amended to read as follows:

18 (c) Harris County has the following statutory probate  
19 courts:

- 20 (1) Probate Court No. 1 of Harris County, Texas;
- 21 (2) Probate Court No. 2 of Harris County, Texas;
- 22 (3) Probate Court No. 3 of Harris County, Texas; ~~and~~
- 23 (4) Probate Court No. 4 of Harris County, Texas; and
- 24 (5) Probate Court No. 5 of Harris County, Texas.

25 (b) Section 25.1034(j), Government Code, is repealed.

26 (c) The Probate Court No. 5 of Harris County, Texas, is  
27 created on September 1, 2023.

1 SECTION 2.012. Sections 25.1331 and 25.1332, Government  
2 Code, are repealed.

3 SECTION 2.013. Sections 25.1572(a), (d), and (e),  
4 Government Code, are amended to read as follows:

5 (a) In addition to the jurisdiction provided by Section  
6 25.0003 and other law and except as limited by Subsection (b), a  
7 county court at law in McLennan County has:

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

13 (A) conduct arraignments;

14 (B) conduct pretrial hearings;

15 (C) accept guilty pleas and conduct sentencing;

16 (D) conduct jury trials and nonjury trials;

17 (E) conduct probation revocation hearings;

18 (F) conduct post-trial proceedings; and

19 (G) conduct family law cases and proceedings; and

20 (2) jurisdiction in:

21 (A) Class A and Class B misdemeanor cases;

22 (B) probate proceedings;

23 (C) eminent domain;

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

26 (E) disputes ancillary to probate, eminent  
27 domain, condemnation, or landlord and tenant matters relating to

1 the adjudication and determination of land titles and trusts,  
2 whether testamentary, inter vivos, constructive, resulting, or any  
3 other class or type of trust, regardless of the amount in  
4 controversy or the remedy sought [~~to conduct arraignments, conduct~~  
5 ~~pretrial hearings, accept guilty pleas, and conduct probation~~  
6 ~~revocation hearings in felony cases~~].

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

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

23 SECTION 2.014. (a) Effective October 1, 2023, Section  
24 25.1721, Government Code, is amended to read as follows:

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

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

1           (2) [~~County Court at Law No. 2 of Montgomery County,~~  
2           [~~(3)~~] County Court at Law No. 3 of Montgomery County;  
3           (3) [~~(4)~~] County Court at Law No. 4 of Montgomery  
4 County;  
5           (4) [~~(5)~~] County Court at Law No. 5 of Montgomery  
6 County; and  
7           (5) [~~(6)~~] County Court at Law No. 6 of Montgomery  
8 County.

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

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

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

22           SECTION 2.015. (a) Effective October 1, 2023, Subchapter  
23 C, Chapter 25, Government Code, is amended by adding Section  
24 25.1723 to read as follows:

25           Sec. 25.1723. MONTGOMERY COUNTY PROBATE COURT PROVISIONS.

26           (a) In this section, "remote proceeding" means a proceeding before  
27 a court in which one or more of the participants, including a judge,



1 party, attorney, witness, court reporter, or other individual,  
2 attends the proceeding remotely through the use of technology.

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

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

8 (2) declaratory judgment actions;

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

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

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

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

26 (e) A judge of a statutory probate court in Montgomery  
27 County and a judge of a district court or statutory county court in

1 Montgomery County may exchange benches and may sit and act for each  
2 other in any matter pending before the court.

3 (f) The county clerk of Montgomery County serves as clerk of  
4 a statutory probate court.

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

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

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

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

23 (d) When a case is transferred as provided by Subsection (b)  
24 or (c) of this section, all processes, writs, bonds, recognizances,  
25 or other obligations issued from the transferring court are  
26 returnable to the court to which the case is transferred as if  
27 originally issued by that court. The obligees on all bonds and

1 recognizances taken in and for a court from which a case is  
2 transferred, and all witnesses summoned to appear in a court from  
3 which a case is transferred, are required to appear before the court  
4 to which a case is transferred as if originally required to appear  
5 before that court.

6 SECTION 2.016. (a) Sections 25.2223(a), (i), (j), (j-2),  
7 and (l), Government Code, are amended to read as follows:

8 (a) A county criminal court in Tarrant County has  
9 jurisdiction over all criminal matters and causes, original and  
10 appellate, prescribed by law for county courts, but does not have  
11 civil jurisdiction. In addition to the jurisdiction provided by  
12 Section 25.0003 and other law, a county criminal court in Tarrant  
13 County has concurrent original jurisdiction of criminal cases with  
14 a district court other than felony cases involving capital  
15 murder. The County Criminal Courts Nos. 9 [5] and 10 of Tarrant  
16 County also have concurrent jurisdiction within the county of all  
17 appeals from criminal convictions under the laws of this state and  
18 the municipal ordinances of the municipalities located in Tarrant  
19 County that are appealed from the justice courts and municipal  
20 courts in the county. [~~The County Criminal Courts Nos. 5, 7, 8, 9,~~  
21 ~~and 10 of Tarrant County also have concurrent jurisdiction with the~~  
22 ~~district court in felony cases to conduct arraignments, conduct~~  
23 ~~pretrial hearings, and accept guilty pleas.~~]

24 (i) The official court reporter of a county criminal court  
25 is entitled to the same fees and salary as a district court reporter  
26 and shall perform the same duties and take the oath of office as  
27 provided by law for district court reporters. [~~The official court~~

1 ~~reporter for the County Criminal Court No. 1 or 3 of Tarrant County~~  
2 ~~is not required to take testimony in cases in which neither a party~~  
3 ~~nor the judge demands it.]~~

4 (j) At least two bailiffs shall be assigned regularly to  
5 each county criminal court in [~~the County Criminal Court No. 1 of~~  
6 ~~Tarrant County and the County Criminal Court No. 2 of~~] Tarrant  
7 County. Except as provided by Subsection (j-2), each judge [~~the~~  
8 ~~judges~~] of a county criminal court [~~the County Criminal Courts Nos.~~  
9 ~~1 and 2 of Tarrant County~~] shall [~~each~~] appoint one officer to act  
10 as bailiff of the judge's court, and the sheriff of Tarrant County  
11 shall appoint a bailiff for each court as prescribed by law. The  
12 bailiffs serve at the pleasure of the court and shall perform the  
13 duties required by the judge of the court to which the bailiffs are  
14 assigned.

15 (j-2) The judge of a county criminal court [~~listed in~~  
16 ~~Subsection (j) or (j-1)~~] may authorize the sheriff to appoint all  
17 bailiffs in the judge's court. If the sheriff is authorized by a  
18 judge to make the judge's appointment under this subsection, the  
19 sheriff shall appoint at least two officers to act as bailiffs for  
20 the judge's court. A bailiff appointed under this subsection  
21 serves at the pleasure of the court and shall perform the duties  
22 required by the judge of the court to which the bailiff is assigned.

23 (l) The County Criminal Courts Nos. [~~Court No.~~] 5 and 6 of  
24 Tarrant County [~~and the County Criminal Court No. 6 of Tarrant~~  
25 ~~County~~] shall give preference to cases brought under Title 5, Penal  
26 Code, involving family violence as defined by Section 71.004,  
27 Family Code, and cases brought under Sections 25.07, 25.072, and

1 42.07(a)(2) [~~42.072~~], Penal Code.

2 (b) Sections 25.2223(b) and (j-1), Government Code, are  
3 repealed.

4 SECTION 2.017. (a) Effective October 1, 2023, Section  
5 25.2291(c), Government Code, is amended to read as follows:

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

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

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

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

13 SECTION 2.018. (a) Effective October 1, 2023, Section  
14 25.2293, Government Code, is amended by adding Subsections (d),  
15 (e), (h), and (k) to read as follows:

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

18 (e) The county clerk shall docket:

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

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

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

27 (h) The county clerk shall appoint a deputy clerk for each

1 statutory probate court. A deputy clerk serves at the pleasure of  
2 the judge of the court to which the deputy clerk is assigned. A  
3 deputy clerk must take the constitutional oath of office, and the  
4 county clerk may require the deputy clerk to furnish a bond in an  
5 amount, conditioned and payable, as required by law. A deputy clerk  
6 acts in the name of the county clerk and may perform any other  
7 service required by the judge of a statutory probate court. A  
8 deputy clerk shall attend all sessions of the court to which the  
9 deputy clerk is assigned.

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

15 (b) Effective October 1, 2023, Section 25.2293(m),  
16 Government Code, is repealed.

17 SECTION 2.019. (a) Section 25.2391, Government Code, is  
18 amended to read as follows:

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

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

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

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

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

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

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

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

9 SECTION 2.020. Section 25.2392, Government Code, is amended  
10 by adding Subsection (b) and amending Subsection (g) to read as  
11 follows:

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

15 (g) The district clerk serves as clerk of a county court at  
16 law in family law cases and proceedings and as clerk of County Court  
17 at Law No. 2 in cases and proceedings in which the court has  
18 concurrent jurisdiction with the district courts as provided by the  
19 constitution and general law, including jurisdiction in felony  
20 criminal cases. The~~, and the~~ county clerk serves as clerk of a  
21 county ~~the~~ court at law in all other cases and proceedings. The  
22 commissioners court may employ as many deputy sheriffs and bailiffs  
23 as are necessary to serve the court.

24 SECTION 2.021. (a) Subchapter C, Chapter 25, Government  
25 Code, is amended by adding Section 25.2491 to read as follows:

26 Sec. 25.2491. WILSON COUNTY. Wilson County has one  
27 statutory county court, the County Court at Law of Wilson County.

1 (b) The County Court at Law of Wilson County is created on  
2 September 1, 2023.

3 SECTION 2.022. Section 25.2607(d), Government Code, is  
4 amended to read as follows:

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

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

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

19 SECTION 2.023. (a) Subchapter F, Chapter 25, Government  
20 Code, is amended by adding Sections 25.2703 and 25.2704 to read as  
21 follows:

22 Sec. 25.2703. 2ND MULTICOUNTY COURT AT LAW (BEE, LIVE OAK,  
23 AND MCMULLEN COUNTIES). Bee, Live Oak, and McMullen Counties have a  
24 multicounty statutory county court composed of those counties, the  
25 2nd Multicounty Court at Law.

26 Sec. 25.2704. 2ND MULTICOUNTY COURT AT LAW PROVISIONS. (a)  
27 In addition to the jurisdiction provided by Section 25.0003 and



1 other law, the 2nd Multicounty Court at Law has concurrent  
2 jurisdiction with the district courts, except in civil cases in  
3 which the matter in controversy exceeds the amount provided by  
4 Section 25.0003(c)(1).

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

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

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

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

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

26 (g) Notwithstanding Section 74.121(b)(1), in matters of  
27 concurrent jurisdiction, the judge of the 2nd Multicounty Court at

1 Law and the judges of the district courts in Bee, Live Oak, and  
2 McMullen Counties may exchange benches and courtrooms and may  
3 transfer cases between their dockets in the same manner that judges  
4 of district courts exchange benches and courtrooms and transfer  
5 cases under Section 24.003.

6 (b) The 2nd Multicounty Court at Law is created on September  
7 1, 2023.

8 ARTICLE 3. JUSTICE COURTS AND CONSTITUTIONAL COUNTY COURTS

9 SECTION 3.001. Article 49.05(b), Code of Criminal  
10 Procedure, is amended to read as follows:

11 (b) A justice of the peace may conduct an inquest:

12 (1) at the place where the death occurred;

13 (2) where the body was found; ~~[or]~~

14 (3) by videoconference with an individual who is:

15 (A) designated by the justice of the peace; and

16 (B) present with the body for a death described

17 by Article 49.04(a)(6) or (7); or

18 (4) at any other place determined to be reasonable by  
19 the justice.

20 SECTION 3.002. Section 26.315, Government Code, is amended  
21 to read as follows:

22 Sec. 26.315. STEPHENS COUNTY. (a) In addition to other  
23 jurisdiction provided by law, the [The] County Court of Stephens  
24 County has original concurrent jurisdiction with the justice courts  
25 in all civil matters in which the justice courts have jurisdiction  
26 under general law [the general jurisdiction of a probate court and  
27 juvenile jurisdiction as provided by Section 26.042(b) but has no

1 ~~other criminal or civil jurisdiction].~~

2 (b) The district clerk shall maintain the records of the  
3 County Court of Stephens County.

4 SECTION 3.003. (a) Section 92.0563(e), Property Code, is  
5 amended to read as follows:

6 (e) A justice court may not award a judgment under this  
7 section, including an order of repair, that exceeds \$20,000  
8 [~~\$10,000~~], excluding interest and costs of court.

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

14 ARTICLE 4. CRIMINAL LAW MAGISTRATES

15 SECTION 4.001. Article 2.09, Code of Criminal Procedure, is  
16 amended to read as follows:

17 Art. 2.09. WHO ARE MAGISTRATES. Each of the following  
18 officers is a magistrate within the meaning of this Code: The  
19 justices of the Supreme Court, the judges of the Court of Criminal  
20 Appeals, the justices of the Courts of Appeals, the judges of the  
21 District Court, the magistrates appointed by the judges of the  
22 district courts of Bexar County, Dallas County, or Tarrant County  
23 that give preference to criminal cases, the criminal law hearing  
24 officers for Harris County appointed under Subchapter L, Chapter  
25 54, Government Code, the criminal law hearing officers for Cameron  
26 County appointed under Subchapter BB, Chapter 54, Government Code,  
27 the magistrates or associate judges appointed by the judges of the

1 district courts of Lubbock County, Nolan County, or Webb County,  
2 the magistrates appointed by the judges of the criminal district  
3 courts of Dallas County or Tarrant County, the associate judges  
4 appointed by the judges of the district courts and the county courts  
5 at law that give preference to criminal cases in Jefferson County,  
6 the magistrates appointed by the judges of the district courts and  
7 statutory county courts in Denton County, the magistrates appointed  
8 by the judges of the district courts and statutory county courts in  
9 Grayson County, the associate judges appointed by the judges of the  
10 district courts and the statutory county courts of Brazos County,  
11 Nueces County, or Williamson County, the magistrates appointed by  
12 the judges of the district courts and statutory county courts that  
13 give preference to criminal cases in Travis County, the criminal  
14 magistrates appointed by the Brazoria County Commissioners Court,  
15 the criminal magistrates appointed by the Burnet County  
16 Commissioners Court, the magistrates appointed by the El Paso  
17 Council of Judges, the county judges, the judges of the county  
18 courts at law, judges of the county criminal courts, the judges of  
19 statutory probate courts, the associate judges appointed by the  
20 judges of the statutory probate courts under Chapter 54A,  
21 Government Code, the associate judges appointed by the judge of a  
22 district court under Chapter 54A, Government Code, the magistrates  
23 appointed under Subchapter JJ, Chapter 54, Government Code, the  
24 magistrates appointed by the Collin County Commissioners Court, the  
25 magistrates appointed by the Fort Bend County Commissioners Court,  
26 the justices of the peace, and the mayors and recorders and the  
27 judges of the municipal courts of incorporated cities or towns.

1 SECTION 4.002. Article 4.01, Code of Criminal Procedure, is  
2 amended to read as follows:

3 Art. 4.01. WHAT COURTS HAVE CRIMINAL JURISDICTION. The  
4 following courts have jurisdiction in criminal actions:

- 5 1. The Court of Criminal Appeals;
- 6 2. Courts of appeals;
- 7 3. The district courts;
- 8 4. The criminal district courts;
- 9 5. The magistrates appointed by the judges of the  
10 district courts of Bexar County, Dallas County, Tarrant County, or  
11 Travis County that give preference to criminal cases and the  
12 magistrates appointed by the judges of the criminal district courts  
13 of Dallas County or Tarrant County;
- 14 6. The county courts;
- 15 7. All county courts at law with criminal  
16 jurisdiction;
- 17 8. County criminal courts;
- 18 9. Justice courts;
- 19 10. Municipal courts;
- 20 11. The magistrates appointed by the judges of the  
21 district courts of Lubbock County;
- 22 12. The magistrates appointed by the El Paso Council  
23 of Judges;
- 24 13. The magistrates appointed by the Collin County  
25 Commissioners Court;
- 26 14. The magistrates appointed by the Brazoria County  
27 Commissioners Court or the local administrative judge for Brazoria

1 County; ~~and~~

2 15. The magistrates appointed by the judges of the  
3 district courts of Tom Green County;

4 16. The magistrates appointed by the judges of the  
5 district and statutory county courts of Denton County; and

6 17. The magistrates appointed by the judges of the  
7 district and statutory county courts of Grayson County.

8 SECTION 4.003. Section 54.2001(b), Government Code, is  
9 amended to read as follows:

10 (b) The judges of the district and statutory county courts  
11 in Guadalupe County by majority ~~[a unanimous]~~ vote may appoint  
12 magistrates as authorized by the Commissioners Court of Guadalupe  
13 County.

14 SECTION 4.004. Section 54.2502(c), Government Code, is  
15 amended to read as follows:

16 (c) A judge of the criminal law magistrate court is entitled  
17 to the salary set by the commissioners court. The salary may not be  
18 less than the annual base salary paid to a district judge under  
19 Section 659.012(a)(1) and must include compensation for services  
20 performed on behalf of Brazoria County [Chapter 659].

21 SECTION 4.005. Chapter 54, Government Code, is amended by  
22 adding Subchapter RR to read as follows:

23 SUBCHAPTER RR. GRAYSON COUNTY CRIMINAL MAGISTRATES

24 Sec. 54.2701. AUTHORIZATION; APPOINTMENT; ELIMINATION.

25 (a) The Commissioners Court of Grayson County may authorize the  
26 judges of the district and statutory county courts in Grayson  
27 County to appoint one or more part-time or full-time magistrates to

1 perform the duties authorized by this subchapter.

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

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

8 (1) the magistrate's name; and

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

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

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

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

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

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

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

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

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

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

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

- 12               (1) give admonishments;  
13               (2) set and review bail and conditions of release;  
14               (3) appoint legal counsel; and  
15               (4) determine other routine matters relating to  
16 preindictment or pending cases within those courts' jurisdiction.

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

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

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

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



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

5       SECTION 4.006. Chapter 54, Government Code, is amended by  
6 adding Subchapter SS to read as follows:

7       SUBCHAPTER SS. DENTON COUNTY CRIMINAL LAW MAGISTRATE COURT

8       Sec. 54.2801. CREATION. The Denton County Criminal Law  
9 Magistrate Court is a court with the jurisdiction provided by this  
10 subchapter.

11       Sec. 54.2802. APPOINTMENT; OVERSIGHT. (a) The district  
12 court judges with jurisdiction in Denton County and the judges of  
13 the criminal statutory county courts of Denton County shall appoint  
14 one or more judges to preside over the criminal law magistrate  
15 court. An appointed judge must:

16               (1) serve Denton County as a district court judge, a  
17 criminal statutory county court judge, an associate judge of a  
18 court with criminal jurisdiction, a magistrate, including a jail  
19 magistrate, a judge of a municipal court of record, or a justice of  
20 the peace;

21               (2) be a licensed attorney in good standing with the  
22 State Bar of Texas;

23               (3) be authorized to access criminal history records  
24 under state and federal law;

25               (4) have completed training necessary to serve as a  
26 magistrate in Denton County, as determined by the district court  
27 judges with jurisdiction in Denton County and the judges of the

1 criminal statutory county courts of Denton County; and

2 (5) meet the qualifications under Section 54.2807.

3 (b) The district court judges with jurisdiction in Denton  
4 County and the judges of the criminal statutory county courts of  
5 Denton County shall:

6 (1) designate to oversee the criminal law magistrate  
7 court either:

8 (A) one district court judge and one criminal  
9 statutory county court judge; or

10 (B) a criminal law magistrate court associate  
11 judge appointed under Section 54.2805; and

12 (2) supervise the magistrate court to ensure the  
13 magistrates appointed give preference to duties under Chapters 14,  
14 15, 16, 17, and 18, Code of Criminal Procedure.

15 (c) The magistrates of the criminal law magistrate court  
16 shall comply with the standing orders and directives regarding  
17 criminal cases of the district court judges with jurisdiction in  
18 Denton County and the judges of the criminal statutory county  
19 courts of Denton County, including a presiding criminal judge of  
20 Denton County.

21 Sec. 54.2803. JURISDICTION. (a) Except as provided by  
22 Subsection (b), the criminal law magistrate court has the criminal  
23 jurisdiction provided for magistrates by the constitution and laws  
24 of this state in all criminal cases:

25 (1) alleging an offense other than an offense  
26 punishable only as a Class C misdemeanor;

27 (2) for which a magistrate or judge has determined

1 there is probable cause to believe the defendant committed the  
2 crime alleged;

3 (3) in which the defendant has been released or is  
4 confined in the Denton County jail; and

5 (4) in which either:

6 (A) the defendant has not yet been charged by  
7 information or indictment; or

8 (B) the judge presiding over the case has  
9 specifically authorized the criminal law magistrate to take certain  
10 actions.

11 (b) The criminal law magistrate court and the criminal law  
12 magistrate court associate judge do not have jurisdiction to:

13 (1) hear a trial on the merits of an offense, except as  
14 provided by Section 54.2811(c); or

15 (2) take any action not specifically authorized by an  
16 order of referral from the judge presiding in a criminal case in  
17 which the defendant has been charged by information or indictment.

18 (c) The magisterial duties in a criminal case shall be  
19 transferred to the criminal law magistrate court:

20 (1) on request of a presiding judge in a criminal case  
21 for which the defendant has been charged by information or  
22 indictment; or

23 (2) after a defendant has been transferred to the  
24 custody of the Denton County jail or released from custody on bond  
25 in Denton County.

26 Sec. 54.2804. POWERS AND DUTIES. The criminal law  
27 magistrate court may:

- 1           (1) determine probable cause for purposes of an arrest  
2 or search;
- 3           (2) issue an order of commitment, a warrant of arrest,  
4 or an order of protection;
- 5           (3) perform the duty of a magistrate under Chapters  
6 14, 15, 16, 17, and 18, Code of Criminal Procedure;
- 7           (4) reduce or modify a bond, find a bond ordered by  
8 another judge or magistrate to be insufficient, or require  
9 conditions of a bond;
- 10          (5) hear any motion filed in a case over which the  
11 court has jurisdiction;
- 12          (6) administer oaths; and
- 13          (7) perform an action on a proceeding referred to the  
14 magistrate under Section 54.2811.

15          Sec. 54.2805. CRIMINAL LAW MAGISTRATE COURT ASSOCIATE  
16 JUDGE. The district court judges with jurisdiction in Denton  
17 County and the judges of the criminal statutory county courts of  
18 Denton County may, with the approval of the Commissioners Court of  
19 Denton County and two-thirds of the district court and criminal  
20 statutory county court judges, appoint a district or criminal  
21 statutory county court judge qualified under Section 54.2807 as the  
22 criminal law magistrate court associate judge to:

- 23           (1) serve the district and criminal county courts of  
24 Denton County;
- 25           (2) oversee the criminal law magistrate court; and
- 26           (3) recommend for appointment full-time and part-time  
27 jail magistrates.

1       Sec. 54.2806. JAIL MAGISTRATE. (a) The district court  
2 judges with jurisdiction in Denton County and the judges of the  
3 criminal statutory county courts of Denton County may, with the  
4 approval of the Commissioners Court of Denton County, appoint by  
5 joint standing order one or more full-time jail magistrates  
6 qualified to serve under Section 54.2807.

7       (b) A jail magistrate has the jurisdiction provided by the  
8 constitution and laws of this state for magistrates for criminal  
9 cases in which the defendant is in the custody of Denton County jail  
10 and has not yet been charged with a criminal offense by complaint,  
11 information, or indictment.

12       (c) A jail magistrate shall ensure timely compliance with  
13 Article 15.17, Code of Criminal Procedure, in all cases within the  
14 magistrate's jurisdiction, give preference to performing the  
15 duties of a magistrate under that article, and perform the  
16 following duties:

17               (1) consider sworn complaints or affidavits  
18 establishing probable cause and entering orders of release or  
19 commitment;

20               (2) conduct hearings under Article 15.17, Code of  
21 Criminal Procedure, provide warnings, and advise a defendant of the  
22 defendant's right to counsel;

23               (3) determine if a defendant is indigent and in need of  
24 appointed counsel;

25                       (4) set, adjust, or revoke a bond;

26                       (5) set the conditions of bond;

27                       (6) conduct an examining trial;

1           (7) issue search and arrest warrants;

2           (8) issue magistrate's orders of emergency protection;

3 and

4           (9) with the express authorization of a justice of the  
5 peace, exercise concurrent criminal jurisdiction with the justice  
6 of the peace to dispose as provided by law of cases filed in the  
7 precinct of the authorizing justice of the peace, except for a trial  
8 on the merits following a plea of not guilty.

9           (d) A jail magistrate may be assigned additional duties by  
10 the criminal law magistrate court associate judge appointed under  
11 Section 54.2805.

12           (e) A jail magistrate has the express authority and duty to:

13           (1) order the release of defendant due to an  
14 extraordinary medical condition;

15           (2) consider information and make inquiries regarding  
16 a defendant's mental health;

17           (3) issue orders or writs as necessary for the  
18 evaluation, treatment, and accommodation of a defendant's mental  
19 health issue; and

20           (4) communicate with the Denton County local mental  
21 health authority or another qualified mental health professional to  
22 provide continuing care to a defendant.

23           (f) In addition to the full-time jail magistrates appointed  
24 under Subsection (a), the district court judges with jurisdiction  
25 in Denton County and the judges of the criminal statutory county  
26 courts of Denton County may appoint or engage by joint standing  
27 order one or more part-time jail magistrates to serve as a jail

1 magistrate as assigned. A part-time jail magistrate must be  
2 qualified to serve as a magistrate in the county under Section  
3 54.2807 and be a sitting district, statutory county, or municipal  
4 court judge or a justice of the peace in Denton County.

5 Sec. 54.2807. QUALIFICATIONS. To be eligible for  
6 appointment as the criminal law magistrate court associate judge, a  
7 jail magistrate, or another magistrate in the criminal law  
8 magistrate court, a person must:

9 (1) have been a resident of Denton County for at least  
10 two years preceding the person's appointment; and

11 (2) have been licensed to practice law in this state  
12 for at least four years.

13 Sec. 54.2808. COMPENSATION. A criminal law magistrate  
14 court associate judge, a jail magistrate, and each other magistrate  
15 in the criminal law magistrate court shall be paid a total annual  
16 salary set by the Commissioners Court of Denton County. The salary  
17 shall be paid in a manner and from a fund determined by the  
18 commissioners court.

19 Sec. 54.2809. JUDICIAL IMMUNITY. A criminal law magistrate  
20 court associate judge, a jail magistrate, and each other magistrate  
21 in the criminal law magistrate court has the same judicial immunity  
22 as a district judge.

23 Sec. 54.2810. TERMINATION OF SERVICES. (a) Except as  
24 provided by Subsection (b), a criminal law magistrate court  
25 associate judge, a jail magistrate, and each other magistrate in  
26 the criminal law magistrate court may be terminated by a two-thirds  
27 vote of the district court judges with jurisdiction in Denton

1 County and the judges of the criminal statutory county courts of  
2 Denton County.

3 (b) A part-time jail magistrate serves solely at the  
4 discretion of a criminal law magistrate court associate judge  
5 appointed under Section 54.2805 or of the district court judge and  
6 criminal statutory county court judge designated to oversee the  
7 criminal law magistrate court under Section 54.2802(b).

8 Sec. 54.2811. PROCEEDING THAT MAY BE REFERRED. (a) A  
9 district court judge with jurisdiction in Denton County, the judge  
10 of a criminal statutory county court of Denton County, or the judge  
11 of the juvenile court of Denton County may refer to the criminal law  
12 magistrate court the following matters in a criminal case:

13 (1) a negotiated plea of guilty or no contest before  
14 the court;

15 (2) a bond forfeiture, remittitur, and related  
16 proceedings;

17 (3) a pretrial motion;

18 (4) a writ of habeas corpus;

19 (5) an examining trial;

20 (6) jury selection;

21 (7) an occupational driver's license;

22 (8) a waiver of extradition or a related matter under  
23 Chapter 51, Code of Criminal Procedure;

24 (9) the issuance of search warrants, including a  
25 search warrant under Article 18.02(a)(10), Code of Criminal  
26 Procedure, notwithstanding Article 18.01(c), Code of Criminal  
27 Procedure;



1           (10) a petition for an order of expunction under  
2 Chapter 55, Code of Criminal Procedure;

3           (11) an asset forfeiture hearing as provided by  
4 Chapter 59, Code of Criminal Procedure;

5           (12) a civil commitment matter under Subtitle C, Title  
6 7, Health and Safety Code;

7           (13) setting, adjusting, or revoking bond;

8           (14) the conduct of initial juvenile detention  
9 hearings or any other matter in a juvenile case if referred by the  
10 judge of the juvenile court of the county and approved by the Denton  
11 County Juvenile Board; and

12           (15) any other matter the judge considers necessary  
13 and proper.

14           (b) Except as limited by an order of referral, the criminal  
15 law magistrate court associate judge may:

16           (1) conduct a hearing;

17           (2) hear evidence;

18           (3) compel production of relevant evidence;

19           (4) rule on the admissibility of evidence;

20           (5) issue a summons for the appearance of witnesses;

21           (6) examine a witness;

22           (7) swear a witness for a hearing;

23           (8) make findings of fact on evidence;

24           (9) formulate conclusions of law;

25           (10) rule on pretrial motions;

26           (11) recommend the rulings, orders, or judgment to be  
27 made in a case;

1           (12) regulate proceedings in a hearing before the  
2 associate judge;

3           (13) accept a negotiated plea of guilty or no contest  
4 made before the court and:

5                   (A) enter a finding of guilty and impose or  
6 suspend the sentence; or

7                   (B) defer adjudication of guilt;

8           (14) select a jury;

9           (15) accept a negotiated plea in a probation  
10 revocation;

11           (16) conduct a contested probation revocation  
12 hearing;

13           (17) sign a dismissal in a misdemeanor case; and

14           (18) perform any act and take any measure necessary  
15 and proper for the efficient performance of the duties required by  
16 the order of referral.

17           (c) Notwithstanding Section 54.2803(b), the judge of the  
18 juvenile court of Denton County may refer to the criminal law  
19 magistrate court associate judge any proceeding over which the  
20 juvenile court has exclusive original jurisdiction under Title 3,  
21 Family Code, including any matter ancillary to that proceeding.  
22 The criminal law magistrate court associate judge may accept a plea  
23 of guilty for a misdemeanor or felony or a plea of true from a  
24 defendant or juvenile, regardless of the classification of the  
25 offense charged or the conduct alleged.

26           (d) The criminal law magistrate court associate judge may  
27 sign a motion to dismiss submitted by an attorney representing the

1 state on cases referred to the judge, or on dockets called by the  
2 judge, and may consider unadjudicated cases at sentencing under  
3 Section 12.45, Penal Code.

4 (e) A criminal law magistrate, including the criminal law  
5 magistrate court associate judge, has all of the powers of a  
6 magistrate under the laws of this state and may administer an oath  
7 for any purpose.

8 Sec. 54.2812. ORDER OF REFERRAL. (a) To refer one or more  
9 cases to the criminal law magistrate court or the criminal law  
10 magistrate court associate judge, a judge must issue a written  
11 order of referral that specifies the magistrate court's duties.

12 (b) An order of referral may:

13 (1) limit the powers of the magistrate court and  
14 direct the magistrate to report only on specific issues, perform  
15 particular acts, or receive and report on evidence only;

16 (2) set the time and place for the hearing;

17 (3) prescribe a closing date for the hearing;

18 (4) provide a date for filing the magistrate's  
19 findings;

20 (5) designate proceedings for more than one case over  
21 which the magistrate shall preside;

22 (6) direct the magistrate to call the court's docket;  
23 and

24 (7) set forth general powers and limitations or  
25 authority of the magistrate applicable to any case referred.

26 Sec. 54.2813. FORFEITURES. Bail bonds and personal bonds  
27 may be forfeited by the criminal law magistrate court or the

1 criminal law magistrate court associate judge in the manner  
2 provided by Chapter 22, Code of Criminal Procedure, and those  
3 forfeitures shall be filed with:

4 (1) the district clerk if associated with a felony  
5 case;

6 (2) the county clerk if associated with a Class A or  
7 Class B misdemeanor case; or

8 (3) the justice court clerk associated with the Class  
9 C misdemeanor case in which the bond was originally filed.

10 Sec. 54.2814. PAPERS TRANSMITTED TO JUDGE. At the  
11 conclusion of the proceedings, a magistrate or the criminal law  
12 magistrate court associate judge shall transmit to the referring  
13 court any papers relating to the case, including the magistrate's  
14 findings, conclusions, orders, recommendations, or other action  
15 taken.

16 Sec. 54.2815. JUDICIAL ACTION. (a) A referring court may  
17 modify, correct, reject, reverse, or recommit for further  
18 information any action taken by the magistrate or the criminal law  
19 magistrate court associate judge.

20 (b) If the referring court does not modify, correct, reject,  
21 reverse, or recommit an action of the magistrate or the criminal law  
22 magistrate court associate judge, the action becomes the decree of  
23 the referring court.

24 Sec. 54.2816. EXCHANGE OF BENCHES. (a) The judges of the  
25 criminal law magistrate court may exchange benches and may sit and  
26 act for each other in any proceeding pending in the criminal law  
27 magistrate court.

1       (b) When conducting a capias pro fine hearing for any court,  
2 the criminal law magistrate court acts in the same capacity and with  
3 the same authority as the judge who issued the capias pro fine.

4       Sec. 54.2817. COURT REPORTER. At the request of a party in  
5 a criminal case, the criminal law magistrate court shall provide a  
6 court reporter to record the proceedings before the magistrate.

7       Sec. 54.2818. WITNESS. (a) A witness who appears before  
8 the criminal law magistrate court and is sworn is subject to the  
9 penalties for perjury provided by law.

10       (b) A referring court may issue attachment against and may  
11 fine or imprison a witness whose failure to appear after being  
12 summoned or whose refusal to answer questions has been certified to  
13 the referring court.

14       Sec. 54.2819. CLERK. (a) The district clerk serves as  
15 clerk of the criminal law magistrate court, except that after a  
16 Class A or Class B misdemeanor is filed in the county court at law  
17 and assigned to the magistrate court, the county clerk serves as  
18 clerk for that misdemeanor case.

19       (b) The district clerk shall establish a docket and keep the  
20 minutes for the cases filed in or transferred to the magistrate  
21 court. The district clerk shall perform any other duties that local  
22 administrative rules require in connection with the implementation  
23 of this subchapter. The local administrative judge shall ensure  
24 that the duties required under this subsection are performed. To  
25 facilitate the duties associated with serving as the clerk of the  
26 magistrate court, the district clerk and the deputies of the  
27 district clerk may serve as deputy county clerks at the discretion

1 of the district clerk.

2 (c) The clerk of the case shall include as part of the record  
3 on appeal a copy of the order and local administrative rule under  
4 which a magistrate court acted.

5 Sec. 54.2820. COSTS. (a) When the district clerk is the  
6 clerk under this subchapter, the district clerk shall charge the  
7 same court costs for cases filed in, transferred to, or assigned to  
8 the criminal law magistrate court that are charged in the district  
9 courts.

10 (b) When the county clerk is the clerk under this  
11 subchapter, the county clerk shall charge the same court costs for  
12 cases filed in, transferred to, or assigned to the magistrate court  
13 that are charged in the county courts.

14 SECTION 4.007. Section 54.651, Government Code, is amended  
15 by adding Subsection (d) to read as follows:

16 (d) A magistrate appointed under this subchapter may not  
17 engage in the private practice of law, as defined by Section 81.101,  
18 in Tarrant County.

19 SECTION 4.008. Section 54.656(a), Government Code, is  
20 amended to read as follows:

21 (a) A judge may refer to a magistrate any criminal case or  
22 matter relating to a criminal case for proceedings involving:

23 (1) a negotiated plea of guilty or nolo contendere [~~no~~  
24 ~~contest~~] and sentencing before the court;

25 (2) a bond forfeiture, remittitur, and related  
26 proceedings;

27 (3) a pretrial motion;

- 1 (4) a writ of habeas corpus;
- 2 (5) an examining trial;
- 3 (6) an occupational driver's license;
- 4 (7) a petition for an order of expunction under
- 5 Chapter 55, Code of Criminal Procedure;
- 6 (8) an asset forfeiture hearing as provided by Chapter
- 7 59, Code of Criminal Procedure;
- 8 (9) a petition for an order of nondisclosure of
- 9 criminal history record information or an order of nondisclosure of
- 10 criminal history record information that does not require a
- 11 petition provided by Subchapter E-1, Chapter 411;
- 12 (10) a motion to modify or revoke community
- 13 supervision or to proceed with an adjudication of guilt;
- 14 (11) setting conditions, modifying, revoking, and
- 15 surrendering of bonds, including surety bonds;
- 16 (12) specialty court proceedings;
- 17 (13) a waiver of extradition; and
- 18 (14) any other matter the referring judge considers
- 19 necessary and proper.

20 SECTION 4.009. Subchapter H, Chapter 54, Government Code,  
21 is amended by adding Section 54.6585 to read as follows:

22 Sec. 54.6585. CLERK. (a) The district clerk serves as  
23 clerk of the cases referred to a magistrate under this subchapter,  
24 except:

- 25 (1) the county clerk serves as clerk for a Class A or  
26 Class B misdemeanor case filed in a county criminal court and  
27 referred to a magistrate; and

1           (2) the originating justice court clerk serves as  
2 clerk for a Class C misdemeanor case filed in a justice court and  
3 referred to a magistrate.

4           (b) The district clerk shall establish a docket and keep the  
5 minutes for the cases referred to a magistrate under this  
6 subchapter. The local administrative judge shall ensure the duties  
7 required under this subsection are performed. To facilitate the  
8 duties associated with serving as the clerk for the cases referred  
9 to a magistrate, the district clerk and deputy district clerks may  
10 serve as deputy county clerks and deputy justice clerks at the  
11 discretion of the district clerk.

12           ARTICLE 5. ASSOCIATE JUDGES AND VISITING JUDGES

13           SECTION 5.001. (a) Sections 201.005(a) and (d), Family  
14 Code, are amended to read as follows:

15           (a) Except as provided by this section, a judge of a court  
16 may refer to an associate judge any aspect of a suit or action,  
17 including any matter ancillary to the suit or action, over which the  
18 court has jurisdiction under:

19           (1) this title;

20           (2) [7] Title 1;

21           (3) [7] Chapter 35, 35A, or 45;

22           (4) [~~7-0x~~] Title 4;

23           (5) Subchapter A, Chapter 7B, Code of Criminal  
24 Procedure; or

25           (6) Chapter 24A, Property Code [~~including any matter~~  
26 ancillary to the suit].

27           (d) The requirements of Subsections (b) and (c) shall apply



1 whenever a judge has authority to refer the trial of a suit or  
2 action described by Subsection (a) [~~under this title, Title 1,~~  
3 ~~Chapter 45, or Title 4~~] to an associate judge, master, or other  
4 assistant judge regardless of whether the assistant judge is  
5 appointed under this subchapter.

6 (b) Sections 201.005(a) and (d), Family Code, as amended by  
7 this section, apply only to a suit or application filed on or after  
8 September 1, 2023. A suit or application filed before September 1,  
9 2023, is governed by the law in effect on the date the suit or  
10 application was filed, and the former law is continued in effect for  
11 that purpose.

12 SECTION 5.002. Section 201.113, Family Code, is amended to  
13 read as follows:

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

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

27 (A) illness;

1           (B) injury;

2           (C) disability;

3           (D) personal emergency;

4           (E) military service;

5           (F) vacation; or

6           (G) attendance at a continuing legal education  
7 program;

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

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

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

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

23           (d) [~~(c)~~] A visiting associate judge assigned [~~appointed~~]  
24 under this section is subject to each provision of this chapter that  
25 applies to an associate judge serving under a regular appointment  
26 under this subchapter. A visiting associate judge assigned  
27 [~~appointed~~] under this section is entitled to compensation to be

1 determined by a majority vote of the presiding judges of the  
2 administrative judicial regions through use of funds under this  
3 subchapter. A visiting associate judge is not considered to be a  
4 state employee for any purpose.

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

8 SECTION 5.003. Section 201.208, Family Code, is amended to  
9 read as follows:

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

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

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

27 (A) illness;

1           (B) injury;

2           (C) disability;

3           (D) personal emergency;

4           (E) military service;

5           (F) vacation; or

6           (G) attendance at a continuing legal education  
7 program;

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

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

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

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

23           (e) [~~(d)~~] A visiting associate judge assigned [appointed]  
24 under this section is subject to each provision of this chapter that  
25 applies to an associate judge serving under a regular appointment  
26 under this subchapter. A visiting associate judge assigned  
27 [appointed] under this section is entitled to compensation, to be

1 determined by a majority vote of the presiding judges of the  
2 administrative judicial regions, through use of funds under this  
3 subchapter. A visiting associate judge is not considered to be a  
4 state employee for any purpose.

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

8 SECTION 5.004. Subchapter C, Chapter 54A, Government Code,  
9 is amended by adding Section 54A.219 to read as follows:

10 Sec. 54A.219. VISITING ASSOCIATE JUDGES. (a) This section  
11 does not limit the authority of the presiding judge of the statutory  
12 probate courts to assign a judge under Section 25.0022 to assist  
13 with processing cases in a reasonable time.

14 (b) The local administrative probate judge or, for a county  
15 without a local administrative probate judge, a statutory probate  
16 court judge of the county in which an associate judge appointed  
17 under this subchapter serves may assign a visiting associate judge  
18 to perform the duties of an associate judge appointed under this  
19 subchapter only if:

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

23 (A) illness;

24 (B) injury;

25 (C) disability;

26 (D) personal emergency;

27 (E) military service;

1                   (F) vacation; or  
2                   (G) attendance at a continuing legal education  
3 program;

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

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

8                   (c) A visiting associate judge assigned under this section  
9 may be assigned to serve during the period an associate judge is  
10 unable to perform the associate judge's duties, during the period  
11 the associate judge needs assistance in managing the judge's  
12 workload, or until another associate judge is appointed to fill a  
13 vacancy in the position of associate judge.

14                   (d) A person is not eligible for assignment under this  
15 section unless the person has served as an associate judge under  
16 this subchapter for at least two years before the date of  
17 assignment.

18                   (e) A visiting associate judge assigned under this section  
19 is subject to each provision of this subchapter that applies to an  
20 associate judge appointed under this subchapter. An assigned  
21 visiting associate judge is entitled to compensation equal to the  
22 salary of the associate judge, prorated for time served. A visiting  
23 associate judge is not considered a county employee for any  
24 purpose.

25                   SECTION 5.005. Subtitle D, Title 2, Government Code, is  
26 amended by adding Chapter 54B to read as follows:

27                   CHAPTER 54B. ASSOCIATE JUDGES IN CERTAIN COUNTIES

1           SUBCHAPTER A. ASSOCIATE JUDGES IN DUVAL COUNTY

2           Sec. 54B.001. APPOINTMENT. The judge of the 229th District  
3 Court, with the approval of the Commissioners Court of Duval  
4 County, may appoint a full-time or a part-time associate judge to  
5 perform the duties authorized by this subchapter.

6           Sec. 54B.002. QUALIFICATIONS. To be eligible for  
7 appointment as an associate judge, a person must:

- 8                   (1) be a resident of this state and Duval County; and  
9                   (2) meet the requirements and qualifications to serve  
10 as a judge of the court to which the person is appointed.

11           Sec. 54B.003. COMPENSATION. (a) An associate judge is  
12 entitled to the compensation set by the Commissioners Court of  
13 Duval County.

14           (b) The salary shall be paid from the county fund available  
15 for payments of officers' salaries.

16           (c) This section does not apply to an associate judge  
17 appointed under Chapter 54A of this code or Section 201.001, Family  
18 Code.

19           Sec. 54B.004. PRIVATE PRACTICE. A part-time associate  
20 judge may engage in the private practice of law, unless restricted  
21 on a finding that it is not in the public interest by the appointing  
22 judge.

23           Sec. 54B.005. TERMINATION OF SERVICES. (a) An associate  
24 judge serves at the will of the judge of the 229th District Court.

25           (b) This section does not apply to an associate judge  
26 appointed under Chapter 54A of this code or Section 201.001, Family  
27 Code.

1       Sec. 54B.006. REFERRAL OF CASE. (a) The appointing judge  
2 may refer to an associate judge any aspect of a civil or criminal  
3 case involving a matter over which the referring court has  
4 jurisdiction in Duval County.

5       (b) After notice to all parties of the time and place of  
6 hearing, an associate judge may preside over any hearing,  
7 including:

8               (1) for a civil case, proceedings involving:

9                       (A) a temporary order in an action or suit for  
10 support by one spouse against another;

11                      (B) a motion or suit to modify a temporary or  
12 final order;

13                      (C) temporary orders in a suit affecting the  
14 parent-child relationship;

15                      (D) an application for a temporary injunction  
16 related to temporary possession or use of property;

17                      (E) habeas corpus, including any hearing  
18 authorized by the Family Code;

19                      (F) a motion to transfer;

20                      (G) a motion of contempt for failure or refusal  
21 to obey a temporary or final order;

22                      (H) an action brought under Chapter 159, Family  
23 Code;

24                      (I) an action for the protection of the family;

25                      (J) a matter on which the parties agree;

26                      (K) a matter in which a party is entitled to a  
27 default judgment;



1           (L) a divorce action in which a waiver of  
2 citation is on file;

3           (M) a friendly suit; and

4           (N) any other matter in the jurisdiction of the  
5 court, including a pretrial motion, discovery, a summary judgment,  
6 and other matters governed by the Texas Rules of Civil Procedure;  
7 and

8           (2) for a criminal case, proceedings involving:

9           (A) a negotiated plea of guilty or nolo  
10 contendere;

11           (B) a bond forfeiture;

12           (C) a pretrial motion;

13           (D) a postconviction writ of habeas corpus;

14           (E) an examining trial; and

15           (F) any other matter that the judge considers  
16 proper.

17           (c) A judge may not refer to an associate judge any criminal  
18 case for trial on the merits in which a jury trial has been  
19 requested.

20           (d) Unless a party files a written objection to the  
21 associate judge hearing the trial, the appointing judge may refer  
22 to an associate judge a trial on the merits. If an objection is  
23 filed, the trial on the merits shall be heard by the referring  
24 court.

25           (e) A trial on the merits is a final adjudication from which  
26 an appeal may be taken to a court of appeals.

27           (f) An associate judge may not conduct a contested trial on

1 the merits to terminate parental rights unless the affected parties  
2 give written consent to the contested trial by the associate judge.  
3 Unless written consent is given by the affected parties to a  
4 contested trial on the merits, any order terminating parental  
5 rights issued pursuant to an associate judge's report resulting  
6 from the contested trial is void.

7 (g) On appointment of an associate judge, any pending or  
8 future cases may be referred to the associate judge.

9 Sec. 54B.007. ORDER OF REFERRAL. (a) To refer cases to an  
10 associate judge, the referring court must issue an order of  
11 referral.

12 (b) The order of referral may limit the power or duties of an  
13 associate judge.

14 Sec. 54B.008. POWERS. Except as limited by an order of  
15 referral, an associate judge may:

- 16 (1) conduct a hearing;
- 17 (2) hear evidence;
- 18 (3) compel production of relevant evidence;
- 19 (4) rule on admissibility of evidence;
- 20 (5) issue summons for the appearance of witnesses;
- 21 (6) examine witnesses;
- 22 (7) swear witnesses for hearings;
- 23 (8) make findings of fact on evidence;
- 24 (9) formulate conclusions of law;
- 25 (10) recommend the judgment to be made in a case;
- 26 (11) regulate all proceedings in a hearing before the  
27 associate judge;

1           (12) rule on all criminal pretrial motions; and

2           (13) perform any act and take any measure necessary  
3 and proper for the efficient performance of the associate judge's  
4 duties.

5           Sec. 54B.009. ATTENDANCE OF BAILIFF. A bailiff shall  
6 attend a hearing held by an associate judge if directed by the  
7 referring court.

8           Sec. 54B.010. WITNESS. (a) A witness appearing before an  
9 associate judge is subject to the penalties for perjury provided by  
10 law.

11           (b) A referring court may issue attachment against and may  
12 fine or imprison a witness whose failure to appear before an  
13 associate judge after being summoned or whose refusal to answer  
14 questions has been certified to the court.

15           Sec. 54B.011. REPORT TRANSMITTED TO COURT; NOTICE. (a) At  
16 the conclusion of any hearing conducted by an associate judge and on  
17 the preparation of an associate judge's report, the associate judge  
18 shall transmit to the referring court:

19                   (1) all papers relating to the case; and

20                   (2) the associate judge's signed and dated report.

21           (b) After the associate judge's report has been signed, the  
22 associate judge shall give notice of the substance of the report to  
23 the parties participating in the hearing.

24           (c) The associate judge's report may contain the associate  
25 judge's findings, conclusions, or recommendations. The associate  
26 judge's report must be in writing in a form as the referring court  
27 may direct. The form may be a notation on the referring court's

1 docket sheet.

2 (d) The notice required under Subsection (b) may be given in  
3 open court or may be given by certified mail, return receipt  
4 requested. If the notice is given by certified mail, the associate  
5 judge shall certify the date of mailing and the notice is considered  
6 to have been given on the third day after the date of mailing.

7 Sec. 54B.012. NOTICE OF RIGHT TO APPEAL. An associate judge  
8 shall give all parties notice of the right of appeal to the judge of  
9 the referring court. The notice may be given:

10 (1) at the hearing;

11 (2) by posting the notice inside or outside the  
12 courtroom of the referring court; or

13 (3) as otherwise directed by the referring court.

14 Sec. 54B.013. EFFECT OF ASSOCIATE JUDGE'S REPORT PENDING  
15 APPEAL. Pending appeal of the associate judge's report to the  
16 referring court, the associate judge's findings, conclusions, and  
17 recommendations are in full force and effect and are enforceable as  
18 an order of the referring court, except for the orders providing for  
19 incarceration or for the appointment of a receiver.

20 Sec. 54B.014. JUDICIAL ACTION ON ASSOCIATE JUDGE'S REPORT.  
21 After the associate judge's report is filed, and unless the parties  
22 have filed a written notice of appeal to the referring court, the  
23 referring court may:

24 (1) adopt, approve, or reject the associate judge's  
25 report;

26 (2) hear further evidence; or

27 (3) recommit the matter for further proceedings as the

1 referring court considers proper and necessary in the particular  
2 circumstances of the case.

3 Sec. 54B.015. DECREE OR ORDER OF COURT. If an appeal to the  
4 referring court is not filed or the right to an appeal to the  
5 referring court is waived, the associate judge's findings,  
6 conclusions, and recommendations become the decree or order of the  
7 referring court only on the referring court's signing a decree or  
8 order conforming to the associate judge's report.

9 Sec. 54B.016. APPEAL TO REFERRING COURT. (a) Any party is  
10 entitled to a hearing by the judge of the referring court if, not  
11 later than three days, computed in the manner provided by Rule 4,  
12 Texas Rules of Civil Procedure, after the date the associate judge  
13 gives the notice required by Section 54B.011, an appeal of the  
14 associate judge's report is filed with the referring court.

15 (b) The first day of the appeal time to the referring courts  
16 begins on the day after the day on which the associate judge gives  
17 the notice required by Section 54B.011.

18 (c) An appeal to the referring court shall be in writing and  
19 must specify the associate judge's findings, conclusions, and  
20 recommendations to which the party objects. The appeal is limited  
21 to the findings, conclusions, and recommendations specified in the  
22 written appeal.

23 (d) On appeal to the referring court, the parties may  
24 present witnesses as in a hearing de novo on the issues raised in  
25 the appeal.

26 (e) Notice of any appeal to the referring court shall be  
27 given to opposing counsel in the manner provided by Rule 21a, Texas

1 Rules of Civil Procedure.

2 (f) If an appeal to the referring court is filed by a party,  
3 any other party may file an appeal to the referring court not later  
4 than the seventh day after the date the initial appeal was filed.

5 (g) The referring court, after notice to the parties, shall  
6 hold a hearing on all appeals not later than the 30th day after the  
7 date on which the initial appeal was filed with the referring court.

8 (h) Before a hearing before an associate judge, the parties  
9 may waive the right of appeal to the referring court. The waiver  
10 may be in writing or on the record.

11 Sec. 54B.017. APPELLATE REVIEW. (a) Failure to appeal to  
12 the referring court, by waiver or otherwise, on the approval by the  
13 referring court of an associate judge's report does not deprive any  
14 party of the right to appeal to or request other relief from a court  
15 of appeals or the supreme court.

16 (b) The date of the signing of an order or judgment by the  
17 referring court is the controlling date for the purposes of an  
18 appeal to or a request for other relief from a court of appeals or  
19 the supreme court.

20 Sec. 54B.018. JURY TRIAL DEMANDED. If a jury trial is  
21 demanded and a jury fee paid in a trial on the merits, the associate  
22 judge shall refer any matters requiring a jury back to the referring  
23 court for a full trial before the court and jury.

24 Sec. 54B.019. INAPPLICABILITY OF SUBCHAPTER TO MASTERS  
25 APPOINTED UNDER RULE 171. Masters appointed by the referring court  
26 under Rule 171, Texas Rules of Civil Procedure, have all the duties  
27 and powers set forth in the order of appointment and are not

1 governed by this subchapter.

2 Sec. 54B.020. IMMUNITY. An associate judge appointed under  
3 this subchapter has the judicial immunity of a district judge.

4 Sec. 54B.021. COURT REPORTER. (a) A court reporter is not  
5 required during a hearing held by an associate judge appointed  
6 under this subchapter.

7 (b) A party, the associate judge, or the referring court may  
8 provide for a court reporter during the hearing. The record may be  
9 preserved by any other means approved by the associate judge.

10 (c) The referring court or associate judge may impose on a  
11 party as costs the expense of preserving the record.

12 SECTION 5.006. Section 602.007, Government Code, is amended  
13 to read as follows:

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

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

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

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

26 ARTICLE 6. PROSECUTING ATTORNEYS

27 SECTION 6.001. Section 41.013, Government Code, is amended

1 to read as follows:

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

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

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

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

18           SECTION 6.002. Section 45.315, Government Code, is amended  
19 to read as follows:

20           Sec. 45.315. STEPHENS COUNTY. (a) The county attorney  
21 shall represent the state in all cases before the County Court of  
22 Stephens County.

23           (b) The county attorney of Stephens County shall represent  
24 the state in all misdemeanor cases before the district court of the  
25 county.

26           SECTION 6.003. Section 46.003, Government Code, is amended  
27 by adding Subsection (a-1) to read as follows:



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

4            (1) a county attorney; or

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

8                            ARTICLE 7. GRAND JURIES

9            SECTION 7.001. Article [19A.052](#), Code of Criminal Procedure,  
10 is amended to read as follows:

11            Art. 19A.052. QUALIFIED PERSONS SUMMONED. On directing the  
12 sheriff or clerk of the district court to summon grand jurors, the  
13 court shall instruct the sheriff or clerk of the district court to  
14 not summon a person to serve as a grand juror who does not possess  
15 the qualifications prescribed by law.

16            SECTION 7.002. Article [19A.053](#), Code of Criminal Procedure,  
17 is amended to read as follows:

18            Art. 19A.053. ADDITIONAL QUALIFIED PERSONS SUMMONED. (a)  
19 If fewer than 16 persons summoned to serve as grand jurors are found  
20 to be in attendance and qualified to serve, the court shall order  
21 the sheriff or clerk of the district court to summon an additional  
22 number of persons considered necessary to constitute a grand jury  
23 of 12 grand jurors and four alternate grand jurors.

24            (b) The sheriff or clerk of the district court shall summon  
25 the additional prospective grand jurors under Subsection (a) in  
26 person to attend before the court immediately.

27            SECTION 7.003. Article [19A.101](#), Code of Criminal Procedure,

1 is amended to read as follows:

2 Art. 19A.101. GRAND JUROR QUALIFICATIONS. (a) A person may  
3 be selected or serve as a grand juror only if the person:

4 (1) is at least 18 years of age;

5 (2) is a citizen of the United States;

6 (3) is a resident of this state and of the county in  
7 which the person is to serve;

8 (4) is qualified under the constitution and other laws  
9 to vote in the county in which the grand jury is sitting, regardless  
10 of whether the person is registered to vote;

11 (5) is of sound mind and good moral character;

12 (6) is able to read and write;

13 (7) has never [~~not~~] been convicted of misdemeanor  
14 theft or a felony;

15 (8) is not under indictment or other legal accusation  
16 for misdemeanor theft or a felony;

17 (9) is not related within the third degree by  
18 consanguinity or second degree by affinity, as determined under  
19 Chapter 573, Government Code, to any person selected to serve or  
20 serving on the same grand jury;

21 (10) has not served as a grand juror in the year before  
22 the date on which the term of court for which the person has been  
23 selected as a grand juror begins; and

24 (11) is not a complainant in any matter to be heard by  
25 the grand jury during the term of court for which the person has  
26 been selected as a grand juror.

27 (b) On the third business day of each month, the clerk of the

1 district court shall prepare a list of persons who in the preceding  
2 month were disqualified from serving as a grand juror based on the  
3 person's citizenship or indictment or conviction for misdemeanor  
4 theft or a felony and send a copy of the list to:

5 (1) the secretary of state; and

6 (2) the prosecuting attorney for the court to which  
7 the grand jurors were summoned for investigation into whether any  
8 person made a false claim concerning the person's qualification  
9 under Subsection (a)(2), (7), or (8).

10 SECTION 7.004. Articles [19A.052](#), [19A.053](#), and [19A.101](#), Code  
11 of Criminal Procedure, as amended by this article, apply only to the  
12 summoning of grand jurors on or after September 1, 2023. The  
13 summoning of grand jurors before September 1, 2023, is governed by  
14 the law in effect immediately before September 1, 2023, and the  
15 former law is continued in effect for that purpose.

16 ARTICLE 8. JURORS AND JURY SERVICE

17 SECTION 8.001. Section [61.001\(a\)](#), Government Code, is  
18 amended to read as follows:

19 (a) Except as provided by Subsection (c), a person who  
20 reports for jury service in response to the process of a court is  
21 entitled to receive as reimbursement for travel and other expenses  
22 an amount:

23 (1) not less than \$20 [~~\$6~~] for the first day or  
24 fraction of the first day the person is in attendance in court in  
25 response to the process and discharges the person's duty for that  
26 day; and

27 (2) not less than \$58 [~~\$40~~] for each day or fraction of

1 each day the person is in attendance in court in response to the  
2 process after the first day and discharges the person's duty for  
3 that day.

4 SECTION 8.002. Section 61.0015(a), Government Code, is  
5 amended to read as follows:

6 (a) The state shall reimburse a county:

7 (1) \$14 a day for the reimbursement paid under Section  
8 61.001(a)(1) to a person who reports for jury service in response to  
9 the process of a court for the first day or fraction of the first day  
10 in attendance in court in response to the process; and

11 (2) \$52 [~~\$34~~] a day for the reimbursement paid under  
12 Section 61.001(a)(2) [~~61.001~~] to a person who reports for jury  
13 service in response to the process of a court for each day or  
14 fraction of each day after the first day in attendance in court in  
15 response to the process.

16 SECTION 8.003. Sections 61.003(a) and (b), Government Code,  
17 are amended to read as follows:

18 (a) Each [~~After jury service is concluded, each~~] person who  
19 reports [~~reported~~] for jury service shall be [~~personally~~] provided  
20 the opportunity, either through a written form or electronically,  
21 to direct [~~a form letter that when signed by the person directs~~] the  
22 county treasurer or a designated county employee to donate all,  
23 [~~or~~] a specific amount designated by the person, or the entire  
24 amount divided among the funds, programs, and county entities  
25 listed in this subsection of the person's daily reimbursement under  
26 this chapter to:

27 (1) the compensation to victims of crime fund

1 established under Subchapter J, Chapter 56B, Code of Criminal  
2 Procedure;

3 (2) the child welfare, child protective services, or  
4 child services board of the county appointed under Section 264.005,  
5 Family Code, that serves abused and neglected children;

6 (3) any program selected by the commissioners court  
7 that is operated by a public or private nonprofit organization and  
8 that provides shelter and services to victims of family violence;

9 (4) any other program approved by the commissioners  
10 court of the county, including a program established under Article  
11 56A.205, Code of Criminal Procedure, that offers psychological  
12 counseling in criminal cases involving graphic evidence or  
13 testimony;

14 (5) a veterans treatment court program established by  
15 the commissioners court as provided by Chapter 124; or

16 (6) a veterans county service office established by  
17 the commissioners court as provided by Subchapter B, Chapter 434.

18 (b) The county treasurer or a designated county employee  
19 shall collect any information provided under Subsection (a) [~~each~~  
20 ~~form—letter~~] directing the county treasurer to donate the  
21 reimbursement of a person who reports for jury service.

22 SECTION 8.004. Sections 62.001(a) and (b), Government Code,  
23 are amended to read as follows:

24 (a) The jury wheel must be reconstituted by using, as the  
25 source:

26 (1) the names of all persons on the current voter  
27 registration lists from all the precincts in the county; and

1           (2) all names on a current list to be furnished by the  
2 Department of Public Safety, showing the citizens of the county  
3 who:

4                   (A) hold a valid Texas driver's license or a  
5 valid personal identification card or certificate issued by the  
6 department; and

7                   (B) are not disqualified from jury service under  
8 Section [62.102](#)(1), (2), or (8) [~~(7)~~].

9           (b) Notwithstanding Subsection (a), the names of persons  
10 listed on a register of persons exempt from jury service may not be  
11 placed in the jury wheel, as provided by Sections [62.108](#), ~~[and]~~  
12 [62.109](#), [62.113](#), [62.114](#), and [62.115](#).

13           SECTION 8.005. Section [62.0111](#)(b), Government Code, is  
14 amended to read as follows:

15           (b) A plan adopted under Subsection (a) may allow for a  
16 prospective juror to provide information to the county officer  
17 responsible for summoning jurors or for the county officer to  
18 provide information to the prospective juror by computer or  
19 automated telephone system, including:

20                   (1) information that permits the court to determine  
21 whether the prospective juror is qualified for jury service under  
22 Section [62.102](#);

23                   (2) information that permits the court to determine  
24 whether the prospective juror is exempt from jury service under  
25 Section [62.106](#);

26                   (3) submission of a request by the prospective juror  
27 for a postponement of or excuse from jury service under Section

1 62.110;

2 (4) information for jury assignment under Section  
3 62.016, including:

4 (A) the prospective juror's postponement status;

5 (B) if the prospective juror could potentially  
6 serve on a jury in a justice court, the residency of the prospective  
7 juror; and

8 (C) if the prospective juror could potentially  
9 serve on a jury in a criminal matter, whether the prospective juror  
10 has been convicted of misdemeanor theft;

11 (5) completion and submission by the prospective juror  
12 of the written juror [~~jury summons~~] questionnaire under Section  
13 62.0132;

14 (6) the prospective juror's electronic mail address;  
15 and

16 (7) notification to the prospective juror by  
17 electronic mail of:

18 (A) whether the prospective juror is qualified  
19 for jury service;

20 (B) the status of the exemption, postponement, or  
21 judicial excuse request of the prospective juror; or

22 (C) whether the prospective juror has been  
23 assigned to a jury panel.

24 SECTION 8.006. Section 62.012(b), Government Code, is  
25 amended to read as follows:

26 (b) On receiving the notice from the judge, the clerk shall  
27 immediately write on the jury list the date that the prospective

1 jurors are to be summoned to appear and shall either:

2 (1) summon the prospective jurors directly in the same  
3 manner a sheriff or constable would summon a juror under Section  
4 62.013; or

5 (2) deliver the jury list to:

6 (A) [~~(1)~~] the sheriff, for a county or district  
7 court jury; or

8 (B) [~~(2)~~] the sheriff or constable, for a justice  
9 court jury.

10 SECTION 8.007. The heading to Section 62.013, Government  
11 Code, is amended to read as follows:

12 Sec. 62.013. SUMMONS FOR JURY SERVICE BY CLERK, SHERIFF, OR  
13 CONSTABLE.

14 SECTION 8.008. Sections 62.013(a) and (b), Government Code,  
15 are amended to read as follows:

16 (a) Except as provided by Section 62.014, the clerk,  
17 sheriff, or constable, on receipt of a jury list from a county or  
18 district clerk, shall immediately notify the persons whose names  
19 are on the list to appear for jury service on the date designated by  
20 the judge.

21 (b) The clerk, sheriff, or constable shall notify each  
22 prospective juror to appear for jury service:

23 (1) by an oral summons; or

24 (2) if the judge ordering the summons so directs, by a  
25 written summons sent by registered mail or certified mail, return  
26 receipt requested, or by first class mail to the address on the jury  
27 wheel card or the address on the current voter registration list of



1 the county.

2 SECTION 8.009. Sections 62.0131(b) and (c), Government  
3 Code, are amended to read as follows:

4 (b) The model must include:

5 (1) the option to provide:

6 (A) the exemptions and restrictions governing  
7 jury service under Subchapter B; or

8 (B) the electronic address of the court's  
9 Internet website on which is posted the exemptions and restrictions  
10 governing jury service under Subchapter B; ~~and~~

11 (2) the information under Chapter 122, Civil Practice  
12 and Remedies Code, relating to the duties of an employer with regard  
13 to an employee who is summoned for jury service;

14 (3) notice of the contempt action to which the person  
15 summoned for jury service is subject under Section 62.0141 for  
16 failure to comply with the jury summons; and

17 (4) the option to:

18 (A) include in the jury summons the juror  
19 questionnaire required by Section 62.0132;

20 (B) provide the electronic address of the court's  
21 Internet website from which the juror questionnaire may be easily  
22 printed; or

23 (C) in counties in which the district and  
24 criminal district judges adopted a plan for an electronic jury  
25 selection method under Section 62.011, provide the electronic  
26 address of the court's Internet website for the prospective juror  
27 to access and complete the juror questionnaire.

1 (c) A written jury summons must conform with the model  
2 established under this section and must be 3-1/2 by 5 inches or  
3 larger in size.

4 SECTION 8.010. The heading to Section 62.0132, Government  
5 Code, is amended to read as follows:

6 Sec. 62.0132. JUROR [~~WRITTEN JURY SUMMONS~~] QUESTIONNAIRE.

7 SECTION 8.011. Sections 62.0132(c) and (d), Government  
8 Code, are amended to read as follows:

9 (c) The questionnaire must require a person to provide  
10 biographical and demographic information that is relevant to  
11 service as a jury member, including the person's:

- 12 (1) name, sex, race, and age;
- 13 (2) residence address and mailing address;
- 14 (3) education level, occupation, and place of  
15 employment;
- 16 (4) marital status and the name, occupation, and place  
17 of employment of the person's spouse; [~~and~~]
- 18 (5) citizenship status and county of residence; and
- 19 (6) any electronic address.

20 (d) Except as provided by this subsection, a person who has  
21 received a [~~written~~] jury summons shall complete and submit a juror  
22 [~~jury summons~~] questionnaire when the person reports for jury duty.  
23 If the district and criminal district judges of a county adopt a  
24 plan for an electronic jury selection method under Section 62.011,  
25 the county may allow a person to complete and submit a juror [~~jury~~  
26 ~~summons~~] questionnaire on the court's Internet website as  
27 authorized under Section 62.0111(b)(5).

1 SECTION 8.012. The heading to Section 62.014, Government  
2 Code, is amended to read as follows:

3 Sec. 62.014. SUMMONS FOR JURY SERVICE BY CLERKS, SHERIFFS,  
4 OR BAILIFFS.

5 SECTION 8.013. Section 62.014(a), Government Code, is  
6 amended to read as follows:

7 (a) In a county with at least nine district courts, the  
8 district judges may direct that prospective jurors be summoned for  
9 jury service by the clerk, the sheriff, or [~~by~~] a bailiff, or an  
10 assistant or deputy bailiff, in charge of the central jury room and  
11 the general panel of the county.

12 SECTION 8.014. Section 62.0145, Government Code, is amended  
13 to read as follows:

14 Sec. 62.0145. REMOVAL OF CERTAIN PERSONS FROM POOL OF  
15 PROSPECTIVE JURORS. Except as provided by Section 62.0146, if a  
16 written summons for jury service sent by a clerk, sheriff,  
17 constable, or bailiff is undeliverable, the county or district  
18 clerk may remove from the jury wheel the jury wheel card for the  
19 person summoned or the district clerk, or in a county with a  
20 population of at least 1.7 million and in which more than 75 percent  
21 of the population resides in a single municipality, a bailiff  
22 appointed as provided under Section 62.019, may remove the person's  
23 name from the record of names for selection of persons for jury  
24 service under Section 62.011.

25 SECTION 8.015. Section 62.0146, Government Code, is amended  
26 to read as follows:

27 Sec. 62.0146. UPDATING ADDRESSES OF CERTAIN PERSONS IN POOL

1 OF PROSPECTIVE JURORS. If a written summons for jury service sent  
2 by a clerk, sheriff, constable, or bailiff is returned with a  
3 notation from the United States Postal Service of a change of  
4 address for the person summoned, the county or district clerk may  
5 update the jury wheel card to reflect the person's new address.

6 SECTION 8.016. Section 62.015(b), Government Code, is  
7 amended to read as follows:

8 (b) If the court at any time does not have a sufficient  
9 number of prospective jurors present whose names are on the jury  
10 lists and who are not excused by the judge from jury service, the  
11 judge shall order the clerk, sheriff, or constable to summon  
12 additional prospective jurors to provide the requisite number of  
13 jurors for the panel. The names of additional jurors to be summoned  
14 by the clerk, sheriff, or constable to fill a jury panel shall be  
15 drawn from the jury wheel under orders of the judge. Additional  
16 jurors summoned to fill a jury panel shall be discharged when their  
17 services are no longer required.

18 SECTION 8.017. Section 62.016(d), Government Code, is  
19 amended to read as follows:

20 (d) The clerk or sheriff shall notify the persons whose  
21 names are drawn from the jury wheel to appear before the designated  
22 judge for jury service. The judge shall hear the excuses of the  
23 prospective jurors and swear them in for jury service for the week  
24 for which they are to serve as jurors.

25 SECTION 8.018. Section 62.017(d), Government Code, is  
26 amended to read as follows:

27 (d) The clerk or sheriff shall notify the persons whose

1 names are drawn from the jury wheel to appear before the designated  
2 judge for jury service. The judge shall hear the excuses of the  
3 prospective jurors and swear them in for jury service for the week  
4 for which they are to serve as jurors.

5 SECTION 8.019. Section 62.0175(d), Government Code, is  
6 amended to read as follows:

7 (d) The clerk or sheriff shall notify the persons whose  
8 names are drawn from the jury wheel to appear before the district  
9 judge for jury service. The judge shall hear the excuses of the  
10 prospective jurors and swear them in for jury service for the week  
11 for which they are to serve as jurors.

12 SECTION 8.020. Section 62.106(a), Government Code, is  
13 amended to read as follows:

14 (a) A person qualified to serve as a petit juror may  
15 establish an exemption from jury service if the person:

16 (1) is over 75 [~~70~~] years of age;

17 (2) has legal custody of a child younger than 12 years  
18 of age and the person's service on the jury requires leaving the  
19 child without adequate supervision;

20 (3) is a student of a public or private secondary  
21 school;

22 (4) is a person enrolled and in actual attendance at an  
23 institution of higher education;

24 (5) is an officer or an employee of the senate, the  
25 house of representatives, or any department, commission, board,  
26 office, or other agency in the legislative branch of state  
27 government;

1           (6) is summoned for service in a county with a  
2 population of at least 200,000, unless that county uses a jury plan  
3 under Section 62.011 and the period authorized under Section  
4 62.011(b)(5) exceeds two years, and the person has served as a petit  
5 juror in the county during the 24-month period preceding the date  
6 the person is to appear for jury service;

7           (7) is the primary caretaker of a person who is unable  
8 to care for himself or herself;

9           (8) except as provided by Subsection (b), is summoned  
10 for service in a county with a population of at least 250,000 and  
11 the person has served as a petit juror in the county during the  
12 three-year period preceding the date the person is to appear for  
13 jury service; or

14           (9) is a member of the United States military forces  
15 serving on active duty and deployed to a location away from the  
16 person's home station and out of the person's county of residence.

17           SECTION 8.021. Section 62.107(c), Government Code, is  
18 amended to read as follows:

19           (c) A person who files a statement with a clerk of the court,  
20 as provided by Subsection (a), claiming an exemption because the  
21 person is over 75 [~~70~~] years of age, may also claim the permanent  
22 exemption on that ground authorized by Section 62.108 by including  
23 in the statement filed with the clerk a declaration that the person  
24 desires the permanent exemption. Promptly after a statement  
25 claiming a permanent exemption on the basis of age is filed, the  
26 clerk of the court with whom it is filed shall have a copy delivered  
27 to the voter registrar of the county.

1 SECTION 8.022. Sections 62.108(a), (b), (c), and (e),  
2 Government Code, are amended to read as follows:

3 (a) A person who is entitled to exemption from jury service  
4 because the person is over 75 [~~70~~] years of age may establish a  
5 permanent exemption on that ground as provided by this section or  
6 Section 62.107.

7 (b) A person may claim a permanent exemption:

8 (1) by filing with the voter registrar of the county,  
9 by mail or personal delivery, a signed statement affirming that the  
10 person is over 75 [~~70~~] years of age and desires a permanent  
11 exemption on that ground; or

12 (2) in the manner provided by Section 62.107(c).

13 (c) The voter registrar of the county shall maintain a  
14 current register indicating the name of each person who has claimed  
15 and is entitled to a permanent exemption from jury service because  
16 the person is over 75 [~~70~~] years of age.

17 (e) A person who has claimed a permanent exemption from jury  
18 service because the person is over 75 [~~70~~] years of age may rescind  
19 the exemption at any time by filing a signed request for the  
20 rescission with the voter registrar of the county. Rescission of a  
21 permanent exemption does not affect the right of a person who is  
22 over 75 [~~70~~] years of age to claim permanent exemption at a later  
23 time.

24 SECTION 8.023. Section 62.109(c), Government Code, is  
25 amended to read as follows:

26 (c) The clerk of the district court shall promptly notify  
27 the voter registrar of the county of the name and address of each

1 person permanently exempted [~~and state whether the exemption is~~  
2 ~~permanent or for a specified period~~]. The voter registrar shall  
3 maintain a current register showing [~~separately~~] the name and  
4 address of each person permanently exempt from jury service under  
5 this section [~~and the name and address of each person exempt from~~  
6 ~~jury service under this section for a specified period~~].

7 SECTION 8.024. Subchapter B, Chapter 62, Government Code,  
8 is amended by adding Section 62.115 to read as follows:

9 Sec. 62.115. COMPILATION OF LIST OF CONVICTED PERSONS. (a)  
10 The clerk of the court shall maintain a list of the name and address  
11 of each person who is disqualified under this subchapter from jury  
12 service because the person was convicted of misdemeanor theft or a  
13 felony.

14 (b) A person who was convicted of misdemeanor theft or a  
15 felony shall be permanently disqualified from serving as a juror. A  
16 person is exempt from this section if the person:

17 (1) was placed on deferred adjudication and received a  
18 dismissal and discharge in accordance with Article 42A.111, Code of  
19 Criminal Procedure;

20 (2) was placed on community supervision and the period  
21 of community supervision was terminated early under Article  
22 42A.701, Code of Criminal Procedure; or

23 (3) was pardoned or has had the person's civil rights  
24 restored.

25 (c) The district clerk may remove from the jury wheel the  
26 jury wheel card for the person whose name appears on the list.

27 (d) On the third business day of each month, the clerk shall



1 send to the secretary of state a copy of the list of persons  
2 disqualified because of a conviction of misdemeanor theft or a  
3 felony in the preceding month.

4 SECTION 8.025. Section 62.411(a), Government Code, is  
5 amended to read as follows:

6 (a) In addition to other methods of jury selection provided  
7 by this chapter, a justice of the peace may issue a writ commanding  
8 the clerk, sheriff, or constable to immediately summon a venire  
9 from which six qualified persons may be selected for jury service  
10 if:

11 (1) a jury case is pending for trial at a term of  
12 justice court; or

13 (2) the court does not have a sufficient number of  
14 prospective jurors present whose names are on the jury list and who  
15 are not excused from jury service.

16 SECTION 8.026. Section 62.412(c), Government Code, is  
17 amended to read as follows:

18 (c) A justice of the peace may command the clerk, sheriff,  
19 or constable to immediately summon additional persons for jury  
20 service in the justice court if the number of qualified jurors,  
21 including persons summoned under Section 62.016, is less than the  
22 number necessary for the justice court to conduct its proceedings.

23 SECTION 8.027. Sections 62.0111(c) and 62.0132(b),  
24 Government Code, are repealed.

25 SECTION 8.028. Sections 62.106(a), 62.107(c), and  
26 62.108(a), (b), (c), and (e), Government Code, as amended by this  
27 article, apply only to an exemption from jury service for a person

1 who is summoned to appear for service on or after September 1, 2023.  
2 An exemption from jury service for a person who is summoned to  
3 appear for service before September 1, 2023, is covered by the law  
4 in effect when the person was summoned, and that law is continued in  
5 effect for that purpose.

6 ARTICLE 9. COURT REPORTERS AND INTERPRETERS

7 SECTION 9.001. Section 52.041, Government Code, is amended  
8 to read as follows:

9 Sec. 52.041. APPOINTMENT OF OFFICIAL COURT REPORTER. (a)  
10 Each judge of a court of record shall appoint an official court  
11 reporter. An official court reporter is a sworn officer of the  
12 court and holds office at the pleasure of the court.

13 (b) The judges of two or more courts of record that are not  
14 located in the same judicial district on agreement may jointly  
15 appoint an official court reporter to serve the courts, provided  
16 each court is located in a county with a population of 125,000 or  
17 less according to the 2020 federal decennial census.

18 (c) Notwithstanding any other law, two or more judges of  
19 courts of record may appoint a certified shorthand reporter to  
20 serve each court as an official court reporter of the court,  
21 provided each court is located in a county with a population of  
22 125,000 or less according to the 2020 federal decennial census. A  
23 certified shorthand reporter appointed under this subsection may  
24 serve as an official court reporter for more than one county and be  
25 an employee of more than one county.

26 (d) An official court reporter may remotely serve any court  
27 to which the official court reporter is appointed.

1 SECTION 9.002. Section 52.042, Government Code, is amended  
2 by adding Subsection (e) to read as follows:

3 (e) A deputy court reporter may remotely serve any court to  
4 which the official court reporter is appointed.

5 SECTION 9.003. Section 52.055(d), Government Code, is  
6 amended to read as follows:

7 (d) The expenses reimbursed under this section are subject  
8 to annual limitations based on the size of the judicial district.  
9 Except as provided by Subsection (d-1), a court reporter may not  
10 receive more than the maximum reimbursement amount set for the  
11 reporter's judicial district in any one year. The maximum  
12 reimbursement amount is as follows:

13 (1) if the judicial district contains two counties,  
14 the maximum reimbursement amount is \$400 or a greater amount set by  
15 the commissioners court of the county for which the expenses were  
16 incurred;

17 (2) if the judicial district contains three counties,  
18 the maximum reimbursement amount is \$800 or a greater amount set by  
19 the commissioners court of the county for which the expenses were  
20 incurred;

21 (3) if the judicial district contains four counties,  
22 the maximum reimbursement amount is \$1,400 or a greater amount set  
23 by the commissioners court of the county for which the expenses were  
24 incurred; and

25 (4) if the judicial district contains five or more  
26 counties, the maximum reimbursement amount is \$2,000 or a greater  
27 amount set by the commissioners court of the county for which the

1 expenses were incurred.

2 SECTION 9.004. Section 52.056(a), Government Code, is  
3 amended to read as follows:

4 (a) An official or deputy court reporter of a judicial  
5 district who is required to leave the county of the reporter's [his]  
6 residence to report proceedings as a substitute for the official  
7 court reporter of another county is entitled to reimbursement for  
8 actual and necessary travel expenses and a per diem allowance of \$30  
9 or the amount provided by the travel per diem policy of the county  
10 for which the expenses were incurred, whichever is greater, for  
11 each day or part of a day spent outside the reporter's [his] county  
12 of residence in the performance of duties as a substitute. These  
13 fees are in addition to the visiting reporter's regular salary.

14 SECTION 9.005. Section 52.058(b), Government Code, is  
15 amended to read as follows:

16 (b) Travel expenses reimbursed under this section may not  
17 exceed the mileage reimbursement rate established by the county [25  
18 cents per mile] for the use of private conveyances, traveling the  
19 shortest practical route.

20 SECTION 9.006. Sections 57.001(1) and (9), Government Code,  
21 are amended to read as follows:

22 (1) "Certified court interpreter" means an individual  
23 who is a qualified interpreter as defined in Article 38.31, Code of  
24 Criminal Procedure, or Section 21.003, Civil Practice and Remedies  
25 Code, or is qualified in accordance with the communication access  
26 realtime translation services eligibility requirements established  
27 by the Office of Deaf and Hard of Hearing Services of the Health and

1 Human Services Commission, [~~certified under Subchapter B by the~~  
2 ~~Department of Assistive and Rehabilitative Services~~] to interpret  
3 court proceedings for a hearing-impaired individual.

4 (9) "Certified CART provider" means an individual who  
5 holds a certification to provide communication access realtime  
6 translation services at an advanced or master level, including:

7 (A) a level I through level V certificate of  
8 competency issued by the Texas Court Reporters Association;

9 (B) a certified realtime reporter, certified  
10 realtime captioner, or other equivalent certified CART provider  
11 certificate of competency issued by the National Court Reporters  
12 Association; or

13 (C) a certificate of competency issued by another  
14 certification association selected by the department.

15 SECTION 9.007. (a) Section 154.051, Government Code, is  
16 amended by amending Subsection (a) and adding Subsection (f-1) to  
17 read as follows:

18 (a) The Court Reporters Certification Advisory Board is  
19 established as an advisory board to the commission. The advisory  
20 board is composed of at least nine [~~seven~~] members appointed by the  
21 supreme court as follows:

22 (1) one active district judge presiding over a court  
23 that employs an official court reporter;

24 (2) one active attorney licensed in this state who has  
25 been a practicing member of the State Bar for more than the five  
26 years immediately preceding the attorney's appointment to the  
27 advisory board;

1           (3) two certified shorthand [~~active official court~~]  
2 reporters actively engaged in the practice of official court [~~who~~  
3 ~~have practiced shorthand~~] reporting in this state for more than the  
4 five years immediately preceding their appointment to the advisory  
5 board;

6           (4) two [~~active~~] certified shorthand reporters  
7 actively engaged in the practice of [~~who work on a freelance basis~~  
8 ~~and who have practiced~~] shorthand reporting on a freelance basis  
9 for more than the five years immediately preceding their  
10 appointment to the advisory board; [~~and~~]

11           (5) one certified shorthand reporter actively engaged  
12 in practice as a captioner in this state for more than the five  
13 years immediately preceding the captioner's appointment to the  
14 advisory board; and

15           (6) two certified shorthand reporters who:

16                   (A) own a shorthand reporting firm in this state;  
17 and

18                   (B) have owned and [~~one representative of a~~  
19 ~~shorthand reporting firm that has~~] operated [~~as~~] a shorthand  
20 reporting firm in this state for more than the five [~~three~~] years  
21 immediately preceding their [~~the representative's~~] appointment to  
22 the advisory board.

23           (f-1) Not later than the 90th day before the expiration of  
24 an advisory board member's term, the commission:

25                   (1) shall post on the commission's Internet website  
26 notice of the availability of the membership position;

27                   (2) shall accept resumes from and conduct interviews

1 of any qualified individuals interested in appointment to the  
2 position; and

3 (3) may recommend to the supreme court one or more of  
4 the qualified individuals for appointment to the advisory board.

5 (b) As soon as practicable after the effective date of this  
6 Act, the Texas Supreme Court shall appoint two additional members  
7 of the Court Reporters Certification Advisory Board in accordance  
8 with Section 154.051(a), Government Code, as amended by this  
9 article.

10 (c) Section 154.051, Government Code, as amended by this  
11 article, modifying the qualifications of members of the Court  
12 Reporters Certification Advisory Board does not affect the  
13 entitlement of a member serving on the advisory board immediately  
14 before September 1, 2023, to continue to carry out the member's  
15 functions for the remainder of the member's term. Section 154.051,  
16 Government Code, as amended by this article, applies only to a  
17 member appointed or reappointed on or after September 1, 2023. This  
18 article does not prohibit a person who is a member of the advisory  
19 board before that date from being reappointed to the advisory board  
20 if the person has the qualifications required for membership under  
21 Section 154.051, Government Code, as amended by this article.

22 SECTION 9.008. Sections 154.105(b), (c), and (d),  
23 Government Code, are amended to read as follows:

24 (b) A certified shorthand reporter may administer oaths to  
25 witnesses[+]

26 [~~(1) anywhere in this state,~~

27 [~~(2) in a jurisdiction outside this state if:~~

1                   ~~[(A) the reporter is at the same location as the~~  
2 ~~witness; and~~

3                   ~~[(B) the witness is or may be a witness in a case~~  
4 ~~filed in this state; and~~

5                   ~~[(3) at any location authorized in a reciprocity~~  
6 ~~agreement between this state and another jurisdiction under Section~~  
7 ~~152.202(b).~~

8                   ~~[(c) Notwithstanding Subsection (b), a shorthand reporter~~  
9 ~~may administer an oath as provided under this subsection to a person~~  
10 ~~who is or may be a witness in a case filed in this state] without~~  
11 ~~being at the same location as the witness[+~~

12                   ~~[(1) if the reporter is physically located in this~~  
13 ~~state at the time the oath is administered; or~~

14                   ~~[(2) as authorized in a reciprocity agreement between~~  
15 ~~this state and another jurisdiction under Section 152.202(b) if:~~

16                   ~~[(A) the witness is at a location in the other~~  
17 ~~jurisdiction; and~~

18                   ~~[(B) the reporter is at a location in the same~~  
19 ~~jurisdiction as the witness].~~

20                   (c) ~~[(d)]~~ The identity of a witness who is not in the  
21 physical presence of a certified shorthand reporter may be proven  
22 by:

23                   (1) a statement under oath on the record by a party to  
24 the case stating that the party has actual knowledge of the  
25 witness's identity;

26                   (2) a statement on the record by an attorney for a  
27 party to the case, or an attorney for the witness, verifying the



1 witness's identity;

2 (3) a statement on the record by a notary who is in the  
3 presence of the witness verifying the witness's identity; or

4 (4) the witness's presentation for inspection by the  
5 court reporter of an official document issued by this state,  
6 another state, a federal agency, or another jurisdiction that  
7 verifies the witness's identity.

8 SECTION 9.009. The heading to Section 154.112, Government  
9 Code, is amended to read as follows:

10 Sec. 154.112. EMPLOYMENT OF NONCERTIFIED PERSON FOR  
11 SHORTHAND REPORTING; CIVIL PENALTY.

12 SECTION 9.010. Section 154.112, Government Code, is amended  
13 by amending Subsection (b) and adding Subsections (d), (e), (f),  
14 (g), and (h) to read as follows:

15 (b) A person who is not certified as a court reporter may  
16 engage in shorthand reporting to report an oral deposition only if:

17 (1) the uncertified person delivers an affidavit to  
18 the parties or to their counsel before [~~present at~~] the deposition  
19 begins stating that a certified shorthand reporter is not  
20 available; or

21 (2) the parties or their counsel stipulate on the  
22 record at the beginning of the deposition that a certified  
23 shorthand reporter is not available.

24 (d) The person shall file the affidavit described by  
25 Subsection (b)(1) with the court as part of the certification  
26 required by Rule 203.2, Texas Rules of Civil Procedure.

27 (e) In addition to any other remedy authorized by law, the

1 commission may:

2 (1) collect a civil penalty in an amount not to exceed  
3 \$1,000 from a person who fails to comply with Subsection (b)(1) or  
4 (d); and

5 (2) seek injunctive relief for a second or subsequent  
6 violation of Subsection (b)(1) or (d) to prohibit the person from  
7 engaging in shorthand reporting unless the person is certified as a  
8 court reporter under this chapter.

9 (f) The commission shall collect a civil penalty assessed  
10 under Subsection (e)(1) following the same procedures the  
11 commission uses in taking disciplinary action against a certified  
12 court reporter for violating the laws and rules applicable to the  
13 reporter.

14 (g) The attorney general, a county or district attorney  
15 whose jurisdiction includes the location at which a deposition is  
16 taken, or legal counsel the commission designates may represent the  
17 commission for purposes of collecting the civil penalty or  
18 obtaining the injunctive relief.

19 (h) In an action authorized by this section, the commission  
20 may obtain reasonable attorney's fees, expenses, and costs incurred  
21 in obtaining the civil penalty or injunctive relief.

22 SECTION 9.011. Section 154.105(e), Government Code, is  
23 repealed.

24 SECTION 9.012. As soon as practicable after the effective  
25 date of this Act, the Texas Supreme Court shall revise the Texas  
26 Rules of Civil Procedure as the court determines necessary to  
27 conform to the changes in law made by this Act to Section 154.112,

1 Government Code.

2 ARTICLE 10. DEPOSITION, TRANSCRIPTION, AND INTERPRETATION  
3 SERVICES

4 SECTION 10.001. The heading to Section 20.001, Civil  
5 Practice and Remedies Code, is amended to read as follows:

6 Sec. 20.001. PERSONS WHO MAY TAKE A DEPOSITION ON WRITTEN  
7 QUESTIONS.

8 SECTION 10.002. Sections 20.001(b), (c), and (d), Civil  
9 Practice and Remedies Code, are amended to read as follows:

10 (b) A deposition on written questions of a witness who is  
11 alleged to reside or to be outside this state, but inside the United  
12 States, may be taken in another state by:

- 13 (1) a clerk of a court of record having a seal;  
14 (2) a commissioner of deeds appointed under the laws  
15 of this state; or  
16 (3) any notary public.

17 (c) A deposition on written questions of a witness who is  
18 alleged to reside or to be outside the United States may be taken  
19 by:

- 20 (1) a minister, commissioner, or charge d'affaires of  
21 the United States who is a resident of and is accredited in the  
22 country where the deposition is taken;  
23 (2) a consul general, consul, vice-consul, commercial  
24 agent, vice-commercial agent, deputy consul, or consular agent of  
25 the United States who is a resident of the country where the  
26 deposition is taken; or  
27 (3) any notary public.

1 (d) A deposition on written questions of a witness who is  
2 alleged to be a member of the United States Armed Forces or of a  
3 United States Armed Forces Auxiliary or who is alleged to be a  
4 civilian employed by or accompanying the armed forces or an  
5 auxiliary outside the United States may be taken by a commissioned  
6 officer in the United States Armed Forces or United States Armed  
7 Forces Auxiliary or by a commissioned officer in the United States  
8 Armed Forces Reserve or an auxiliary of it. If a deposition on  
9 written questions appears on its face to have been taken as provided  
10 by this subsection and the deposition or any part of it is offered  
11 in evidence, it is presumed, absent pleading and proof to the  
12 contrary, that the person taking the deposition as a commissioned  
13 officer was a commissioned officer on the date that the deposition  
14 was taken, and that the deponent was a member of the authorized  
15 group of military personnel or civilians.

16 SECTION 10.003. Section 51.601, Government Code, is amended  
17 to read as follows:

18 Sec. 51.601. COURT REPORTER SERVICE FUND. (a) [~~(c)~~] The  
19 commissioners court of the county shall administer the court  
20 reporter service fund to assist in the payment of  
21 court-reporter-related services, that may include maintaining an  
22 adequate number of court reporters to provide services to the  
23 courts, obtaining court reporter transcription services,  
24 closed-caption transcription machines, Braille transcription  
25 services, or other transcription services, including a court  
26 reporter's preparation of an appellate record under the Texas Rules  
27 of Appellate Procedure and Rule 145, Texas Rules of Civil

1 Procedure, to comply with state or federal laws, or providing any  
2 other service related to the functions of a court reporter.

3 (b) [~~(d)~~] The commissioners court shall, in administering  
4 the court reporter service fund, assist any court in which a case is  
5 filed that requires the payment of the court reporter service fee.

6 SECTION 10.004. Sections 52.047(c), (e), and (g),  
7 Government Code, are amended to read as follows:

8 (c) On payment of the fee or as provided by the [~~Rule~~  
9 ~~40(a)(3) or 53(j)~~], Texas Rules of Appellate Procedure, the person  
10 requesting the transcript is entitled to the original and one copy  
11 of the transcript. The person may purchase additional copies for a  
12 fee per page that does not exceed one-third of the original cost per  
13 page.

14 (e) If an objection is made to the amount of these  
15 additional fees, the judge shall set a reasonable fee. If the  
16 person applying for the transcript is entitled to a transcript  
17 without charge under the [~~Rule 40(a)(3) or 53(j)~~], Texas Rules of  
18 Appellate Procedure, the court reporter may not charge any  
19 additional fees under Subsection (d).

20 (g) Notwithstanding the [~~Rule 53(j)~~], Texas Rules of  
21 Appellate Procedure, an official court reporter who is required to  
22 prepare a transcript in a criminal case without charging a fee is  
23 not entitled to payment for the transcript from the state or county  
24 if the county paid a substitute court reporter to perform the  
25 official court reporter's regular duties while the transcript was  
26 being prepared. To the extent that this subsection conflicts with  
27 the Texas Rules of Appellate Procedure, this subsection controls.

1 Notwithstanding Sections 22.004 and 22.108(b), the supreme court or  
2 the court of criminal appeals may not amend or adopt rules in  
3 conflict with this subsection.

4 SECTION 10.005. The heading to Section 57.002, Government  
5 Code, is amended to read as follows:

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

8 SECTION 10.006. Section 57.002, Government Code, is amended  
9 by adding Subsections (g), (h), and (i) to read as follows:

10 (g) A party to a proceeding in a court who files a statement  
11 of inability to afford payment of court costs under Rule 145, Texas  
12 Rules of Civil Procedure, is not required to provide an interpreter  
13 at the party's expense or pay the costs associated with the services  
14 of an interpreter appointed under this section that are incurred  
15 during the course of the action, unless the statement has been  
16 contested and the court has ordered the party to pay costs pursuant  
17 to Rule 145. Nothing in this subsection is intended to apply to  
18 interpreter services or other auxiliary aids for individuals who  
19 are deaf, hard of hearing, or have communication disabilities,  
20 which shall be provided to those individuals free of charge  
21 pursuant to federal and state laws.

22 (h) Each county auditor, or other individual designated by  
23 the commissioners court of a county, in consultation with the  
24 district and county clerks shall submit to the Office of Court  
25 Administration of the Texas Judicial System, in the manner  
26 prescribed by the office, information on the money the county spent  
27 during the preceding fiscal year to provide court-ordered

1 interpretation services in civil and criminal proceedings. The  
2 information must include:

3 (1) the number of interpreters appointed;

4 (2) the number of interpreters appointed for parties  
5 or witnesses who are indigent;

6 (3) the amount of money the county spent to provide  
7 court-ordered interpretation services; and

8 (4) for civil proceedings, whether a party to the  
9 proceeding filed a statement of inability to afford payment of  
10 court costs under Rule 145, Texas Rules of Civil Procedure,  
11 applicable to the appointment of an interpreter.

12 (i) Not later than December 1 of each year, the Office of  
13 Court Administration of the Texas Judicial System shall:

14 (1) submit to the legislature a report that aggregates  
15 by county the information submitted under Subsection (h) for the  
16 preceding fiscal year; and

17 (2) publish the report on the office's Internet  
18 website.

19 SECTION 10.007. Section 154.101(f), Government Code, is  
20 amended to read as follows:

21 (f) Except as provided by Section 154.112 and by Section  
22 20.001, Civil Practice and Remedies Code, all depositions conducted  
23 in this state must be reported [~~recorded~~] by a certified shorthand  
24 reporter.

25 SECTION 10.008. Section 406.016(a), Government Code, is  
26 amended to read as follows:

27 (a) A notary public has the same authority as the county

1 clerk to:

2 (1) take acknowledgments or proofs of written  
3 instruments;

4 (2) protest instruments permitted by law to be  
5 protested;

6 (3) administer oaths;

7 (4) take depositions as provided by Section 20.001,  
8 Civil Practice and Remedies Code; and

9 (5) certify copies of documents not recordable in the  
10 public records.

11 SECTION 10.009. (a) This article is and shall be construed  
12 to be consistent with the procedures set forth in Rules 199.1(c) and  
13 203.6(a), Texas Rules of Civil Procedure, as of September 1, 2023.

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

17 ARTICLE 11. TRANSFER OF CASES AND PROCEEDINGS

18 SECTION 11.001. Section 33.101, Estates Code, is amended to  
19 read as follows:

20 Sec. 33.101. TRANSFER TO OTHER COUNTY IN WHICH VENUE IS  
21 PROPER. If probate proceedings involving the same estate are  
22 commenced in more than one county and the court making a  
23 determination of venue as provided by Section 33.053 determines  
24 that venue is proper in another county, the court clerk shall  
25 transmit the file for the proceeding in accordance with the  
26 procedures provided by Section 33.105 ~~[make and retain a copy of the~~  
27 ~~entire file in the case and transmit the original file in electronic~~



1 ~~or paper form~~] to the court in the county in which venue is proper.  
2 The court to which the file is transmitted shall conduct the  
3 proceeding in the same manner as if the proceeding had originally  
4 been commenced in that county.

5 SECTION 11.002. Section 33.102(a), Estates Code, is amended  
6 to read as follows:

7 (a) If it appears to the court at any time before the final  
8 order in a probate proceeding is rendered that the court does not  
9 have priority of venue over the proceeding, the court shall, on the  
10 application of an interested person, transfer the proceeding to the  
11 proper county by transmitting the file for the proceeding in  
12 accordance with the procedures provided by Section 33.105 to the  
13 proper court in that county [~~in electronic or paper form.~~

14 [~~(1) the original file in the case; and~~  
15 [~~(2) certified copies of all entries that have been~~  
16 ~~made in the judge's probate docket in the proceeding].~~

17 SECTION 11.003. Section 33.103(b), Estates Code, is amended  
18 to read as follows:

19 (b) The clerk of the court from which the probate proceeding  
20 described by Subsection (a) is transferred shall transmit the file  
21 for the proceeding in accordance with the procedures provided by  
22 Section 33.105 to the court to which the proceeding is  
23 transferred[+]

24 [~~(1) the original file in the proceeding; and~~  
25 [~~(2) a certified copy of the index].~~

26 SECTION 11.004. Subchapter C, Chapter 33, Estates Code, is  
27 amended by adding Section 33.105 to read as follows:

1       Sec. 33.105. TRANSFER OF PROBATE PROCEEDING RECORD. (a) If  
2 a probate proceeding is transferred to a court in another county  
3 under this chapter, the clerk of the transferring court shall send  
4 to the clerk of the court to which the proceeding is transferred,  
5 using the electronic filing system established under Section  
6 72.031, Government Code:

7           (1) a transfer certificate and index of transferred  
8 documents;

9           (2) a copy of each final order;

10          (3) a copy of the order of transfer signed by the  
11 transferring court;

12          (4) a copy of the original papers filed in the  
13 transferring court, including a copy of any will;

14          (5) a copy of the transfer certificate and index of  
15 transferred documents from each previous transfer; and

16          (6) a bill of any costs accrued in the transferring  
17 court.

18       (b) The clerk of the transferring court shall use the  
19 standardized transfer certificate and index of transferred  
20 documents form developed by the Office of Court Administration of  
21 the Texas Judicial System under Section 72.037, Government Code,  
22 when transferring a proceeding under this section.

23       (c) The clerk of the transferring court shall keep a copy of  
24 the documents transferred under Subsection (a).

25       (d) The clerk of the court to which the proceeding is  
26 transferred shall:

27           (1) accept documents transferred under Subsection

1 (a);

2 (2) docket the proceeding; and

3 (3) notify, using the electronic filing system  
4 established under Section 72.031, Government Code, all parties to  
5 the proceeding, the clerk of the transferring court, and, if  
6 appropriate, the transferring court's local registry that the  
7 proceeding has been docketed.

8 (e) The clerk of the transferee court shall physically or  
9 electronically mark or stamp the transfer certificate and index of  
10 transferred documents to evidence the date and time of acceptance  
11 under Subsection (d) but may not physically or electronically mark  
12 or stamp any other document transferred under Subsection (a).

13 (f) The clerks of both the transferee and transferring  
14 courts may each produce under Chapter 51, Government Code,  
15 certified or uncertified copies of documents transferred under  
16 Subsection (a) but must include a copy of the transfer certificate  
17 and index of transferred documents with each document produced.

18 (g) Sections 80.001 and 80.002, Government Code, do not  
19 apply to the transfer of documents under this section.

20 SECTION 11.005. Section 1023.006, Estates Code, is amended  
21 to read as follows:

22 Sec. 1023.006. TRANSFER OF RECORD. (a) Not later than the  
23 10th working day after the date [When] an order of transfer is  
24 signed [made] under Section 1023.005, the clerk shall record any  
25 unrecorded papers of the guardianship required to be recorded. On  
26 payment of the clerk's fee, the clerk shall send, using the  
27 electronic filing system established under Section 72.031,

1 Government Code, [~~transmit in electronic or paper form~~] to the  
2 county clerk of the county to which the guardianship was ordered  
3 transferred:

4 (1) a transfer certificate and index of transferred  
5 documents [~~the case file of the guardianship proceedings~~]; [~~and~~]

6 (2) a copy of each final order;

7 (3) a copy of the order of transfer signed by the  
8 transferring court;

9 (4) a copy of the original papers filed in the  
10 transferring court;

11 (5) a copy of the transfer certificate and index of  
12 transferred documents from each previous transfer; and

13 (6) a bill of any costs accrued in the transferring  
14 court [~~a certified copy of the index of the guardianship records~~].

15 (b) The clerk of the transferring court shall use the  
16 standardized transfer certificate and index of transferred  
17 documents form developed by the Office of Court Administration of  
18 the Texas Judicial System under Section 72.037, Government Code,  
19 when transferring a proceeding under this section.

20 (c) The clerk of the transferring court shall keep a copy of  
21 the documents transferred under Subsection (a).

22 (d) The clerk of the court to which the proceeding is  
23 transferred shall:

24 (1) accept documents transferred under Subsection  
25 (a);

26 (2) docket the suit; and

27 (3) notify, using the electronic filing system

1 established under Section 72.031, Government Code, all parties, the  
2 clerk of the transferring court, and, if appropriate, the  
3 transferring court's local registry that the suit has been  
4 docketed.

5 (e) The clerk of the transferee court shall physically or  
6 electronically mark or stamp the transfer certificate and index of  
7 transferred documents to evidence the date and time of acceptance  
8 under Subsection (d), but may not physically or electronically mark  
9 or stamp any other document transferred under Subsection (a).

10 (f) The clerk of the transferring court shall send a  
11 certified copy of the order directing payments to the transferee  
12 court to:

13 (1) any party affected by the order and, if  
14 appropriate, to the local registry of the transferee court using  
15 the electronic filing system established under Section 72.031,  
16 Government Code; and

17 (2) an employer affected by the order electronically  
18 or by first class mail.

19 (g) The clerks of both the transferee and transferring  
20 courts may each produce under Chapter 51, Government Code,  
21 certified or uncertified copies of documents transferred under  
22 Subsection (a) but must include a copy of the transfer certificate  
23 and index of transferred documents with each document produced.

24 (h) Sections 80.001 and 80.002, Government Code, do not  
25 apply to the transfer of documents under this section.

26 SECTION 11.006. Section 1023.007, Estates Code, is amended  
27 to read as follows:

1           Sec. 1023.007. TRANSFER EFFECTIVE. The order transferring  
2 a guardianship does not take effect until the clerk of the court to  
3 which the proceeding is transferred accepts and docket the case  
4 record under Section 1023.006[+]

5           ~~[(1) the case file and a certified copy of the index~~  
6 ~~required by Section 1023.006 are filed in electronic or paper form~~  
7 ~~in the office of the county clerk of the county to which the~~  
8 ~~guardianship was ordered transferred; and~~

9           ~~[(2) a certificate under the clerk's official seal and~~  
10 ~~reporting the filing of the case file and a certified copy of the~~  
11 ~~index is filed in electronic or paper form in the court ordering the~~  
12 ~~transfer by the county clerk of the county to which the guardianship~~  
13 ~~was ordered transferred].~~

14           SECTION 11.007. Sections 155.207(a), (b), and (e), Family  
15 Code, are amended to read as follows:

16           (a) Not later than the 10th working day after the date an  
17 order of transfer is signed, the clerk of the court transferring a  
18 proceeding shall send, using the electronic filing system  
19 established under Section 72.031, Government Code, to the proper  
20 court [~~in the county~~] to which transfer is being made:

21           (1) a transfer certificate and index of transferred  
22 documents;

23           (2) a copy of each final order;

24           (3) a copy of the order of transfer signed by the  
25 transferring court;

26           (4) a copy of the original papers filed in the  
27 transferring court;

1 (5) a copy of the transfer certificate and index of  
2 transferred documents from each previous transfer; and

3 (6) a bill of any costs that have accrued in the  
4 transferring court.

5 (b) The clerk of the transferring court shall keep a copy of  
6 the documents transferred under Subsection (a) [~~transferred~~  
7 ~~pleadings~~].

8 (e) The clerks of both the transferee and transferring  
9 courts may each produce under Chapter 51, Government Code,  
10 certified or uncertified copies of documents transferred under  
11 Subsection (a) and must [~~filed in a case transferred under this~~  
12 ~~section, but shall also~~] include a copy of the transfer certificate  
13 and index of transferred documents with each document produced.

14 SECTION 11.008. Section 51.3071, Government Code, is  
15 amended by amending Subsection (a) and adding Subsections (f) and  
16 (g) to read as follows:

17 (a) If a case is transferred from a district court to a  
18 constitutional or statutory county court or another district court,  
19 the clerk of the transferring [~~district~~] court shall send to the  
20 [~~county~~] clerk of the court to which the case is transferred, using  
21 the electronic filing system established under Section 72.031:

22 (1) a transfer certificate and index of transferred  
23 documents;

24 (2) a copy of the original papers filed in the  
25 transferring court;

26 (3) a copy of the order of transfer signed by the  
27 transferring court;

1 (4) a copy of each final order;

2 (5) a copy of the transfer certificate and index of  
3 transferred documents from each previous transfer; and

4 (6) a bill of any costs that have accrued in the  
5 transferring court.

6 (f) The clerks of both the transferee and transferring  
7 courts may each produce, under this chapter, certified or  
8 uncertified copies of documents transferred under Subsection (a)  
9 and must include a copy of the transfer certificate and index of  
10 transferred documents with each document produced.

11 (g) This section applies regardless of whether the  
12 transferee court and the transferring court are in the same or  
13 different counties.

14 SECTION 11.009. Section 51.403, Government Code, is amended  
15 by amending Subsection (a) and adding Subsections (d) and (e) to  
16 read as follows:

17 (a) If a case is transferred from a county court to a  
18 district court or a statutory county court or a county court of  
19 another county, the clerk of the transferring [~~county~~] court shall  
20 send to the [~~district~~] clerk of the court to which the case is  
21 transferred, using the electronic filing system established under  
22 Section 72.031:

23 (1) a transfer certificate and index of transferred  
24 documents;

25 (2) a copy of the original papers filed in the  
26 transferring court;

27 (3) a copy of the order of transfer signed by the



1 transferring court;

2 (4) a copy of each final order;

3 (5) a copy of the transfer certificate and index of  
4 transferred documents from each previous transfer; and

5 (6) a bill of any costs that have accrued in the  
6 transferring court.

7 (d) The clerks of both the transferee and transferring  
8 courts may each produce, under this chapter, certified or  
9 uncertified copies of documents transferred under Subsection (a)  
10 and must include a copy of the transfer certificate and index of  
11 transferred documents with each document produced.

12 (e) This section applies regardless of whether the  
13 transferee court and the transferring court are in the same or  
14 different counties.

15 SECTION 11.010. Section 72.037(a), Government Code, is  
16 amended to read as follows:

17 (a) The office shall develop and make available a  
18 standardized transfer certificate and an index of transferred  
19 documents form to be used for the transfer of cases and proceedings  
20 under Sections 33.105 and 1023.006, Estates Code, Section 155.207,  
21 Family Code, and Sections 51.3071 and 51.403 of this code.

22 SECTION 11.011. Section 33.103(c), Estates Code, is  
23 repealed.

24 SECTION 11.012. As soon as practicable after the effective  
25 date of this Act, the Office of Court Administration of the Texas  
26 Judicial System shall adopt rules and develop and make available  
27 all forms and materials required by Section 72.037, Government

1 Code, as amended by this Act.

2 ARTICLE 12. CRIMINAL PROCEDURE

3 SECTION 12.001. (a) Section 3(b), Article 11.07, Code of  
4 Criminal Procedure, is amended to read as follows:

5 (b) An application for writ of habeas corpus filed after  
6 final conviction in a felony case, other than a case in which the  
7 death penalty is imposed, must be filed with the clerk of the court  
8 in which the conviction being challenged was obtained, and the  
9 clerk shall assign the application to that court. When the  
10 application is received by that court, a writ of habeas corpus,  
11 returnable to the Court of Criminal Appeals, shall issue by  
12 operation of law. The clerk of that court shall make appropriate  
13 notation thereof, assign to the case a file number (ancillary to  
14 that of the conviction being challenged), and forward a copy of the  
15 application by certified mail, return receipt requested, by  
16 ~~secure~~ electronic mail, or by personal service to the attorney  
17 representing the state in that court, who shall answer the  
18 application not later than the 30th day after the date the copy of  
19 the application is received. Matters alleged in the application  
20 not admitted by the state are deemed denied.

21 (b) Section 3(b), Article 11.07, Code of Criminal  
22 Procedure, as amended by this section, applies only to an  
23 application for a writ of habeas corpus filed on or after September  
24 1, 2023. An application filed before that date is governed by the  
25 law in effect on the date the application was filed, and the former  
26 law is continued in effect for that purpose.

27 SECTION 12.002. Article 18.01(d), Code of Criminal

1 Procedure, is amended to read as follows:

2 (d) Only the specifically described property or items set  
3 forth in a search warrant issued under Article 18.02(a)(10) or  
4 property, items or contraband enumerated in Article 18.02(a)(1),  
5 (2), (3), (4), (5), (6), (7), (8), (9), or (12) may be seized. A  
6 subsequent search warrant may be issued pursuant to Article  
7 18.02(a)(10) to search the same person, place, or thing subjected  
8 to a prior search under Article 18.02(a)(10) only if the subsequent  
9 search warrant is issued by a judge of a statutory county court, a  
10 district court, a court of appeals, the court of criminal appeals,  
11 or the supreme court.

12 SECTION 12.003. Article 18.0215(b), Code of Criminal  
13 Procedure, is amended to read as follows:

14 (b) A warrant under this article may be issued only by a  
15 judge, including a judge of a statutory county court, in the same  
16 judicial district as the site of:

17 (1) the law enforcement agency that employs the peace  
18 officer, if the cellular telephone or other wireless communications  
19 device is in the officer's possession; or

20 (2) the likely location of the telephone or device.

21 SECTION 12.004. Sections 4-c(a), (c), (d), and (e), Article  
22 38.01, Code of Criminal Procedure, are amended to read as follows:

23 (a) On a determination by the commission that a license  
24 holder or crime laboratory has committed professional negligence or  
25 professional misconduct under this article, violated the code of  
26 professional responsibility under this article, or otherwise  
27 violated this article or a rule or order of the commission under

1 this article, the commission may, as applicable:

2 (1) revoke or suspend the person's license or crime  
3 laboratory's accreditation;

4 (2) refuse to renew the person's license or crime  
5 laboratory's accreditation; or

6 (3) reprimand the license holder or crime laboratory.

7 (c) The commission shall give written notice by certified  
8 mail of a determination described by Subsection (a) to the  
9 applicable [~~a~~] license holder or crime laboratory [~~who is the~~  
10 ~~subject of the determination~~]. The notice must:

11 (1) include a brief summary of the alleged negligence,  
12 misconduct, or violation;

13 (2) state the disciplinary action taken by the  
14 commission; and

15 (3) inform the license holder or crime laboratory of  
16 the license holder's or crime laboratory's right to a hearing before  
17 the Judicial Branch Certification Commission on the occurrence of  
18 the negligence, misconduct, or violation, the imposition of a  
19 disciplinary action, or both.

20 (d) Not later than the 20th day after the date the license  
21 holder or crime laboratory receives the notice under Subsection  
22 (c), the license holder or crime laboratory may accept the  
23 disciplinary action or request a hearing by submitting a written  
24 request to the Judicial Branch Certification Commission to contest  
25 the findings of fact or conclusions of law, the occurrence of the  
26 negligence, misconduct, or violation, or the imposition of a  
27 disciplinary action, as applicable. If the license holder or crime

1 laboratory fails to timely submit a request, the commission's  
2 disciplinary action becomes final and is not subject to review by  
3 the Judicial Branch Certification Commission.

4 (e) If the license holder or crime laboratory requests a  
5 hearing, the Judicial Branch Certification Commission shall  
6 conduct a hearing to determine whether there is substantial  
7 evidence to support the determination under Subsection (a) that the  
8 negligence, misconduct, or violation occurred [~~license holder~~  
9 ~~committed professional misconduct or violated this article or a~~  
10 ~~commission rule or order under this article~~]. If the Judicial  
11 Branch Certification Commission upholds the determination, the  
12 Judicial Branch Certification Commission shall determine the type  
13 of disciplinary action to be taken. The Judicial Branch  
14 Certification Commission shall conduct the hearing, and any appeal  
15 of that commission's decision, in accordance with the procedures  
16 provided by Subchapter B, Chapter 153, Government Code, as  
17 applicable, and the rules of the Judicial Branch Certification  
18 Commission.

19 SECTION 12.005. Article 42.15, Code of Criminal Procedure,  
20 is amended by adding Subsection (a-2) to read as follows:

21 (a-2) A defendant may waive the requirement for the inquiry  
22 described by Subsection (a-1) to be on the record.

23 SECTION 12.006. (a) Section 2a(a), Article 55.02, Code of  
24 Criminal Procedure, is amended to read as follows:

25 (a) A person who is entitled to expunction of information  
26 contained in records and files under Article 55.01(d) may file an  
27 application for expunction with the attorney representing the state

1 in the prosecution of felonies in the county in which:

2           (1) the person resides; or

3           (2) the offense was alleged to have occurred.

4           (b) Section 2a(a), Article 55.02, Code of Criminal  
5 Procedure, as amended by this section, applies to an expunction of  
6 information contained in arrest records and files relating to any  
7 criminal offense occurring before, on, or after September 1, 2023.

8           ARTICLE 13. PROBATE PROCEEDINGS

9           SECTION 13.001. Section 152.001, Estates Code, is amended  
10 to read as follows:

11           Sec. 152.001. APPLICATION AUTHORIZED. (a) Subject to  
12 Subsection (b), a person qualified to serve as an administrator  
13 under Section 304.001 may file an application requesting emergency  
14 intervention by a court exercising probate jurisdiction to provide  
15 for:

16           (1) the payment or reimbursement of the decedent's  
17 funeral and burial expenses; or

18           (2) the protection and storage of personal property  
19 owned by the decedent that, on the date of the decedent's death, was  
20 located in accommodations rented by the decedent.

21           (b) An applicant may file an application under this section  
22 only if:

23           (1) an application or affidavit has not been filed and  
24 is not pending under Section 256.052, 256.054, or 301.052 or  
25 Chapter 205 or 401; and

26           (2) the applicant needs to:

27           (A) obtain funds for the payment or reimbursement

1 of the decedent's funeral and burial expenses; or

2 (B) gain access to accommodations rented by the  
3 decedent that contain the decedent's personal property and the  
4 applicant has been denied access to those accommodations.

5 SECTION 13.002. Sections 152.002(a) and (b), Estates Code,  
6 are amended to read as follows:

7 (a) An emergency intervention application must be sworn and  
8 must contain:

9 (1) the applicant's name, address, and interest;

10 (2) facts showing an immediate necessity for the  
11 issuance of an emergency intervention order under Subchapter B;

12 (3) the decedent's date of death, place of death, and  
13 residential address on the date of death;

14 (4) the name and address of the funeral home holding  
15 the decedent's remains or paid by the applicant for the decedent's  
16 funeral and burial; and

17 (5) the names of any known or ascertainable heirs and  
18 devisees of the decedent.

19 (b) In addition to the information required under  
20 Subsection (a), if emergency intervention is requested to obtain  
21 funds needed for the payment or reimbursement of the decedent's  
22 funeral and burial expenses, the application must also contain:

23 (1) the reason any known or ascertainable heirs and  
24 devisees of the decedent:

25 (A) cannot be contacted; or

26 (B) have refused to assist in the decedent's  
27 burial;

1           (2) a description of necessary funeral and burial  
2 procedures and a statement from the funeral home that contains a  
3 detailed and itemized description of the cost of those procedures;  
4 [~~and~~]

5           (3) the name and address of an individual, entity, or  
6 financial institution, including an employer, in possession of any  
7 funds of or due to the decedent, and related account numbers and  
8 balances, if known by the applicant; and

9           (4) if applicable, the amount paid by the applicant  
10 for the funeral and burial procedures described by Subdivision (2).

11           SECTION 13.003. Section 152.003, Estates Code, is amended  
12 to read as follows:

13           Sec. 152.003. ADDITIONAL CONTENTS OF APPLICATION:  
14 INSTRUCTIONS REGARDING DECEDENT'S FUNERAL AND REMAINS. (a) In  
15 addition to the information required under Section 152.002, if  
16 emergency intervention is requested to obtain funds needed for the  
17 payment or reimbursement of a decedent's funeral and burial  
18 expenses, the application must also state whether there are or were  
19 any written instructions from the decedent relating to the type and  
20 manner of funeral or burial preferred by the decedent. The  
21 applicant shall:

22           (1) attach the instructions, if available, to the  
23 application; and

24           (2) fully comply, or must have fully complied, as  
25 appropriate, with the instructions.

26           (b) If written instructions do not exist, the applicant may  
27 not permit or have permitted the decedent's remains to be cremated



1 unless the applicant obtains or obtained the court's permission to  
2 cremate the remains.

3 SECTION 13.004. Section 152.004, Estates Code, is amended  
4 to read as follows:

5 Sec. 152.004. TIME AND PLACE OF FILING. An emergency  
6 intervention application must be filed:

7 (1) with the court clerk in the county in which:

8 (A) the decedent was domiciled; or

9 (B) the accommodations rented by the decedent  
10 that contain the decedent's personal property are located; and

11 (2) not earlier than the third day after the date of  
12 the decedent's death and not later than nine months [~~the 90th day~~]  
13 after the date of the decedent's death.

14 SECTION 13.005. Section 152.051, Estates Code, is amended  
15 to read as follows:

16 Sec. 152.051. ISSUANCE OF ORDER REGARDING FUNERAL AND  
17 BURIAL EXPENSES. If on review of an application filed under Section  
18 152.001 the court determines that emergency intervention is  
19 necessary to obtain funds needed for the payment or reimbursement  
20 of a decedent's funeral and burial expenses, the court may order  
21 funds of the decedent that are being held by an individual, an  
22 employer, or a financial institution to be paid directly to a  
23 funeral home or the applicant, as applicable, only for:

24 (1) reasonable and necessary attorney's fees for the  
25 attorney who obtained the order;

26 (2) court costs for obtaining the order; and

27 (3) funeral and burial expenses not to exceed \$5,000

1 as ordered by the court to provide the decedent with or to provide  
2 reimbursement for a reasonable, dignified, and appropriate funeral  
3 and burial.

4 SECTION 13.006. Sections 152.001, 152.002(a) and (b),  
5 152.003, 152.004, and 152.051, Estates Code, as amended by this  
6 article, apply only to an application requesting emergency  
7 intervention that is filed on or after September 1, 2023. An  
8 application that is filed before September 1, 2023, is governed by  
9 the law in effect at the time the application was filed, and the  
10 former law is continued in effect for that purpose.

11 ARTICLE 14. JUVENILE BOARDS

12 SECTION 14.001. Section 152.0671(a), Human Resources Code,  
13 is amended to read as follows:

14 (a) The Denton County Juvenile Board is composed of the  
15 county judge, the district judges in Denton County, and the judge of  
16 any county court at law [~~statutory court~~] in the county.

17 SECTION 14.002. Section 152.2264, Human Resources Code, is  
18 amended to read as follows:

19 Sec. 152.2264. TARRANT COUNTY CRIMINAL COURT  
20 ADMINISTRATOR. (a) Subject to the approval of the commissioners  
21 court, the judges of the district courts that give preference to  
22 criminal cases, the judges of the criminal district courts, and the  
23 judges of the county criminal courts of Tarrant County [~~and county~~  
24 ~~courts in Tarrant County that give preference to criminal matters~~]  
25 may use the services of a criminal courts administrator.

26 (b) A judge may not be subjected to a suit for, and is immune  
27 from liability for damages arising from, an act or omission

1 committed while performing a duty under this section unless the act  
2 or omission is:

3 (1) committed intentionally, wilfully, or wantonly;

4 or

5 (2) committed with:

6 (A) gross negligence; ~~[or]~~

7 (B) conscious indifference ~~[or reckless~~  
8 ~~disregard]~~ for the safety of others; or

9 (C) reckless disregard for the safety of others.

10 ARTICLE 15. TEXAS INDIGENT DEFENSE COMMISSION

11 SECTION 15.001. Section 79.012(b), Government Code, is  
12 amended to read as follows:

13 (b) The executive director:

14 (1) ~~[must be a licensed attorney;~~

15 ~~(2)]~~ must demonstrate an interest in the standards  
16 for and provision of criminal defense services to indigent  
17 individuals;

18 (2) ~~(3)~~ may not engage in the private practice of  
19 law; and

20 (3) ~~(4)~~ may not accept money, property, or any other  
21 thing of value not authorized by law for services rendered under  
22 this chapter.

23 ARTICLE 16. ADMINISTRATION OF OATHS

24 SECTION 16.001. Section 602.002, Government Code, is  
25 amended to read as follows:

26 Sec. 602.002. OATH MADE IN TEXAS. An oath made in this  
27 state may be administered and a certificate of the fact given by:

- 1           (1) a judge, retired judge, or clerk of a municipal  
2 court;
- 3           (2) a judge, retired judge, senior judge, clerk, or  
4 commissioner of a court of record;
- 5           (3) a justice of the peace, a retired justice of the  
6 peace, or a clerk of a justice court;
- 7           (4) an associate judge, magistrate, master, referee,  
8 or criminal law hearing officer;
- 9           (5) a notary public;
- 10          (6) a member of a board or commission created by a law  
11 of this state, in a matter pertaining to a duty of the board or  
12 commission;
- 13          (7) a person employed by the Texas Ethics Commission  
14 who has a duty related to a report required by Title 15, Election  
15 Code, in a matter pertaining to that duty;
- 16          (8) a county tax assessor-collector or an employee of  
17 the county tax assessor-collector if the oath relates to a document  
18 that is required or authorized to be filed in the office of the  
19 county tax assessor-collector;
- 20          (9) the secretary of state or a former secretary of  
21 state;
- 22          (10) an employee of a personal bond office, or an  
23 employee of a county, who is employed to obtain information  
24 required to be obtained under oath if the oath is required or  
25 authorized by Article 17.04 or by Article 26.04(n) or (o), Code of  
26 Criminal Procedure;
- 27          (11) the lieutenant governor or a former lieutenant

1 governor;

2 (12) the speaker of the house of representatives or a  
3 former speaker of the house of representatives;

4 (13) the governor or a former governor;

5 (14) a legislator or retired legislator;

6 (14-a) the secretary of the senate or the chief clerk  
7 of the house of representatives;

8 (15) the attorney general or a former attorney  
9 general;

10 (16) the secretary or clerk of a municipality in a  
11 matter pertaining to the official business of the municipality;

12 (17) a peace officer described by Article 2.12, Code  
13 of Criminal Procedure, if:

14 (A) the oath is administered when the officer is  
15 engaged in the performance of the officer's duties; and

16 (B) the administration of the oath relates to the  
17 officer's duties; or

18 (18) a county treasurer.

19 ARTICLE 17. APPELLATE RECORD

20 SECTION 17.001. (a) Subchapter B, Chapter 51, Civil  
21 Practice and Remedies Code, is amended by adding Section 51.018 to  
22 read as follows:

23 Sec. 51.018. APPENDIX IN LIEU OF CLERK'S RECORD. (a) Not  
24 later than the 10th day after the date that a party files a notice of  
25 appeal for a civil suit, the party may notify the trial court and  
26 the court of appeals that the party will file an appendix that  
27 replaces the clerk's record for the appeal.

1       (b) The party must file the appendix with the party's  
2 appellate brief. Except in an expedited proceeding or by order of  
3 the court, the brief and appendix must be filed not later than the  
4 30th day after the later of:

5             (1) the date that the party provided notice under  
6 Subsection (a); or

7             (2) the date that a reporter's record, if any, is filed  
8 with the court of appeals.

9       (c) An appendix filed under this section must contain a  
10 file-stamped copy of each document required by Rule 34.5, Texas  
11 Rules of Appellate Procedure, for a civil suit and any other item  
12 the party intends to reference in the party's brief. The appendix  
13 may not contain a document that has not been filed with the trial  
14 court except by agreement of the parties to the appeal.

15       (d) An appendix filed in accordance with this section  
16 becomes part of the appellate record. A court clerk may not prepare  
17 or file a clerk's record or assess a fee for preparing a clerk's  
18 record if a party files an appendix in accordance with this section.

19       (b) Section 51.018, Civil Practice and Remedies Code, as  
20 added by this section, applies only to a party that files a notice  
21 of appeal on or after January 1, 2024. A party that files a notice  
22 of appeal before January 1, 2024, is governed by the law in effect  
23 on the date the notice was given, and the former law is continued in  
24 effect for that purpose.

25                     ARTICLE 18. DELIVERY OF DOCUMENTS

26             SECTION 18.001. The heading to Chapter 80, Government Code,  
27 is amended to read as follows:

CHAPTER 80. DELIVERY OF NOTICE, ORDERS, AND DOCUMENTS

SECTION 18.002. Section 80.001, Government Code, is amended to read as follows:

Sec. 80.001. DELIVERY OF NOTICE OR DOCUMENT. A court, justice, judge, magistrate, or clerk may send any notice or document by a method authorized by Section 80.002(a) [~~80.002~~].

SECTION 18.003. Section 80.002, Government Code, is amended to read as follows:

Sec. 80.002. [~~AUTHORIZED~~] DELIVERY OF NOTICE, ORDER, OR DOCUMENT. (a) A court, justice, judge, magistrate, or clerk may send any notice or document using mail or electronic mail. This subsection [~~section~~] applies to all civil and criminal statutes requiring delivery of a notice or document.

(b) In addition to any other delivery method required or authorized by law or supreme court rule, a statutory county court, district court, or appellate court shall deliver through the electronic filing system established under Section 72.031 to all parties in each case in which the use of the electronic filing system is required or authorized all court orders the court enters for the case.

ARTICLE 19. SERVICE OF PROCESS

SECTION 19.001. Chapter 30, Civil Practice and Remedies Code, is amended by adding Section 30.0035 to read as follows:

Sec. 30.0035. PERSONAL SERVICE OF PROCESS DURING LEGISLATIVE PROCEEDING PROHIBITED. A person may not serve citation or other civil process in person on a member, officer, or employee of the senate or house of representatives during any legislative

1 proceeding. A court shall quash any service made in violation of  
2 this section. The supreme court shall revoke the certification of a  
3 process server who violates this section. This section is not  
4 subject to Section [22.004\(c\)](#), Government Code.

5 ARTICLE 20. EFFECTIVE DATE

6 SECTION 20.001. Except as otherwise provided by this Act,  
7 this Act takes effect September 1, 2023.