

By: Anderson

H.B. No. 5378

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(A) conduct arraignments;

(B) conduct pretrial hearings;

(C) accept guilty pleas and conduct sentencing;

(D) conduct jury trials and nonjury trials;

(E) conduct probation revocation hearings;

(F) conduct post-trial proceedings; and

(G) conduct family law cases and proceedings; and

(2) jurisdiction in:

(A) Class A and Class B misdemeanor cases;

(B) probate proceedings;

1           (C) eminent domain;

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

4           (E) disputes ancillary to probate, eminent  
5 domain, condemnation, or landlord and tenant matters relating to  
6 the adjudication and determination of land titles and trusts,  
7 whether testamentary, inter vivos, constructive, resulting, or any  
8 other class or type of trust, regardless of the amount in  
9 controversy or the remedy sought [~~to conduct arraignments, conduct~~  
10 ~~pretrial hearings, accept guilty pleas, and conduct probation~~  
11 ~~revocation hearings in felony cases~~].

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

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

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