**BILL ANALYSIS**

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| Senate Research Center | C.S.S.B. 2878 |
| 89R27662 E | By: Hughes |
|  | Jurisprudence |
|  | 5/1/2025 |
|  | Committee Report (Substituted) |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

This is the Judicial Court Omnibus Bill for the 89th Legislative session. The bill is a non-partisan compilation of several bills that either create new courts, update aspects of judicial administration, or fulfill a local request.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2878 amends current law relating to the operation and administration of and practices and procedures related to proceedings in the judicial branch of state government, including court security, court documents and arrest warrants, document delivery, juvenile boards, and youth diversion, increases a criminal penalty, and authorizes fees.

**RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the supreme court is modified in SECTION 2.01 (Section 22.04, Government Code) of this bill.

**SECTION BY SECTION ANALYSIS**

ARTICLE 1. DISTRICT COURTS AND DISTRICT ATTORNEYS

SECTION 1.01. Amends the heading to Section 24.127, Government Code, effective January 1, 2027, to read as follows:

Sec. 24.127. 522ND JUDICIAL DISTRICT GONZALES AND GUADALUPE COUNTIES.

SECTION 1.02. Amends Section 24.127(a), Government Code, effective January 1, 2027, as follows:

(a) Provides that the 522nd Judicial District is composed of Gonzalez and Guadalupe counties. Deletes existing text providing that the Second 25th Judicial District is composed of Colorado, Gonzales, Guadalupe, and Lavaca counties. Makes nonsubstantive changes.

SECTION 1.03. Amends the heading to Section 24.451, Government Code, effective January 1, 2026, to read as follows:

Sec. 24.451. 274TH JUDICIAL DISTRICT (COMAL AND HAYS COUNTIES).

SECTION 1.04. Amends Sections 24.451(a) and (c), Government Code, effective January 1, 2026, as follows:

(a) Provides that the 274th Judicial District is composed of Comal and Hays counties, rather than Comal, Guadalupe, and Hays counties.

(c) Deletes existing text providing that the 274th District Court has concurrent jurisdiction with the 25th and Second 25th district courts in Guadalupe County.

SECTION 1.05. (a) Amends Subchapter C, Chapter 24, Government Code, by adding Sections 24.60035 and 24.60036, as follows:

Sec. 24.60035. 490th JUDICIAL DISTRICT (BRAZORIA COUNTY). Provides that the 490th Judicial District is composed of Brazoria County.

 Sec. 24.60036. 491th JUDICIAL DISTRICT (BRAZORIA COUNTY). Provides that the 491th Judicial District is composed of Brazoria County.

(b) Provides that the 490th and 491st Judicial Districts are created on September 1, 2025.

SECTION 1.06. (a) Amends Subchapter C, Chapter 24, Government Code, effective January 1, 2027, by adding Section 24.60037, as follows:

Sec. 24.60037. 492ND JUDICIAL DISTRICT (COLORADO AND LAVACA COUNTIES). Provides that the 492nd Judicial District is composed of Colorado and Lavaca counties.

 (b) Provides the 492nd Judicial District is created on January 1, 2027.

SECTION 1.07. (a) Amends Subchapter C, Chapter 24, Government Code, by adding Sections 24.60046 and 24.60047, as follows:

Sec. 24.60046. 501ST JUDICIAL DISTRICT (FORT BEND COUNTY). Provides that the 501st Judicial District is composed of Fort Bend County.

Sec. 24.60047. 502ND JUDICIAL DISTRICT (FORT BEND COUNTY). Provides that the 502nd Judicial District is composed of Fort Bend County.

(b) Provides that the 501st and 502nd Judicial Districts are created on September 1, 2025.

SECTION 1.08. (a) Amends Subchapter C, Chapter 24, Government Code, by adding Section 24.60048, as follows:

Sec. 24.60048. 503RD JUDICIAL DISTRICT (ROCKWALL COUNTY). Provides that the 503rd Judicial District is composed of Rockwall County.

(b) Provides that the 503rd Judicial District is created on September 1, 2025.

SECTION 1.09. (a) Amends Subchapter C, Chapter 24, Government Code, by adding Section 24.60049, as follows:

Sec. 24.60049. 504TH JUDICIAL DISTRICT (ELLIS COUNTY). Provides that the 504th Judicial District is composed of Ellis County.

(b) Provides that the 504th Judicial District is created on September 1, 2025.

SECTION 1.10. (a) Amends Subchapter C, Chapter 24, Government Code, effective January 1, 2027, by adding Section 24.60053, as follows:

Sec. 24.60053. 511TH JUDICIAL DISTRICT (COMAL COUNTY). Provides that the 551th Judicial District is composed of Comal County.

(b) Provides that the 511th Judicial District is created on January 1, 2027.

SECTION 1.11. (a) Amends Subchapter C, Chapter 24, Government Code, by adding Section 24.60054, as follows:

Sec. 24.60054. 512th JUDICIAL DISTRICT. (WILLIAMSON COUNTY). Provides that the 512th Judicial District is composed of Williamson County.

 (b) Provides that the 512th Judicial District is created on September 1, 2025.

SECTION 1.12. Amends Section 43.101, Government Code, effective January 1, 2029, as follows:

Sec. 43.101. 1ST JUDICIAL DISTRICT. Provides that the voters of San Augustine County, rather than Sabine and San Augustine counties, elect a district attorney for the 1st Judicial District who represents the state in the district courts in that county, rather than in that district court only in those counties.

SECTION 1.13. (a) Amends Subchapter B, Chapter 43, Government Code, effective January 1, 2029, by adding Section 43.1742, as follows:

Sec. 43.1742. 273RD JUDICIAL DISTRICT. Provides that the voters of Sabine County elect a district attorney for the 273rd Judicial District who represents the state in the district courts in that county.

(b) Provides that the office of district attorney for the 273rd Judicial District is created on January 1, 2029.

(c) Provides that the office of district attorney for the 273rd Judicial District exists for purposes of the primary and general elections in 2028.

SECTION 1.14. Amends Section 46.002, Government Code, effective January 1, 2029, as follows:

Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. Provides that Chapter 46 applies to the sate prosecuting attorney, all county prosecutors, and certain state prosecutors, including the district attorneys for the 273rd judicial district.

SECTION 1.15. Repealers, effective January 1, 2026: Sections 24.126(b) (relating to providing that the 25th District Court has concurrent jurisdiction with the Second 25th District Court) and (d) (relating to authorizing the judges of the 25th and Second 25th judicial districts to hear and dispose of any suit or proceeding on either court's docket without transferring the suit or proceeding), Government Code.

Repealers, effective January 1, 2026: Sections 24.127(b) (relating to providing that the terms of the second 25th District Court begin in certain counties on certain dates) and (c) (relating to providing that Section 24.126, relating to the 25th District Court, contains provisions applicable to both that court and the Second 25th District Court), Government Code.

Repealer, effective January 1, 2026: Section 24.451(b) (relating to providing that the terms of the 274th District Court begin on certain dates), Government Code.

ARTICLE 2. STATUTORY COUNTY COURTS

SECTION 2.01. Amends Section 22.004(h-1), Government Code, as follows:

(h-1) Requires the Supreme Court of Texas (supreme court), in addition to the rules adopted under Subsection (h) (relating to requiring the supreme court to adopt rules to promote the prompt, efficient, and cost-effective resolution of civil actions), to adopt rules to promote the prompt, efficient, and cost-effective resolution of civil actions filed in county courts at law in which the amount in controversy does not exceed $325,000, rather than $250,000.

SECTION 2.02. Amends Section 25.0003(c), Government Code, as follows:

(c) Provides that, in addition to other jurisdiction provided by law, a statutory county court exercising civil jurisdiction concurrent with the constitutional jurisdiction of the county court has concurrent jurisdiction with the district court in:

(1) civil cases in which the matter in controversy exceeds $500 but does not exceed $325,000, rather than $250,000, excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs, as alleged on the face of the petition; and

(2) makes no changes to this subdivision.

SECTION 2.03. Amends Section 25.0007(c), Government Code, to require the jury, in a civil case pending in a statutory county court in which the matter in controversy exceeds $325,000, rather than $250,000, to be composed of 12 members unless all of the parties agree to a jury composed of a lesser number of jurors.

SECTION 2.04. Amends Section 25.0062(b), Government Code, to provide that the district clerk serves as clerk of a county court at law in felony cases, in family law cases and proceedings, and in civil cases in which the matter in controversy exceeds $325,000, rather than $250,000.

SECTION 2.05. (a) Amends Section 25.0092, Government Code, by amending Subsections (a) and (d) and adding Subsection (c-1), as follows:

(a) Provides that, in addition to the jurisdiction provided by Section 25.0003 (Jurisdiction) and other law, and except as limited by Subsection (b) (relating to providing that a county court at law does not have jurisdiction of certain issues), a county court at law in Atascosa County has concurrent jurisdiction with the district court in certain matters, including civil cases in which the matter in controversy exceeds the maximum amount provided by Section 25.0003 but does not exceed $1 million, excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs, as alleged on the face of the petition, including certain suits.

(c-1) Provides that, in addition to other assignments provided by law, a judge of the county court at law in Atascosa County is subject to assignment under Chapter 74 (Court Administration Act) to any district court in Atascosa County. Authorizes a county court at law judge assigned to a district court to hear any matter pending in the district court.

(d) Requires the judge of a county court at law to be paid as provided by Section 25.0005 (Judge's Salary). Deletes existing text requiring the judge of a county court at law to be paid a total annual salary set by the commissioners court at an amount that is not less than $1,000 less than the total annual salary received by a district judge in the county. Deletes existing text providing that a district judge's or statutory county court judge's total annual salary does not include contributions and supplements paid by a county.

(b) Makes application of Section 25.0092(a), Government Code, as amended by this section, prospective.

SECTION 2.06. Amends Section 25.0212, Government Code, by amending Subsections (a), (b), and (f) and adding Subsections (i) and (j), as follows:

(a) Provides that, 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 Bowie County has, concurrent with the district court, the jurisdiction provided by the constitution and by general law for district courts, including concurrent jurisdiction in specialty court programs, misdemeanor cases, family law cases and proceedings, including juvenile matters, and probate and guardianship matters.

(b) Provides that a county court at law does not have jurisdiction of certain matters, including civil cases in which the matter in controversy exceeds the amount provided by Section 25.003, rather than $200,000, excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs, as alleged on the face of the petition.

(f) Provides that the official court reporter of a county court at law is entitled to compensation, fees, and allowances in amounts equal to the amounts paid to the official court reporters serving the district courts in Bowie County, including an annual salary set by the judge of the county court at law and approved by the commissioners court. Deletes existing text authorizing the commissioners court to authorize the judge of a county court at law to set the official court reporter's salary.

(i) Provides that the jury in all civil or criminal matters is composed of 12 members, except in misdemeanor criminal cases and any other case in which the court has concurrent jurisdiction with county courts under Section 25.0003(a) (relating to providing that a statutory court has jurisdiction over all causes and proceedings prescribed by law for county courts), the jury is composed of six members.

(j) Authorizes a judge of a county court at law and a judge of a district court with jurisdiction in Bowie County, in matters of concurrent jurisdiction, to transfer cases between the courts in the same manner that judges of district courts are authorized to transfer cases under Section 24.003 (Transfer of Cases; Exchange of Benches).

SECTION 2.07. (a) Amends Section 25.1101(b), Government Code, effective January 1, 2027, as follows:

(b) Provides that Hidalgo County has the following statutory probate courts:

(1) Probate Court No. 1 of Hidalgo County; and

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

Deletes existing text providing that Hidalgo County has one statutory probate court, the Probate Court of Hidalgo County.

(b) Provides that, on January 1, 2027, Probate Court No. 2 of Hidalgo County is created and the Probate Court of Hidalgo County is redesignated as Probate Court No. 1 of Hidalgo County.

SECTION 2.08. (a) Amends Section 25.1102(a), Government Code, as follows:

(a) Provides that, in addition to the jurisdiction provided by Section 25.0003 (Jurisdiction) and other law, a county court at law in Hidalgo County has concurrent jurisdiction with the district court in family law cases and proceedings and civil cases, rather than civil cases in which the matter in controversy does not exceed a certain amount.

(b) Makes application of Section 24.1102(a), Government Code, as amended by this section, prospective.

SECTION 2.09. Amends Section 25.1902(b-1), Government Code, as follows:

(b-1) Provides that, in addition to the jurisdiction provided by Subsections (a) (relating to providing that a county court in Potter County has concurrent jurisdiction with the justice courts in civil matters) and (b) (relating to providing that a county court in Potter County has concurrent jurisdiction with the district court in family law cases and proceedings), the county courts at law in Potter county have, rather than County Court at Law No. 1 of Potter County has, concurrent jurisdiction with the district court in felony cases to conduct arraignments, conduct pretrial hearings, and accept pleas in uncontested matters.

SECTION 2.10. (a) Repealers: Sections 25.0212(d) (relating to requiring the judge of a county court at law to be paid an annual salary of a certain amount) and 25.1723(c) (relating to providing that a statutory probate court of Montgomery County has eminent domain jurisdiction), Government Code.

(b) Makes application of Section 25.1723(c), Government Code, as repealed by this section, prospective.

SECTION 2.11. Makes application of Sections 25.0003(c), 25.0007(c), and 25.0062(b), Government Code, as amended by this article, prospective.

ARTICLE 3. VISITING JUDGES

SECTION 3.01. Amends Section 25.002, Government Code, by amending Subsection (d), (h), (k), (o), (t), (u), and (w) and adding Subsection (k-1), as follows:

(d) Requires the presiding judge of a statutory probate court to take certain actions, including assigning or ordering the clerk who serves the statutory probate courts to randomly assign a judge or former or retired judge of a statutory probate court or a former or retired justice of an appellate court to hear a case under Section 25.002201(a) (relating to requiring the presiding judge to assign a statutory probate court judge or a former or retired judge to hear a case in certain circumstances) or 25.00255 (Recusal or Disqualification of Judge), as applicable.

(h) Authorizes a judge or a former or retired judge of a statutory probate court or a former or retired justice of an appellate court, subject to Section 25.002201 (Assignment of Judge on Recusal or Disqualification), to be assigned by the presiding judge of the statutory probate courts to hold court in a statutory probate court, a county court, or any statutory court exercising probate jurisdiction when certain conditions are met.

(k) Creates an exception under Subsection (k-1). Makes conforming and nonsubstantive changes.

(k-1) Provides that, notwithstanding Subsection (k), a former or retired judge or justice assigned under this section to a statutory probate court in a county located in the Texas-Mexico border region, as defined by Section 2056.002(e) (relating to the definition of "Texas-Mexico border region"), is entitled to compensation from the state in an amount equal to the a maximum salary a district judge is authorized to receive from county and state sources under Section 659.012(a) (relating to providing that certain judges are entitled to a certain annual base salary) if the presiding judge of the administrative judicial region in which the county lies certifies that exigent circumstances require the assignment and money has been appropriated specifically for that purpose.

(o) Makes a conforming change to this subsection.

(t) Makes conforming changes to this subsection.

(u) Makes conforming changes to this subsection.

(w) Makes conforming changes to this subsection.

SECTION 3.02. Amends Section 25.002201, Government Code, as follows:

Sec. 25.002201. ASSIGNMENT OF JUDGE ON RECUSAL OR DISQUALIFICATION. (a) Requires the presiding judge, except as provided by Subsection (b) (relating to requiring the chief justice of the supreme court to assign a statutory probate judge or a former or retired judge of a statutory probate court to hear the case), not later than the 15th day after the date an order of recusal or disqualification of a statutory probate court judge is issued in a case, to assign a statutory probate court judge or a former or retired judge of a statutory probate court or a former or retired justice of an appellate court to hear the case in certain circumstances.

(b) Makes conforming and nonsubstantive changes to this subsection.

SECTION 3.03. Amends Section 25.00255(a), Government Code, to make conforming changes.

SECTION 3.04. Amends Section 74.003(e), Government Code, as follows:

(e) Provides that for the purposes of determining the amount to be paid to a former or retired justice or judge under this subsection, the compensation received from the state by a justice of the court of appeals to which the retired justice or judge is assigned is the amount equal to the state salary paid, rather than the state base salary paid to a justice of that court of appeals with eight years of service, rather than as set by the General Appropriations Act, in accordance with Section 659.012(b)(2), rather than 659.012(a).

SECTION 3.05. Amends Section 74.046(b), Government Code, as follows:

 (b) Provides that a former or retired judge or justice assigned as a judicial mentor under this subsection is entitled to the same salary, compensation, and expenses under Section 74.061 that the judge or justice would be entitled to if the judge or justice had been assigned under this chapter to serve as the judge of a trial court in the administrative judicial region of the court to which the judge or justice is assigned as a judicial mentor.

SECTION 3.06. Amends Sections 74.061(h) and (i), Government Code, to make conforming changes.

ARTICLE 4. MASTERS, MAGISTRATES, REFEREES, AND ASSOCIATE JUDGES

SECTION 4.01. Amends Article 2A.151, Code of Criminal Procedure, as follows:

Art. 2A.151. TYPES OF MAGISTRATES. Provides that certain officers are magistrates for purpose of the Code of Criminal Procedure, including a criminal magistrate appointed by the Bell County Commissioners Court and a magistrate appointed by a judge of a district court or statutory county court of Denton or Grayson County. Makes nonsubstantive changes.

SECTION 4.02. Amends Chapter 54, Government Code, by adding Subchapter A, as follows;

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 54.001. QUALIFICATIONS. (a) Requires a master, magistrate, referee, or associate judge appointed under this chapter, except as provided by Subsection (b) or another provision of Chapter 54 (Masters; Magistrates; Referees; Associate Judges) and in addition to any other qualification required by law, to have been licensed to practice law in this state for at least five years before the date of appointment.

(b) Requires a master, magistrate, referee, or associate judge appointed under certain provisions of this chapter to have been licensed to practice law in this state for at least two years before the date of appointment.

SECTION 4.03. Amends Chapter 54, Government Code, by adding Subchapter EE, as follows:

SUBCHAPTER EE. BELL COUNTY CRIMINAL MAGISTRATES

Sec. 54.1601. APPOINTMENT. (a) Authorizes the Commissioners Court of Bell County to select magistrates to serve the courts of Bell County having jurisdiction in criminal matters.

(b) Requires the commissioners court to establish the minimum qualifications, salary, benefits, and other compensation of each magistrate position and determine whether the position is full-time or part-time. Requires a person, notwithstanding another provision of this chapter, to be eligible for appointment under this subchapter, to have been licensed to practice law in this state and in good standing with the State Bar of Texas (state bar) for at least two years.

(c) Provides that a magistrate appointed under this section serves at the pleasure of the commissioners court.

Sec. 54.1602. JURISDICTION. Provides that a magistrate has concurrent criminal jurisdiction with the judges of the justice of the peace courts of Bell County.

Sec. 54.1603. POWERS AND DUTIES. (a) Requires the Commissioners Court of Bell County to establish the powers and duties of a magistrate appointed under this subchapter. Provides that, except as otherwise provided by the commissioners court, a magistrate has the powers of a magistrate under the Code of Criminal Procedure and other laws of this state and may administer an oath for any purpose.

(b) Requires a magistrate to give preference to performing the duties of a magistrate under Article 15.17 (Duties of Arresting Officer and Magistrate), Code of Criminal Procedure.

(c) Authorizes the commissioners court to designate one or more magistrates to hold regular hearings to give admonishments, set and review bail and conditions of release, appoint legal counsel, and determine other routine matters relating to preindictment or pending cases within those courts' jurisdiction.

(d) Requires a magistrate, in the hearings provided under Subsection (c), to give preference to the case of an individual held in county jail.

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

Sec. 54.1604. JUDICIAL IMMUNITY. Provides that a magistrate has the same judicial immunity as a district judge.

Sec. 54.1605. WITNESSES. (a) Provides that a witness who is sworn and who appears before a magistrate is subject to the penalties for perjury and aggravated perjury provided by law.

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

SECTION 4.04. Amends Section 54.302, Government Code, to delete existing text requiring a person, to be eligible for appointment as a magistrate in Dallas County, to have been licensed to practice law in this state for at least four years and to make nonsubstantive changes.

SECTION 4.05. Amends Section 54.652, Government Code, to delete existing text requiring a person, to be eligible for appointment as a magistrate in Tarrant County, to have been licensed to practice law in this state for at least four years and to make nonsubstantive changes.

SECTION 4.06. Amends Section 54.802, Government Code, to delete existing text requiring a master in Harris County to have been licensed to practice law in this state for at least four years and to make nonsubstantive changes.

SECTION 4.07. Amends Section 54.853, Government Code, to delete existing text requiring a person, to be eligible for appointment as a criminal law hearing officer under Subchapter L (Criminal Law Hearing Officers in Certain Counties), to have been licensed to practice law in this state for at least four years and to make nonsubstantive changes.

SECTION 4.08. Amends Section 54.872, Government Code, to delete existing text requiring a person, to be eligible for appointment as a magistrate in Lubbock County, to have been licensed to practice law in this state for at least four years and to make nonsubstantive changes.

SECTION 4.09. Amends Section 54.902, Government Code, to delete existing text requiring a person, to be eligible for appointment as a magistrate in Bexar County, to have been licensed to practice law in this state for at least four years and to make nonsubstantive changes.

SECTION 4.10. Amends Section 54.902, Government Code, to delete existing text requiring a magistrate in Travis County to have been licensed to practice law in this state for at least four years and to make nonsubstantive changes.

SECTION 4.11. Amends Section 54.1173, Government Code, to delete existing text requiring a magistrate in certain county courts to have been licensed to practice law in this state for at least four years preceding the date of appointment and to make nonsubstantive changes.

SECTION 4.12. Amends Section 54.1353, Government Code, to delete existing text requiring a person, to be eligible for appointment as a criminal law hearing officer under Subchapter BB (Criminal Law Hearing Officers in Cameron County), to be a licensed attorney with at least four years' experience and to make nonsubstantive changes.

SECTION 4.13. Amends Section 54.1501(b), Government Code, to delete existing text requiring that the minimum qualifications for each magistrate position in Burnet County require the magistrate to have served as a justice of the peace or municipal court judge or be an attorney licensed in this state.

SECTION 4.14. Amends Section 54.1804, Government Code, to delete existing text requiring a magistrate for a drug court program to have been licensed to practice law in this state for at least four years.

SECTION 4.15. Amends Section 54.1851(b), Government Code, to delete existing text requiring that the minimum qualifications for each magistrate position in the courts of Brazoria County require the magistrate to have served as a justice of the peace or be an attorney licensed in this state.

SECTION 4.16. Amends Section 54.1953, Government Code, to delete existing text requiring a magistrate in certain counties to have served as a justice of the peace for at least four years before the date of appointment or been licensed to practice law in this state for at least four years before the date of the appointment and to make nonsubstantive changes.

SECTION 4.17. Amends Section 54.2202(a), Government Code, to delete existing text requiring a person, to be eligible for appointment as a magistrate in Collin County, to have been licensed to practice law in this state for at least four years.

SECTION 4.18. Amends Section 54.2402(a), Government Code, to delete existing text requiring a person, to be eligible for appointment as a magistrate in Fort Bend County, to have been licensed to practice law in this state for at least four years.

SECTION 4.19. Amends Section 54.2602, Government Code, to delete existing text requiring a person, to be eligible for appointment as a magistrate in Tom Green County, to have been licensed to practice law in this state for at least four years.

SECTION 4.20. Amends Section 54.2702(a), Government Code, to delete existing text requiring a person, to be eligible for appointment as a magistrate in Grayson County, to be a resident of this state and have served as a justice of the peace or municipal court judge for at least four years before the date of appointment or have been licensed to practice law in this state for at least four years before the date of appointment.

SECTION 4.21. Amends Section 54.2802(a), Government Code, to delete existing text requiring an appointed judge of Denton County to be a licensed attorney in good standing with the state bar and to make nonsubstantive changes.

SECTION 4.22. Amends Section 54.2807, Government Code, to delete existing text requiring a person, to be eligible for appointment as the criminal law magistrate court associate judge, a jail magistrate, or another magistrate in the criminal law magistrate court of Denton County, to have been licensed to practice law in this state for at least four years and to make nonsubstantive changes.

SECTION 4.23. Amends Section 54A.003, Government Code, to require a person, to qualify for appointment as an associate judge under Subchapter A (Criminal Associate Judges), to meet certain criteria, including having been licensed to practice law in this state for five, rather than four, years.

SECTION 4.24. Amends Section 54A.103, Government Code, to require a person, to qualify for appointment as an associate judge under Subchapter B (Civil Associate Judges), to meet certain criteria, including having been licensed to practice law in this state for five, rather than four, years.

SECTION 4.25. Amends Section 54A.305(a), Government Code, to require a person, to be eligible for appointment as an associate judge under Subchapter D (Associate Judge for Guardianship Proceedings and Protective Services Proceedings in Certain Courts), to meet certain criteria, including being licensed to practice law in this state for at least five years and have at least four years of experience in the guardianship proceedings or protective services proceedings before the date of appointment as a practicing attorney in this state or a judge of a court in this state.

SECTION 4.26. Makes application of Chapters 54 and 54A (Associate Judges), Government Code, as amended by this article, prospective.

ARTICLE 5. BUSINESS COURT

SECTION 5.01. Amends Section 659.012, Government Code, by adding Subsection (a-1), as follows:

(a-1) Provides that, in addition to the annual base salary from the state prescribed by Subsection (a), a judge of a division of the business court is entitled to an annual salary supplement from the state in an amount equal to the difference between the judge's annual base salary from the state and the maximum combined base salary from all state and county sources paid to a district judge under Subsection (a).

ARTICLE 6. JURORS

SECTION 6.01. Amends Article 19A.051(c), Code of Criminal Procedure, as follows:

(c) Requires the judge to test the qualifications for and exemptions, rather than excuses, from service as a grand juror and impanel the completed grand jury as provided by Chapter 19A (Grand Jury Organization).

SECTION 6.02. Amends the heading to Subchapter C, Chapter 19A, Code of Criminal Procedure, to read as follows:

SUBCHAPTER C. GRAND JUROR QUALIFICATIONS; EXEMPTIONS FROM SERVICE

SECTION 6.03. Amends Article 19A.101, Code of Criminal Procedure, as follows:

Art. 19A.101. New heading: GRAND JUROR QUALIFICATIONS; LISTS OF DISQUALIFIED PERSONS. (a) Provides that a person is authorized to be selected or serve as a grand juror only if the person meets certain requirements, including having never been convicted of a felony. Makes nonsubstantive changes.

(b) Requires the clerk of the district court, on the third business day of each month, to prepare:

(1) a list of persons who in the preceding month were disqualified from serving as a grand juror based on the person's citizenship, rather than based on the person's citizenship or indictment or conviction for misdemeanor theft or a felony, and send a copy of the list to certain persons, including the voter registrar for the county in which the grand jury is sitting and the prosecuting attorney for the court to which the grand jurors were summoned for investigation into whether any person made a false claim concerning the person's qualification under Subsection (a)(2) (providing that a person is authorized to be selected or serve as a grand juror only if the person is a citizen of the United States), rather than Subsection (a)(2), (7) (relating to providing that a person is authorized to be selected or serve only if the person has never been convicted of misdemeanor theft) or (8) (relating to providing that a person is authorized to be selected or serve only if the person has never been convicted of a felony);

(2) a list of persons who in the preceding month were disqualified from serving as a grand juror based on the person's residency and send a copy of the list to the secretary of state (SOS) and the voter registrar for the county in which the grand jury is sitting; and

(3) a list of persons who in the preceding month were disqualified from serving as a grand juror based on the person's indictment or conviction for misdemeanor theft or a felony and send a copy of the list to SOS, the voter registrar for the county in which the grand jury is sitting, and the prosecuting attorney for the court to which the grand jurors were summoned for investigation into whether any person made a false claim concerning the person's qualifications under certain provisions of the Code of Criminal Procedure.

SECTION 6.04. Amends Article 19A.105, Code of Criminal Procedure, as follows:

Art. 19A.105. New heading: EXCUSE AND EXEMPTION FROM GRAND JURY SERVICE. (a) Requires the court to excuse from serving any summoned person who does not possess the requisite qualifications or who claims an exemption to which the person is entitled.

(b) Authorizes certain qualified persons to be exempted, rather than excused, from grand jury service, including a person who is 75 years of age or older, rather than a person older than 70 years of age, and a person responsible for the care of a child who is younger than 18 years of age and who will be without adequate supervision if the person serves on the grand jury.

SECTION 6.05. Amends Subchapter C, Chapter 19A, Code of Criminal Procedure, by adding Articles 19A.106 and 19A.107, as follows:

Art. 19A.106. PERMANENT EXEMPTION FOR ELDERLY. (a) Authorizes a person who is entitled to exemption from grand jury service because the person is 75 years of age or older to establish a permanent exemption on that ground as provided by this article.

(b) Authorizes a person to claim a permanent exemption by filing with the district clerk or the clerk of a district court in the county, through an electronic transmission, mail, or personal delivery, a signed statement affirming the person is 75 years of age or older and desires a permanent exemption on that ground.

(c) Requires the district clerk to maintain a current register of the name of each person who resides in the county and who has claimed and is entitled to a permanent exemption from grand jury service because the person is 75 years of age or older.

(d) Requires the district clerk, on the third business day of each month, to prepare a list of persons who in the preceding month were permanently exempted from serving as a grand juror under this article or who rescinded a permanent exemption under Subsection (f) and send a copy of the list to SOS and the voter registrar of each county served by the clerk.

(e) Prohibits a person whose name appears on the register of persons permanently exempted from serving as a grand juror under this article from being selected or summoned for grand jury service by any district judge in the county.

(f) Authorizes a person who has claimed a permanent exemption from jury service under this article to rescind the exemption at any time by filing a signed request for the rescission with the district clerk or the clerk of a district court in the county. Provides that rescission of a permanent exemption does not affect the right of a person who is 75 years of age or older to claim a permanent exemption at a later time.

Art. 19A.107. LIST OF DISQUALIFIED CONVICTED PERSONS. (a) Requires the district clerk to maintain a list of the name and address of each person who is disqualified under this subchapter from grand jury service because the person was convicted of misdemeanor theft or a felony.

(b) Provides that a person who was convicted of misdemeanor theft or a felony is permanently disqualified from serving as a juror.

(c) Prohibits a person whose name appears on the list maintained under this article from being selected or summoned for grand jury service by any judge of a district court served by the clerk.

(d) Requires the district clerk, on the third business day of each month, to send a copy of the list maintained under this article to certain persons.

SECTION 6.06. Amends Sections 62.001(a) and (b), Government Code, as follows:

(a) Requires the jury wheel to be reconstituted by using certain information as the source, including all names on a current list to be furnished by the Department of Public Safety of Texas, showing the citizens of the country meet certain requirements, including are not disqualified from jury service under certain provisions of Section 62.102(3) (relating to providing that a person is disqualified to serve as a petit juror unless the person is a resident of this state and of the county in which the person is to serve as a juror) or (7) (relating to providing that a person is disqualified to serve as a petit juror unless the person has not been convicted of misdemeanor theft).

(b) Prohibits the names of persons listed on a register of persons exempt from jury service, notwithstanding Subsection (a), from being placed in jury wheel, as provided by Sections 62.108 (Permanent Exemption for Elderly) and 62.109 (Exemption for Physical or Mental Impairment or Inability to Comprehend English), rather than Sections 62.108, 62.109, 62.113 (Compilation of List of Noncitizens), 62.114 (Compilation of List of Nonresidents), and 62.115 (Compilation of List of Convicted Persons).

SECTION 6.07. Amends Section 62.0132(g), Government Code, as follows:

(g) Authorizes the information contained in a completed questionnaire to be disclosed to certain persons, including, other than information provided that is related to Section 62.102(2) (relating to providing that a person is disqualified to serve as a petit juror unless the person is a citizen of the United States), (3), (7), (8) (relating to providing that a person is disqualified to serve as a petit juror unless the person has not been convicted of misdemeanor theft or a felony), or (9) (relating to providing that a person is disqualified to serve as a petit juror unless the person is not under indictment or other legal accusation for misdemeanor theft or a felony), rather than Section 62.102(8) or (9), the voter registrar of a county in connection with any matter of voter registration or the administration of elections.

SECTION 6.08. Amends Section 62.102, Government Code, as follows:

Sec. 62.102. GENERAL QUALIFICATIONS FOR JURY SERVICE. Provides that a person is disqualified to serve as a petit juror unless the person meets certain requirements, including having not been convicted of a felony and having not served as a petit juror for six days during the preceding three months in the county court or during the preceding six months in the district court. Makes nonsubstantive changes.

SECTION 6.09. Amends Section 62.106(a), Government Code, to authorize a person qualified to serve as a petit juror to establish an exemption from jury service if the person meets certain requirements, including if the person is 75 years of age or older, rather than over 75 years of age.

SECTION 6.10. Amends Section 62.107(c), Government Code, as follows:

(c) Authorizes a person who files a statement with a clerk of the court, as provided by Subsection (a) (relating to authorizing a person to establish an exemption from service without appear in person by filing a signed statement), claiming an exemption because the person is 75 years of age or older, rather than over 75 years of age, to also claim the permanent exemption on that ground authorized by Section 62.108 (Permanent Exemption for Elderly) by including in the statement filed with the clerk a declaration that the person desires the permanent exemption. Requires the clerk of the court with whom the declaration is filed to notify the voter registrar of the county.

Deletes existing text requiring the clerk of the court with whom the document is filed, promptly after a statement claiming a permanent exemption on the basis of age is filed, to have a copy delivered to the voter registrar of the county and SOS.

SECTION 6.11. Amends Section 62.108, Government Code, by amending Subsections (a), (b), (c), and (e) and adding Subsection (c-1), as follows:

(a) Makes a conforming change to this subsection.

(b) Authorizes a person to claim a permanent exemption by filing the with district clerk, rather than voter registrar, of the county, by mail or personal delivery, a signed statement affirming that the person is 75 years of age or older and desires a permanent exemption on that ground or in the manner provided by Section 62.107(c). Makes conforming changes.

(c) Makes conforming changes to this subsection.

(c-1) Requires the district clerk, on the third business day of each month, to prepare a list of persons who in the preceding month claimed and were entitled to a permanent exemption under this section or who rescinded an exemption under Subsection (e) (relating to a permanent exemption from jury service because a person is 75 years of age or older) and send a copy of the list to SOS and the voter registrar of each county served by the clerk.

(e) Makes conforming changes to this subsection.

SECTION 6.12. Amends Section 62.109, Government Code, by amending Subsections (a), (b), (d), and (e) and adding Subsection (b-1), as follows:

(a) Authorizes the judge of a district court or the district clerk, rather than the judge of a district court by order, to permanently or for a specified period exempt from service as a juror in all the county and district courts in the county a person with a physical or mental impairment or with an inability to comprehend or communicate in the English language that makes it impossible or very difficult for the person to serve on a jury.

(b) Requires a person requesting an exemption under this section to submit to the court or the district clerk an affidavit stating the person's name and address and the reason for and the duration of the requested exemption.

(b-1) Requires the district clerk to maintain a current list indicating the name of each person permanently or temporarily exempt under this section and the period of the exemption.

(d) Prohibits a person included on the list maintained under Subsection (b-1), rather than a person listed on the register, from being summoned for jury service during the period for which the person is exempt. Makes a conforming change.

(e) Makes a conforming change to this subsection.

SECTION 6.13. Amends Sections 62.113(a) and (b), Government Code, as follows:

(a) Requires the clerk of the court to maintain a list of the name and address of each person who is disqualified, rather than excused or disqualified, under Subchapter B (Juror Qualifications) from jury service because the person is not a citizen of the United States.

(b) Makes a conforming change to this subsection.

SECTION 6.14. Amends Sections 62.114(a) and (b), Government Code, to make conforming changes.

SECTION 6.15. Amends Sections 62.115(c) and (d), Government Code, as follows:

(c) Requires, rather than authorizes, the district clerk to remove from the jury wheel the jury wheel card for the person whose name appears on the list.

(d) Requires the clerk, on the third business day of each month, to send a copy of the list of persons disqualified because of a conviction of misdemeanor theft or a felony to SOS, the voter registrar of the county, and the prosecuting attorney for a court to which a person was summoned for investigation into whether the person made a false claim of qualification under Section 62.102(7) or (8). Deletes existing text requiring the clerk to send SOS a copy of the list of persons disqualified because of a conviction of misdemeanor theft or a felony in the preceding month.

SECTION 6.16. Makes application of the changes in law made by this article prospective.

ARTICLE 7. COURT ADMINISTRATION

SECTION 7.01. Amends Section 57.002(d), Government Code, as follows:

(d) Authorizes a court, subject to Subsection (e) (relating to providing that a person appointed as a spoken language interpreter is required to meet certain requirements), in a county with a population of 50,000 or more, to appoint a spoken language interpreter who is not a certified or licensed court interpreter in certain circumstances, including if the court is a justice court, municipal court, or municipal court of record. Makes nonsubstantive changes.

SECTION 7.02. Amends Section 72.083, Government Code, by adding Subsection (c), as follows:

(c) Authorizes the administrative director of the courts (director), notwithstanding Subsection (b) (relating to requiring the Office of Court Administration of the Texas Judicial System (OCA) to annually report certain performance measures), if the director determines a performance measure listed in Subsection (b) does not accurately reflect a court's performance in probate and mental health matters, to develop an alternative performance measure to assess the efficient and timely adjudication of those matters and include the alternative performance measure in the annual report required under Subsection (b).

SECTION 7.03. Amends Section 74.051(c), Government Code, as follows:

(c) Provides that a presiding judge is entitled to an annual salary for each fiscal year, based on the number of district courts, business courts, and statutory county courts in the administrative region, the number of associate judges appointed by the presiding judge under Chapter 201 (Associate Judge), Family Code, and the number of retired and former judges named on the list maintained under Section 74.055 (List of Retired and Former Judges Subject to Assignment) for the administrative region, in a certain amount. Sets forth the required formula of the salary.

Deletes existing text providing that a presiding judge who is a retired or former district judge or a retired appellate judge and who presides over an administrative region with 30 or more district courts, statutory county courts, and retired and former judges named on the list maintained under Section 74.055 for the administrative region is entitled to an annual salary for each fiscal year in a certain amount.

SECTION 7.04. Amends Section 74.091, Government Code, by amending Subsection (b) and adding Subsections (b-1) and (b-2), as follows:

(b) Provides that, in a county with two or more district courts, the judges of those courts are required to elect a district judge as local administrative district judge for a term of two years, rather than not more than two years, or if the district judge's term ends before the second anniversary of the date the district judge is elected as local administrative judge, for the remainder of the district judge's term. Makes nonsubstantive changes.

(b-1) Creates this subsection from existing text and makes no further changes.

(b-2) Requires one of the judges, if a majority of the judges cannot agree on the selection of a judge to serve as local administrative district judge, to notify the regional presiding judge who is required to cast the deciding vote. Requires a local administrative judge elected under this subsection to serve for a term, set by the regional presiding judge, of not more than two years.

SECTION 7.05. Amends Chapter 74, Government Code, by adding Subchapter D-1, as follows:

SUBCHAPTER D-1. COURT LEADERSHIP CONFERENCE

Sec. 74.0981. COURT LEADERSHIP CONFERENCE. Requires OCA to hold an annual leadership conference to provide information to presiding judges of administrative regions, local administrative judges, and court administrators related to certain matters related to court administration.

Sec. 74.0982. REIMBURSEMENT. Authorizes OCA to reimburse a presiding judge of an administrative region, a local administrative judge, or a court administrator for the expense of attending the leadership conference described by Section 74.0981 to the extent money is appropriated to OCA for that purpose.

SECTION 7.06. Amends Section 121.002(c), Government Code, to prohibit a specialty court program, notwithstanding any other law, from operating until the judge, magistrate, or coordinator fulfills certain requirements, including providing to OCA certain documentation, including a copy of the program policy manual, participant handbook, or other adopted documentation describing the operational plan of the program, rather than a copy of the applicable strategic plan that incorporates duties related to supervision that will be required under the program.

SECTION 7.07. Amends Section 659.012, Government Code, by amending Subsection (d) and adding Subsection (d-1), as follows:

(d) Provides that, notwithstanding any other provision in Section 659.012 (Judicial Salaries) or other law, a district judge who serves as a local administrative district judge under Section 74.091 is entitled to an annual base salary from the state in the amount provided under Subsection (a) (relating to providing that certain judges or justices are entitled to certain annual base salaries) or (b) (relating to providing that certain judges or justices are entitled to an annual salary from the state in a certain amount) and an additional annual amount from the state equal to:

(1) in a county with three or four district courts, three percent of the annual base salary for a judge of a district court under Subsection (a);

(2) in a county with more than four but fewer than 10 district courts, five percent of the annual base salary for a judge of a district court under Subsection (a); or

(3) in a county with 10 or more district courts, seven percent of the annual base salary for a judge of a district court under Subsection (a).

Deletes existing text providing that, notwithstanding any other provision in this section or other law, in a county with more than five district courts, a district judge meeting certain requirements is entitled to an annual base salary from the state in the amount equal to $5,000 more than the maximum salary from the state to which the judge is otherwise entitled under Subsection (a) or (b). Makes nonsubstantive changes.

(d-1) Provides that, notwithstanding any other provision in this section or other law, a judge of a division of the business court who serves as administrative presiding judge under Section 25A.009 (Appointment of Judges; Term; Presiding Judge; Exchange of Benches) is entitled to an annual base salary from the state in the amount provided under Subsection (a) or (b) and an additional annual amount equal to the amount provided under Subsection (d)(3).

SECTION 7.08. Repealer: Section 74.051(b) (relating to requiring a presiding judge to receive a salary in an amount not to exceed 30 percent of the state base salary paid to a district judge as set by the General Appropriations Act), Government Code,

SECTION 7.09. Makes application of Section 74.091 (Local Administrative District Judge), Government Code, as amended by this article, prospective.

ARTICLE 8. COURT CLERKS

SECTION 8.01. Amends Subchapter D, Chapter 51, Government Code, by adding Section 51.3033, as follows:

Sec. 51.3033. CERTIFIED COPIES. Requires that a certified copy made of an original document on file in a district clerk's office include certain information.

SECTION 8.02. Amends Subchapter F, Chapter 51, Government Code, by adding Section 51.503, as follows:

Sec. 51.503. CERTIFIED COPIES. Requires that a certified copy made of an original document on file in a joint clerk's office include certain information.

SECTION 8.03. Amends Chapter 191, Local Government Code, by adding Section 191.0041, as follows:

Sec. 191.0041. CERTIFIED COPIES. Requires that a certified copy made of an original document on file in a county clerk's office include certain information.

ARTICLE 9. YOUTH DIVERSION

SECTION 9.01. Amends Article 45A.253(b), Code of Criminal Procedure, to require, rather than authorize, a judge to allow a defendant who is a child, as defined by Article 45A.453(a) (relating to the definition of "child"), to elect at the time of conviction, as defined by Section 133.101 (Meaning of Conviction), Local Government Code, to discharge the fine and costs by certain methods.

SECTION 9.02. (a) Amends Chapter 45A, Code of Criminal Procedure, to conform to Section 2, Chapter 525 (H.B. 3186), Acts of the 88th Legislature, Regular Session, 2023, and Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, and further amends it by adding Subchapter K, as follows:

SUBCHAPTER K. YOUTH DIVERSION

Art. 45A.501. DEFINITIONS. Defines "charge," "child," "court," "diversion," "offense," "parent," "service provider," "traffic offense," and "youth diversion plan."

Art. 45A.502. APPLICABILITY. Provides that this subchapter applies only to a child who is alleged to have engaged in conduct that constitutes a misdemeanor punishable by fine only, other than a traffic offense.

Art. 45A.503. TRANSFER TO JUVENILE COURT NOT AFFECTED. Provides that nothing in this subchapter precludes a case involving a child from being referred, adjudicated, or disposed of as conduct indicating a need for supervision under Title 3 (Juvenile Justice Code), Family Code, or a waiver of criminal jurisdiction and transfer of a child's case as provided by Section 51.08 (Transfer from Criminal Court), Family Code.

Art. 45A.504. DIVERSION ELIGIBILITY. (a) Requires a child, except as otherwise provided by this subchapter, to be diverted from formal criminal prosecution as provided by this subchapter.

(b) Provides that a child is eligible to enter into a diversion agreement under this subchapter only once every 12 months.

(b-1) Provides that a child is eligible to enter into a diversion agreement under this subchapter for more than one offense if the offenses are alleged to have occurred as part of the same criminal episode, as defined by Section 3.01 (Definition), Penal Code.

(c) Provides that a child is not eligible for diversion if the child has previously had an unsuccessful diversion under this subchapter.

(d) Provides that a child is not eligible for diversion if a diversion is objected to by the attorney representing the state.

(e) Prohibits a court from diverting a child from criminal prosecution as provided by this subchapter without the written consent of the child and the child's parent.

Art. 45A.505. DIVERSION STRATEGIES. (a) Provides that diversion strategies include requiring a child to participate in a certain educational or rehabilitative program, referring a child to a service provider for certain behavioral services, requiring a child to fulfill certain responsibilities, and requiring a child, by court order, to pay a certain restitution and perform certain services and actions determined by the court.

(b) Authorizes a diversion strategy to be imposed under certain provisions of the Code of Criminal Procedure and Education Code.

(c) Prohibits a diversion strategy under this subchapter from requiring a child who is a home-schooled student, as defined by Section 29.916 (Home-Schooled Student Merit Scholarship and Advanced Placement Testing), Education Code, to attend an elementary or secondary school or use an educational curriculum other than the curriculum selected by the parent.

Art. 45A.506. YOUTH DIVERSION PLAN. (a) Provides that a youth diversion plan (plan) is a written plan that describes the types of strategies that will be used to implement youth diversion. Provides that a plan does not limit the types of diversion strategies that are authorized to be imposed under a diversion agreement under Article 45A.508.

(b) Requires each justice and municipal court to adopt a plan.

(c) Authorizes a plan to be devised for a county or municipality or an individual court within a county or municipality.

(d) Authorizes a local government, in accordance with Chapter 791 (Interlocal Cooperation Contracts), Government Code, to enter into an agreement with one or more local governments to create a regional plan and collaborate in the implementation of this subchapter.

(e) Authorizes a plan to include an agreement with a service provider to provide services for a diversion strategy.

(f) Authorizes a plan to contain guidelines for disposition or diversion of a child's case by law enforcement. Provides that the guidelines are not mandatory.

(g) Requires that a current plan be maintained on file for public inspection in each justice and municipal court, including courts that collaborate with one or more counties or municipalities.

(h) Authorizes a court or local government to adopt rules necessary to coordinate services under a plan or to implement this subchapter.

Art. 45A.507. YOUTH DIVERSION COORDINATOR. (a) Authorizes a court to designate a youth diversion coordinator (coordinator) to assist the court in performing certain actions.

(b) Authorizes the responsibilities of the coordinator to be performed by certain persons.

Art. 45A.508. DIVERSION AGREEMENT. (a) Requires that a diversion agreement identify the parties to the agreement and the responsibilities of the child and the child's parent to ensure their meaningful participation in a diversion under Article 45A.509 or 45A.510.

(b) Requires that stated objectives in a diversion agreement be measurable, realistic, and reasonable and consider the circumstances of the child, the best interests of the child, and the long-term safety of the community.

(c) Requires that a diversion agreement include certain information and requirements.

(d) Authorizes the terms of an agreement to vary depending on the circumstances of the child, including the child's age and ability, the charge being diverted, or the diversion strategy used.

(e) Provides that a charge is prohibited from being filed against a child or, if filed, is required to be dismissed by the court if the child does not contest the charge, is eligible for diversion under Article 45A.504, and accepts the terms of the agreement.

(f) Provides that entering into a diversion agreement under this article extends the court's jurisdiction for the term of the agreement.

(g) Requires that a copy of a diversion agreement, on entering into the agreement, to be provided to the child and the child's parent, the clerk of the court, a coordinator, and any person specified by the plan.

Art. 45A.509. INTERMEDIATE DIVERSION. (a) Requires a coordinator or juvenile case manager, if provided by a plan, to advise the child and the child's parent before a case is filed that the case is authorized to be diverted under this article for a reasonable period not to exceed 180 days if certain criteria are fulfilled.

(b) Requires that the terms of a diversion agreement under this article be in writing and authorizes the terms to include any of the diversion strategies under Article 45A.505.

(c) Requires that the case of a child who successfully complies with the terms of a diversion agreement under this article be closed and reported as successful to the court.

(d) Requires a child who does not comply with the terms of a diversion agreement under this article to be referred to court under Article 45A.511.

Art. 45A.510. DIVERSION BY JUSTICE OR JUDGE. (a) Requires a justice or judge, if a charge involving a child who is eligible for diversion is filed with a court, and the child does not contest the charge, to divert the case under this article without the child having to enter a plea.

(b) Prohibits a diversion under this article from exceeding 180 days.

(c) Provides that the terms of a diversion agreement under this article are required to be in writing and authorized to include any of the diversion strategies described by Article 45A.505.

(d) Requires that the case of a child who successfully complies with the terms of a diversion agreement under this article be closed and reported as successful to the court.

(e) Requires a child who does not comply with the terms of a diversion agreement under this article to be referred to court for a hearing under Article 45A.511.

Art. 45A.511. REFERRAL TO COURT. (a) Requires a court to conduct a non-adversarial hearing for a child who does not successfully complete the terms of a diversion under Article 45A.509 or 45A.510 and is referred to the court.

(b) Provides that the hearing is an opportunity for a justice or judge to confer with the child and the child's parent to determine whether a diversion is required to be declared unsuccessful by the court. Authorizes the court to also hear from any person who may be of assistance to the child or the court in determining what is in the best interests of the child and the long-term safety of the community.

(c) Authorizes the court, after the hearing, to enter an order dictating certain terms for the diversion.

(d) Prohibits an order under Subsection (c)(4) (relating to an order requiring the child's parent to perform any act or refrain from performing any act as the court determines will increase the likelihood the child will successfully complete the diversion) from having the substantive effect of interfering with a parent's fundamental right to determine how to raise the parent's child, unless the court finds that the interference is necessary to prevent significant impairment of the child's physical, mental, or emotional health.

(e) Provides that an order under Subsection (c)(4) is enforceable against the parent by contempt.

(f) Provides that the statute of limitations in Article 12.02 (Misdemeanors) is tolled during the diversion period for purposes of Subsection (c)(6)(B) (relating to authorizing the court to enter an order finding the diversion unsuccessful and referring the charge to the prosecutor for consideration of re-filing).

Art. 45A.512. LOCAL YOUTH DIVERSION ADMINISTRATIVE FEE. (a) Authorizes the clerk of a justice or municipal court to collect from a child's parent an administrative fee not to exceed $50 to defray the costs of the diversion of the child's case under this subchapter.

(b) Prohibits the fee under this article from being collected unless specified as a term of the diversion agreement accepted by the child's parent. Requires the court, if the fee is not paid after giving the child's parent an opportunity to be heard, to order the parent, if financially able, to pay the fee to the clerk of the court.

(c) Requires a court to waive the fee if the child's parent is indigent or does not have sufficient resources or income to pay the fee.

(d) Authorizes a court to adopt rules for the waiver of a fee for financial hardship under this article.

(e) Provides that an order under Subsection (b) is enforceable against the parent by contempt.

(f) Requires the clerk of the court to keep a record of the fees collected under this article and forward the funds to the county treasurer, municipal treasurer, or person fulfilling the role of a county treasurer or municipal treasurer, as appropriate.

(g) Requires that the fee collected under this article be deposited in a special account that can be used only to offset the cost of the operations of youth diversion programs under this subchapter.

(h) Prohibits a fee, except for the fee authorized under Subsection (a), from being assessed for a child diverted under this subchapter.

(i) Prohibits the diversion of a child from being contingent on payment of a fee under this article.

Art. 45A.513. DIVERSION RECORDS. (a) Requires a justice or municipal court to maintain statistics for each diversion strategy authorized by this subchapter.

(b) Provides that, other than statistical records, all records generated under this subchapter are confidential under Article 45A.462 (Confidential Records Related to Certain Charges Against or Convictions of Child).

(c) Requires that all records of a diversion pertaining to a child under this subchapter be expunged without the requirement of a motion or request, on the child's 18th birthday.

(b) Repealer: Section 2 (relating to adding Subchapter E, Chapter 45, Code of Criminal Procedure), Chapter 525 (H.B. 3186), Acts of the 88th Legislature, Regular Session, 2023.

(c) Repealer: Section 4 (relating to amending Article 45.041, Code of Criminal Procedure), Chapter 525 (H.B. 3186), Acts of the 88th Legislature, Regular Session, 2023.

ARTICLE 10. JUVENILE BOARDS.

SECTION 10.01. Amends Section 152.0191(a), Human Resources Code, to provide that the juvenile board of Bee County is composed of the county judge, the district judges in Bee County, and the judge of the 2nd Multicounty Court at Law and to make nonsubstantive changes.

SECTION 10.02. Amends Section 152.1551(a), Human Resources Code, to provide that the juvenile board of Live Oak County is composed of the county judge, the district judges in Live Oak County, and the judge of the 2nd Multicounty Court at Law and to make nonsubstantive changes.

SECTION 10.03. Amends Section 152.1621(a), Human Resources Code, to provide that the juvenile board of McMullen County is composed of the county judge, the district judges in McMullen County, and the judge of the 2nd Multicounty Court at Law and to make nonsubstantive changes.

ARTICLE 11. MISCELLANEOUS COURT PROVISIONS

SECTION 11.01. Amends Sections 30.015(a) and (b), Civil Practice and Remedies Code, as follows:

(a) Requires each party or the party's attorney, in a civil action filed in a certain court, to provide the clerk of the court with written notice of the party's name, the party's current residence or business address, and for a party who is an individual:

(1) the last three digits of the party's social security number

(2) the last three digits of the party's Texas driver's license; or

(3) the party's date of birth.

Makes a nonsubstantive change to this subsection.

(b) Prohibits the notice required by Subsection (a), unless the party is the defendant in a tax suit, from being required from any party or party's attorney if the party has not appeared or answered in the civil action. Makes nonsubstantive changes.

SECTION 11.02. Amends Articles 45A.302(b), (c), and (d), Code of Criminal Procedure, as follows:

(b) Authorizes the judge, in issuing the order of deferral, to impose a special expense fee, rather than a fine, on the defendant in an amount not to exceed the amount of the fine that could be imposed on the defendant as punishment for the offense.

(c)-(d) Makes conforming changes to these subsections.

SECTION 11.03. Amends Article 102.017, Code of Criminal Procedure, by adding Subsection (e-1), as follows:

(e-1) Provides that, in administering or directing funds under Subsection (e) (relating to requiring that the courthouse security fund and the justice court building security fund be administered by or under the direction of the commissioners court), a commissioners court is required to prioritize the recommendations provided by a court security committee under Section 74.092(b) (relating to authorizing a court security committee to recommend to the county commissioners court the uses of resources and expenditures of money for courthouse security), Government Code, and the governing body of a municipality is required to prioritize the recommendations provided by a court security committee under certain provisions of the Government Code.

SECTION 11.04. Amends Subchapter A, Chapter 58, Family Code, by adding Section 58.010, as follows:

Sec. 58.010. CONFIDENTIALITY OF WARRANTS OF ARREST. Provides that, notwithstanding Article 15.26 (Authority to Arrest Must be Made Known), Code of Criminal Procedure, an arrest warrant issued for a child and a complaint or affidavit on which an arrest warrant issued for a child is based are confidential and authorized to be disclosed only to certain individuals, agencies, or institutions.

SECTION 11.05. Amends Section 29.014, Government Code, by amending Subsections (c) and (d) and adding Subsection (e), as follows:

(c) Requires the court security committee to establish the policies and procedures necessary to provide adequate security to the municipal courts served by the presiding or municipal judge, as applicable, including by developing a court emergency management plan.

(d) Provides that a committee is required, rather than authorized, to recommend to the municipality the uses of resources and expenditures of money for courthouse security, but prohibited from directing the assignment of those resources or the expenditure of those funds.

(e) Provides that, notwithstanding Section 551.001 (Definitions) or 552.003 (Definitions), a court security committee established under Section 29.014 (Court Security Committee) is not a governmental body for the purposes of Chapter 551 (Open Meetings) or 552 (Public Information).

SECTION 11.06. Amends Section 30.00007, Government Code, by amending Subsections (b) and (c) and adding Subsection (d), as follows:

(b) Requires the presiding judge to perform certain actions, including establishing a court security committee to adopt security policies and procedures for the courts served by the presiding judge, including by developing a court emergency management plan, that is composed of certain members.

(c) Provides that a court security committee is required, rather than authorized, to recommend to the governing body the uses of resources and expenditures of money for courthouse security, but is prohibited from directing the assignment of those resources or the expenditure of those funds.

(d) Provides that, notwithstanding Section 551.001 or 552.003, a court security committee established under Section 30.00007 (Presiding Judge) is not a governmental body for the purposes of Chapter 551 or 552.

SECTION 11.07. Amends Section 51.903(d), Government Code, to prohibit the district clerk from collecting a filing fee under Section 12.005 (Filing Fees), Civil Practice and Remedies Code, for a filing, rather than for filing a motion, under Section 51.903 (Action on Fraudulent Lien on Property).

SECTION 11.08. Amends Section 72.015(c), Government Code, to require the judicial security division to perform certain actions, including developing a model court emergency management plan as a resource for court security committees and to make nonsubstantive changes.

SECTION 11.09. Amends Section 74.092, Government Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Requires a local administrative judge, for the courts for which the judge serves as local administrative judge, to perform certain duties, including establishing a court security committee to adopt security policies and procedures for the trial courts served by the local administrative district judge, including by adopting a court emergency management plan, that is composed of certain individuals, including a representative of a constable's office and one judge of each type of court in the county, including a justice of the peace and excluding the judge of a municipal court or a municipal court of record. Make nonsubstantive changes.

(c) Provides that, notwithstanding Section 551.001 or 552.003, a court security committee established under this section is not a governmental body for the purposes of Chapter 551 or 552.

SECTION 11.10. Redesignates Section 74.092(b), Government Code, as Section 74.0922, and amends it as follows:

Sec. 74.0922. DUTIES OF COURT SECURITY COMMITTEE. Requires, rather than authorizes a court security committee established under Section 74.092(a)(13) (relating to requiring a local administrative judge to establish a court security committee to adopt security policies and procedures) to meet at least once annually and develop and submit recommendations, rather than to recommend, to the county commissioners court on the uses of resources and expenditures of money for courthouse security, but prohibits it from directing the assignment of those resources or the expenditure of those funds. Makes a nonsubstantive change.

SECTION 11.11. Amends Section 51.303, Government Code, by amending Subsections (b) and (f) and adding Subsection (d), as follows:

(b) Requires the clerk of a district court to perform certain duties, including accepting an application for a protective order filed under Chapter 71 (Definitions), Family Code. Makes nonsubstantive changes.

(d) Requires that paper records include a reference opposite each name to the minutes on which is entered the judgment in the case.

(f) Requires that a case with an electronic record be searchable by each party's full name, the case number, and the date on which the record was mad. Deletes existing text requiring a district clerk, in addition to the other powers and duties of Section 51.303 (Duties and Powers), to accept applications for protective orders under Chapter 71, Family Code.

SECTION 11.12. Amends Section 574.001(b), Health and Safety Code, as follows:

(b) Requires that, except as provided by Subsection (f) (relating to authorizing an application in which the proposed patient is a child in the custody of the Texas Juvenile Justice Department to be filed in the county in which the child's commitment to was ordered) the application for court-ordered mental health services be filed with the county clerk in the county in which the proposed patient resides; is located at the time the application is filed, rather than is found; was apprehended under Chapter 573 (Emergency Detention); or is receiving certain mental health services. Makes nonsubstantive changes.

SECTION 11.13. Amends Section 135.101(a), Local Government Code, to delete existing text requiring a person to pay in a certain court in addition to all other fees and court costs a local consolidated filing fee of $35 on an appeal and to make a nonsubstantive change.

SECTION 11.14. Amends Section 615.003(a), Local Government Code, to authorize a county, rather than a county with a population of 150,000 or more, to construct, enlarge, equip, and operate a parking lot or parking garage adjacent to or near the county courthouse.

SECTION 11.15. Amends Section 42.07(b), Penal Code, by amending Subdivision (1) and adding Subdivision (1-a) to define "court employee."

SECTION 11.16. Amend Section 42.07(c), Penal Code, as follows:

(c) Provides that an offense under Section 42.07 (Harassment) is a Class B misdemeanor, except that the offense is:

(1) a Class A misdemeanor if certain criteria are fulfilled, including if the offense was committed against a person the actor knows is a court employee;

(2) a state jail felony if the offense was committed against a person the actor knows is a court employee and the actor has previously been convicted under this section or a judge; and

(3) a felony of the third degree if the offense was committed against a person the actor knows is a judge and the actor has previously been convicted under this section.

Makes nonsubstantive changes to this subsection.

SECTION 11.17. Amends Section 21.049, Property Code, to require the clerk of the court, not later than the next working day after the day the decision of the special commissioners is filed, to send notice of the decision by a delivery method described under Rule 21a, Texas Rules of Civil Procedure, rather than by certified or registered United States mail, return receipt requested, to the parties in the proceeding, or to their attorneys of record, at their addresses of record.

SECTION 11.18. Amends Section 34.03(a), Tax Code, to make a conforming change.

SECTION 11.19. Amends Section 521.243(a), Transportation Code, to require the clerk of the court, unless the petition is dismissed under Section 521.2421(f) (relating to requiring the court, if a court lacks jurisdiction over a certain petition, to dismiss the application), to send electronically or by a delivery method described by Rule 21a, Texas Rules of Civil Procedure, rather than by certified mail, to the attorney representing the state a copy of the petition and notice of the hearing if the petitioner's license was suspended, revoked, or canceled following a conviction for a certain offense.

SECTION 11.20. Makes application of Section 574.001, Health and Safety Code, prospective.

SECTION 11.21. (a) Makes application of Section 42.07, Penal Code, as amended by this article, prospective.

(b) Requires a court security committee, as soon as practicable after the effective date of this article, to develop a court emergency management plan as required by Section 29.014, 30.00007, or 74.092 (Duties of Local Administrative Judge), Government Code, as amended by this article.

ARTICLE 12. CONFLICT; EFFECTIVE DATE

SECTION 12.01. Provides that, to the extent of any conflict, this Act prevails over another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 12.02. Effective date: except as otherwise provided by a provision of this Act, September 1, 2025.