

BILL ANALYSIS

H.B. 1749
By: Darby
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law provides for the authority of municipal courts of record to enforce health and safety and nuisance abatement ordinances within the city limits. However, the bill author has informed the committee that the lack of authority of municipal courts to enforce these types of ordinances creates inconsistency and confusion regarding jurisdiction over the enforcement of municipal ordinances. H.B. 1749 seeks to resolve this inconsistency and provide municipal courts with authority similar to municipal courts of record regarding specified ordinance issues by authorizing the governing body of a municipality to provide that a municipal court has jurisdiction over the enforcement of specified municipal ordinances and the authority to issue search warrants regarding certain ordinance violations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1749 amends the Government Code to authorize the governing body of a municipality by ordinance to provide that a municipal court has the following:

- civil jurisdiction for the purpose of enforcing municipal ordinances regulating dangerous structures and junked vehicles;
- concurrent jurisdiction with a district court or a county court at law under applicable Local Government Code provisions within the municipality's territorial limits and property owned by the municipality located in the municipality's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and
- authority to issue search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation and seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises.

EFFECTIVE DATE

September 1, 2025.