

By: Richardson

H.B. No. 4797

A BILL TO BE ENTITLED

AN ACT

relating to the reorganization of the court of appeals districts.

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

SECTION 1. Sections 22.201(a), (b), (c), (d), (e), and (f), Government Code, are amended to read as follows:

(a) The state is organized into six ~~[15]~~ courts of appeals districts with a court of appeals in each district.

(b) The ~~[First]~~ Court of Appeals District A is composed of the counties of Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Jasper, Jefferson, Liberty, Montgomery, Newton, Orange, Polk, San Jacinto, Tyler, Waller, ~~[and]~~ Washington, and Wharton.

(c) The ~~[Second]~~ Court of Appeals District B is composed of the counties of Archer, Bosque, Brazos, Burleson, Clay, Coryell, Ellis, Falls, Hamilton, Hill, ~~[Cooke, Denton]~~ Hood, Jack, Johnson, Limestone, McLennan, ~~[Montague]~~ Parker, Robertson, Somervell, Tarrant, Wichita, Wise, and Young.

(d) The ~~[Third]~~ Court of Appeals District C is composed of the counties of Armstrong, Bailey, Bastrop, Baylor, Bell, Blanco, Borden, Briscoe, Brown, Burnet, Caldwell, Callahan, Carson, Castro, Childress, Cochran, Coke, Coleman, Collingsworth, Comal, Comanche, Concho, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, Ector, Erath, Fayette, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford,

1 Hardeman, Hartley, Haskell, Hays, Hemphill, Hockley, Howard,
2 Hutchinson, Irion, Jones, Kent, King, Knox, Lamb, Lampasas, Lee,
3 Llano, Lubbock, Lynn, Martin, McCulloch, Midland, Milam, Mills,
4 Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto,
5 Parmer, Potter, Randall, Roberts, Runnels, San Saba, Schleicher,
6 Scurry, Shackelford, Sherman, Stephens, Sterling, Stonewall,
7 Swisher, Taylor, Terry, Throckmorton, Tom Green, Travis,
8 Wilbarger, ~~and~~ Williamson, Wheeler, and Yoakum.

9 (e) The [~~Fourth~~] Court of Appeals District D is composed of
10 the counties of Andrews, Aransas, Atascosa, Bandera, Bee, Bexar,
11 Brewster, Brooks, Calhoun, Cameron, Crane, Crockett, Culberson,
12 DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Gillespie, Goliad,
13 Gonzales, Guadalupe, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim
14 Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney,
15 Kleberg, LaSalle, Lavaca, Live Oak, Loving, ~~[McMullen,~~ Mason,
16 Matagorda, Maverick, McMullen, Medina, Menard, Nueces, Pecos,
17 Presidio, Reagan, Real, Reeves, Refugio, San Patricio, Starr,
18 Sutton, Terrell, Upton, Uvalde, Val Verde, Victoria, Ward, Webb,
19 Willacy, Wilson, Winkler, Zapata, and Zavala.

20 (f) The [~~Fifth~~] Court of Appeals District E is composed of
21 the counties of Anderson, Angelina, Bowie, Camp, Cass, Cherokee,
22 Collin, Cooke, Dallas, Delta, Denton, Fannin, Franklin, Freestone,
23 Grayson, Gregg, Harrison, Henderson, Hopkins, Houston, Hunt,
24 Kaufman, Lamar, Leon, Madison, Marion, Montague, Morris,
25 Nacogdoches, Navarro, Panola, Raines, Red River, ~~and~~ Rockwall,
26 Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Trinity, Upshur,
27 Van Zandt, Walker, and Wood.

1 SECTION 2. The heading to Section 22.202, Government Code,
2 is amended to read as follows:

3 Sec. 22.202. [~~FIRST~~] COURT OF APPEALS: APPELLATE DISTRICT
4 A.

5 SECTION 3. Sections 22.202(a) and (g), Government Code, are
6 amended to read as follows:

7 (a) The Court of Appeals for Appellate [~~the First Court of~~
8 ~~Appeals~~] District A shall be held in the cities [~~City~~] of Houston
9 and Beaumont.

10 (g) The court [~~First Court of Appeals~~] may transact its
11 business in any county in the district [~~First Court of Appeals~~
12 ~~District~~] as the court determines necessary and convenient.

13 SECTION 4. The heading to Section 22.203, Government Code,
14 is amended to read as follows:

15 Sec. 22.203. [~~SECOND~~] COURT OF APPEALS: APPELLATE DISTRICT
16 B.

17 SECTION 5. Section 22.203(a), Government Code, is amended
18 to read as follows:

19 (a) The Court of Appeals for Appellate [~~the Second Court of~~
20 ~~Appeals~~] District B shall be held in the cities [~~City~~] of Fort Worth
21 and Waco.

22 SECTION 6. The heading to Section 22.204, Government Code,
23 is amended to read as follows:

24 Sec. 22.204. [~~THIRD~~] COURT OF APPEALS: APPELLATE DISTRICT
25 C.

26 SECTION 7. Sections 22.204(a) and (b), Government Code, are
27 amended to read as follows:

1 (a) The Court of Appeals for Appellate [~~the Third Court of~~
2 ~~Appeals~~] District C shall be held in the cities [~~City~~] of Austin,
3 Amarillo, and Eastland.

4 (b) The court may transact its business in any [~~at the~~
5 county in the [~~seat of any of the counties within its~~] district as
6 the court determines is necessary and convenient [~~, except that all~~
7 ~~cases originating in Travis County shall be heard and transacted in~~
8 ~~that county~~].

9 SECTION 8. Section 22.205, Government Code, is amended to
10 read as follows:

11 Sec. 22.205. [~~FOURTH~~] COURT OF APPEALS: APPELLATE DISTRICT

12 D. (a) The Court of Appeals for Appellate [~~the Fourth Court of~~
13 ~~Appeals~~] District D shall be held in the cities [~~City~~] of San
14 Antonio, Corpus Christi, and El Paso.

15 (b) The court may transact its business in any [~~at the~~
16 county in the [~~seat of any of the counties within its~~] district [~~,~~
17 as the court determines is necessary and convenient, except that
18 all cases originating in Bexar County that the court hears shall be
19 heard and transacted in that county.

20 SECTION 9. The heading to Section 22.206, Government Code,
21 is amended to read as follows:

22 Sec. 22.206. [~~FIFTH~~] COURT OF APPEALS: APPELLATE DISTRICT

23 E.

24 SECTION 10. Section 22.206(a), Government Code, is amended
25 to read as follows:

26 (a) The Court of Appeals for Appellate [~~the Fifth Court of~~
27 ~~Appeals~~] District E shall be primarily held in the cities [~~City~~] of

1 Dallas, Texarkana, and Tyler.

2 SECTION 11. Sections 22.216(a), (b), (c), (d), and (e),
3 Government Code, are amended to read as follows:

4 (a) The Court of Appeals for [~~the First~~] Court of Appeals
5 District A consists of a chief justice and of 21 [~~eight~~] justices
6 holding places numbered consecutively beginning with Place 2.

7 (b) The Court of Appeals for [~~the Second~~] Court of Appeals
8 District B consists of a chief justice and of nine [~~six~~] justices
9 holding places numbered consecutively beginning with Place 2.

10 (c) The Court of Appeals for [~~the Third~~] Court of Appeals
11 District C consists of a chief justice and of 12 [~~five~~] justices
12 holding places numbered consecutively beginning with Place 2.

13 (d) The Court of Appeals for [~~the Fourth~~] Court of Appeals
14 District D consists of a chief justice and of 15 [~~six~~] justices
15 holding places numbered consecutively beginning with Place 2.

16 (e) The Court of Appeals for [~~the Fifth~~] Court of Appeals
17 District E consists of a chief justice and of 18 [~~12~~] justices
18 holding places numbered consecutively beginning with Place 2.

19 SECTION 12. Section 75.014(d), Government Code, is amended
20 to read as follows:

21 (d) The offices, courtrooms, physical facilities,
22 equipment, furniture, and books provided by the El Paso
23 Commissioners Court for the court system and its auxiliary
24 services, judges, and court personnel, except for the Court of
25 Appeals for Appellate [~~the Eighth Court of Appeals~~] District D,
26 shall be allocated and utilized as provided by a majority vote of
27 the council of judges.

1 SECTION 13. The following provisions of the Government Code
2 are repealed:

3 (1) Sections 22.201(g), (h), (i), (j), (k), (l), (m),
4 (n), and (o);

5 (2) Sections 22.202(b), (c), (d), (e), (f), (h), and
6 (i);

7 (3) Section 22.203(g);

8 (4) Sections 22.204(c), (d), (e), and (f);

9 (5) Section 22.206(c);

10 (6) Sections 22.207, 22.208, 22.209, 22.210, 22.211,
11 22.212, 22.213, 22.214, and 22.215; and

12 (7) Sections 22.216(f), (g), (h), (i), (j), (k), (l),
13 (m), and (n).

14 SECTION 14. (a) On the effective date of this Act:

15 (1) the person serving as chief justice of the
16 Fourteenth Court of Appeals becomes the chief justice of the court
17 of appeals for Appellate District A, and the persons serving as
18 chief justices of the First and Ninth Courts of Appeals become
19 deputy chief justices of the court of appeals for Appellate
20 District A but retain the justices' classification and compensation
21 as chief justices;

22 (2) the person serving as chief justice of the Tenth
23 Court of Appeals becomes the chief justice of the court of appeals
24 for Appellate District B, and the person serving as chief justice of
25 the Second Court of Appeals becomes deputy chief justice of the
26 court of appeals for Appellate District B but retains the justice's
27 classification and compensation as a chief justice;

1 (3) the person serving as chief justice of the Seventh
2 Court of Appeals becomes the chief justice of the court of appeals
3 for Appellate District C, and the persons serving as chief justices
4 of the Third and Eleventh Courts of Appeals become deputy chief
5 justices of the court of appeals for Appellate District C but retain
6 the justices' classification and compensation as chief justices;

7 (4) the person serving as chief justice of the
8 Thirteenth Court of Appeals becomes the chief justice of the court
9 of appeals for Appellate District D, and the persons serving as
10 chief justices of the Fourth and Eighth Courts of Appeals become
11 deputy chief justices of the court of appeals for Appellate
12 District D but retain the justices' classification and compensation
13 as chief justices; and

14 (5) the person serving as chief justice of the Twelfth
15 Court of Appeals becomes the chief justice of the court of appeals
16 for Appellate District E, and the persons serving as chief justices
17 of the Fifth and Sixth Courts of Appeals become deputy chief
18 justices of the court of appeals for Appellate District E but retain
19 the justices' classification and compensation as chief justices.

20 (b) When a person who became a deputy chief justice of a
21 court of appeals for an appellate district as provided by
22 Subsection (a) of this section leaves office, a person appointed or
23 elected to fill the justice's place becomes a justice of the
24 appellate district and not a deputy chief justice.

25 (c) A person who is justice of a court of appeals serving on
26 the effective date of this Act and who resides in a county
27 transferred by this Act from a court of appeals district to another

1 court of appeals district becomes a member of the court of appeals
2 of the appellate district to which the county is transferred for the
3 period the person was elected or appointed as justice to a court of
4 appeals.

5 (d) If more than two persons serving as justices of a court
6 of appeals on the effective date of this Act reside in a county
7 transferred by this Act from a court of appeals district to another
8 court of appeals district and the number of justices for that
9 appellate district would exceed the number of justices provided
10 under Section [22.216](#), Government Code, as amended by this Act,
11 those justices shall draw lots as prescribed by the Texas Supreme
12 Court to determine which justices shall become members of the court
13 of appeals. A justice who resides in a county transferred to
14 another court of appeals district who does not become a justice of
15 the court of appeals of the appellate district to which the county
16 is transferred must establish residency in a county in another
17 court of appeals district with open justice positions not later
18 than January 1, 2026. A justice who does not comply with this
19 subsection vacates the justice's position as of January 1, 2026.

20 (e) On the effective date of this Act:

21 (1) the person serving as clerk of the Fourteenth
22 Court of Appeals becomes the clerk of the court of appeals for
23 Appellate District A, and the person serving as clerk of the Ninth
24 Court of Appeals becomes senior deputy clerk of the court of appeals
25 for Appellate District A but retains the person's classification
26 and compensation as clerk of the court;

27 (2) the person serving as clerk of the Second Court of

1 Appeals becomes the clerk of the court of appeals for Appellate
2 District B, and the person serving as clerk of the Tenth Court of
3 Appeals becomes senior deputy clerk of the court of appeals for
4 Appellate District B but retains the person's classification and
5 compensation as clerk of the court;

6 (3) the person serving as clerk of the Third Court of
7 Appeals becomes the clerk of the court of appeals for Appellate
8 District C, and the persons serving as clerks of the Seventh and
9 Eleventh Courts of Appeals become senior deputy clerks of the court
10 of appeals for Appellate District C but retain the persons'
11 classification and compensation as clerks of the court;

12 (4) the person serving as clerk of the Thirteenth
13 Court of Appeals becomes the clerk of the court of appeals for
14 Appellate District D, and the persons serving as clerks of the
15 Fourth and Eighth Courts of Appeals become senior deputy clerks of
16 the court of appeals for Appellate District D but retain the
17 persons' classification and compensation as clerks of the court;
18 and

19 (5) the person serving as clerk of the Fifth Court of
20 Appeals becomes the clerk of the court of appeals for Appellate
21 District E, and the persons serving as clerks of the Sixth and
22 Twelfth Courts of Appeals become senior deputy clerks of the court
23 of appeals for Appellate District E but retain the persons'
24 classification and compensation as clerks of the court.

25 (f) When a person serving as senior deputy clerk of a court
26 of appeals for an appellate district as provided by Subsection (e)
27 of this section leaves office, a person may be appointed to fill

1 that position as a clerk and not a senior deputy clerk.

2 (g) The Texas Supreme Court may adopt rules and establish
3 the procedures necessary to implement this Act.

4 SECTION 15. This Act does not affect the jurisdiction on
5 appeal of any case from a county that is transferred by this Act to a
6 different court of appeals district if the transcripts for the case
7 were filed before the effective date of this Act in the appropriate
8 court of appeals district.

9 SECTION 16. This Act takes effect September 1, 2025.