

BILL ANALYSIS

S.B. 643
By: Creighton
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties point out that facilities used by certain courts have insufficient space and cause concerns regarding accessibility. The parties suggest that a logical solution would be to use an alternate facility that is outside the city limits of the county seat. S.B. 643 seeks to facilitate this use.

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

S.B. 643 amends the Local Government Code to authorize the commissioners court of a county with a population of less than 40,000 that is adjacent to a county with a population of more than 3.3 million to provide an auxiliary court facility, office building, or jail facility at a location in the county and within 10 miles of the boundaries of the county seat in the same manner that is applicable to a court, building, or facility at the county seat. The bill authorizes the commissioners court to provide for the building or facility through the statutorily authorized issuance of bonds or other evidences of indebtedness and to provide office space in the building or facility for any county or precinct office. The bill authorizes the auxiliary court facility to be used for the holding of court proceedings, including district court proceedings, and authorizes the commissioners court to designate the location of the auxiliary court as an auxiliary county seat for the purpose of the court proceedings. The bill authorizes the records of a county officer who is provided space at such a court facility, building, or other facility to be kept at the building or facility.

S.B. 643 amends the Government Code to authorize a district court of the 344th Judicial District in Chambers County to sit in a suitable facility outside the county seat if the facility is properly designated by the commissioners court as an auxiliary county seat. The bill authorizes such a court sitting in an auxiliary court facility designated by the commissioners court as an auxiliary county seat to hear, in all case types, the motions, arguments, nonjury trials and jury trials, and any other matters before the court within the court's jurisdiction. The bill establishes that the district clerk or the clerk's deputy serves as clerk of the court when a district court sits in a facility designated as an auxiliary county seat and authorizes the district clerk or the clerk's deputy to keep all necessary books, minutes, records, and papers at the facility. The bill establishes that provisions relating to the 344th District Court in Chambers County contain provisions applicable to both that court and the 253rd District Court in the county.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.