

BILL ANALYSIS

S.B. 824
By: Huffman
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties point out that the state constitution provides that district courts have nearly unlimited civil jurisdiction and authorizes the legislature to establish other courts that include county courts at law. The parties further point out that statutes regarding the jurisdiction generally applicable to county courts at law provide for concurrent jurisdiction with district courts in civil cases in which the matter in controversy does not exceed \$200,000. However, the parties note that because each county court at law is established by a specific statute and the constitution allows the legislature to set the jurisdiction of courts it establishes, some county courts at law have specific jurisdiction statutes giving those courts jurisdiction that is greater than the generally applicable \$200,000 limit.

The parties note that even though some county courts at law have limitless jurisdiction, only six jurors serve in a civil case tried in any county court at law. Consequently, a case with \$500 million in controversy would be tried in a county court at law in front of a six-person jury in some counties. If the same case were tried in district court, 12 jurors would serve. S.B. 824 seeks to address this issue.

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. 824 amends the Government Code to require a jury in any civil case pending in a statutory county court in which the amount in controversy is \$200,000 or more to be composed of 12 members, unless the parties agree to a jury composed of six members, and to require the drawing of jury panels, selection of jurors, and practice and procedure to conform to that prescribed by law for district courts in the county in which the statutory county court is located.

EFFECTIVE DATE

September 1, 2015.