

BILL ANALYSIS

Senate Research Center

H.B. 308
By: Goodman (Wentworth)
Jurisprudence
5-13-97
Engrossed

DIGEST

In 1995, the legislature changed Section 71.01(b)(1), Family Code, to give "court" the meaning of district court, court of domestic relations, juvenile court, or a statutory county court. This took away the authority of a constitutional county judge to issue a protective order. This bill will redefine "court" in Section 71.002, Family Code, to include a constitutional county court.

PURPOSE

As proposed, H.B. 308 redefines "court" in Section 71.002, Family Code, to include a constitutional county court.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 71.002, Family Code, to redefine "court" to include a constitutional county court.

SECTION 2. (a) Effective date: September 1, 1997, except as provided by Subsection (b) of this section. Makes application of this Act prospective.

(b) Provides that this Act takes effect only if the 75th Legislature, at its regular session, enacts H.B. 1441 or S.B. 797 and either bill becomes law. Provides that if the legislation does not become law, this Act has no effect.

SECTION 3. Emergency clause.