

BILL ANALYSIS

Senate Research Center

S.B. 726
By: Shapleigh
Jurisprudence
3-5-97
As Filed

DIGEST

Currently, El Paso County has five county courts at law, three of which are dedicated primarily to civil law matters. In calendar year 1996, county residents filed over 15,000 criminal misdemeanor cases. This bill creates County Courts at Law Numbers 6 and 7 of El Paso County, designated as criminal misdemeanor courts, and provides for their administration and the assignment of judges.

PURPOSE

As proposed, S.B. 726 creates County Courts at Law Numbers 6 and 7 of El Paso County and provides for their administration and the assignment of judges.

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 25.0731(a), Government Code, by adding County Courts at Law Numbers 6 and 7 to El Paso County.

SECTION 2. Amends Section 75.014, Government Code, as follows:

Sec. 75.014. EL PASO COUNCIL OF JUDGES. (a) Sets forth the composition of the El Paso Council of Judges to include the judge of the probate court of El Paso County.

(e) Sets forth the designation and responsibilities of County Courts at Law Numbers 6 and 7 of El Paso.

(f) Sets forth requirements for designation of criminal misdemeanor courts and family courts.

(f-1) Requires the council of judges to designate two county courts at law, in addition to County Court at Law Number 6 of El Paso County as criminal misdemeanor courts. Provides that this section expires October 2, 1998.

(g) Requires the council of judges to order the assignment, docketing, and transfer of a specified number or percentage and type of family law cases and proceedings, as defined by Section 25.0002, to the county court at law designated as a family court under Subsection (f). Authorizes the council of judges to order certain actions pertaining to family law courts, if funding for more than one criminal law magistrate is not continued. Deletes provisions setting forth authorized actions of the council of judges pertaining to excessive caseloads and assignment of judges.

SECTION 3. Amends Section 25.0732(r), Government Code, to provide that Sections 25.0006(b) and 25.0007, Government Code, do not apply to County Courts at Law Number 6 or 7.

SECTION 4. Provides that County Courts at Law Numbers 6 and 7 are created on October 1, 1998, or on an earlier date determined by the commissioners court.

SECTION 5. Effective date: September 1, 1997.

SECTION 6. Emergency clause.