

## **BILL ANALYSIS**

Senate Research Center  
76R4165 DB-D

H.B. 2136  
By: Hilderbran (Wentworth)  
Intergovernmental Relations  
5/3/1999  
Engrossed

### **DIGEST**

Currently, there is a perceived local need for a new county court in Kendall County. This bill would create a new statutory county court in Kendall County, with concurrent jurisdiction with the district court in all nonfelony cases and family law matters.

### **PURPOSE**

As proposed, H.B. 2136 creates a new statutory county court in Kendall County, with concurrent jurisdiction with the district court in all nonfelony cases and family law matters.

### **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 Chapter 25C, Government Code, by adding Sections 25.1321 and 25.1322, as follows:

Sec. 25.1321. KENDALL COUNTY. Provides that Kendall County has one statutory county court, the County Court at Law of Kendall County.

Sec. 25.1322. KENDALL COUNTY COURT AT LAW PROVISIONS. (a) Provides that in addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law of Kendall County has concurrent jurisdiction with the district court in nonfelony criminal cases and family law matters.

(b) Requires the commissioners court by order entered of record to set at least two terms of court each year for each county court at law.

(c) Prohibits a judge of a county court at law from engaging in the private practice of law.

(d) Requires the salary of a judge of a county court of law to be set by the commissioners court and requires it to be paid out of the county treasury on orders from the commissioners court.

(e) Authorizes a special judge of a county court at law to be appointed in the manner provided by law for the appointment of a special county judge. Requires a special judge to have the same qualifications and entitles the special judge to the same rate of compensation as the regular judge.

(f) Provides that the district clerk serves as the clerk of a county court at law in matters in which the county court at law has concurrent jurisdiction with the district court. Provides that the county clerk serves as the clerk of a county court at law in all other matters.

SECTION 2. Creates the County Court at Law of Kendall County on January 1, 2001, or on an earlier date determined by the commissioners court by an order entered into its minutes, notwithstanding Section 25.1321, Government Code.

SECTION 2. Emergency clause.  
Effective date: 90 days after adjournment.

