

## BILL ANALYSIS

Senate Research Center  
77R8672 YDB-D

H.B. 1979  
By: Chavez (Shapleigh)  
Jurisprudence  
4/19/2001  
Engrossed

### DIGEST AND PURPOSE

The current backlog of pending misdemeanor cases in El Paso County may result in cases not being adjudicated in a timely basis, which may cause delays in sentencing and may increase the chances that individuals released on bail may commit similar offenses. As proposed, H.B. 1979 creates County Criminal Court at Law No. 1 of El Paso County and County Criminal Court at Law No. 2 of El Paso County to help reduce the current backlog of cases in El Paso County.

### RULEMAKING AUTHORITY

This bill does not expressly 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, to provide that El Paso County has statutory county courts which include:

- County Criminal Court at Law No. 1 of El Paso County, Texas; and
- County Criminal Court at Law No. 2 of El Paso County, Texas.

SECTION 2. Amends Section 25.0732, Government Code, as follows:

- Authorizes a judge of a statutory county court in El Paso County and a judge of a district court or another statutory county court in El Paso County, in matters of concurrent jurisdiction, to transfer cases between the courts in the same manner judges of district courts transfer cases under Section 24.303. Provides that this section does not apply to a county criminal court at law in El Paso County;
- Authorizes a judge of a statutory county court in El Paso County and a judge of a district court in El Paso County to exchange benches and to sit and act for each other in any matter pending before the court. Provides that this section does not apply to a county criminal court at law in El Paso County;
- Requires the El Paso Council of Judges to order the transfer of criminal misdemeanor cases to the County Criminal Courts No. 1 and No. 2 from time to time to equalize the criminal misdemeanor dockets of the statutory county courts for the efficient operation of the court system and the effective administration of justice;
- Provides that the County Criminal Courts No. 1 and No. 2 have the criminal jurisdiction provided by law for county courts and appellate jurisdiction in appeals of criminal cases from justice courts and municipal courts in the county as provided by Article 45.042 (Appeal), Code of Criminal Procedure, but have no other jurisdiction; and

- Provides that the County Criminal Court No. 1 has exclusive jurisdiction over environmental offenses.

SECTION 3. Effective date: January 1, 2002. Provides that County Criminal Court No. 1 and No. 2 of El Paso County, Texas, are created on January 1, 2002.