

BILL ANALYSIS

Senate Research Center

H.B. 2882
By: Naishtat (Wentworth)
Jurisprudence
5/3/2001
Engrossed

DIGEST AND PURPOSE

Discrepancies regarding the jurisdiction of the Travis County Probate Court No.1 exist under current law due to provisions that grant the court jurisdiction over matters other than those included in the enabling statute. Amendments have been made over the years granting jurisdiction to probate courts to hear civil commitment cases. In addition, because the judges of the county courts in the larger counties, including Travis County, have been allowed to opt out of performing judicial functions, the probate courts have assumed additional duties. The Travis County Probate Court No.1 has assumed several duties previously performed by the county court. H.B. 2882 amends law to include recently adopted jurisdictional powers given to probate courts into the enacting legislation of the Travis County Probate Court No.1.

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 25.2293(b), Government Code, to provide that a statutory probate court has the jurisdiction provided by law for a county court to hear and determine all actions, cases, matters, or proceedings instituted under certain sections, chapters, and subtitles within the Health and Safety Code.

SECTION 2. Repealer: Section 25.2293(d)(Travis County Probate Court Provisions), Government Code.

SECTION 3. Effective date: September 1, 2001.