

## **BILL ANALYSIS**

Senate Research Center

H.B. 3171  
By: Thompson (West)  
Jurisprudence  
5/11/2001  
Engrossed

### **DIGEST AND PURPOSE**

Currently, many district courts in Texas are experiencing a growth in pending cases or have a large backlog of cases. The establishment of new judicial districts may help remedy these problems. H.B. 3171 creates additional judicial districts composed of specified counties and modifies the composition of other judicial districts.

### **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 Chapter 24C, Government Code, by adding Section 24.542, as follows:

Sec. 24.542. 397TH JUDICIAL DISTRICT (HIDALGO COUNTY). Provides that the 397th Judicial District is composed of Hidalgo County. Requires the 397th District Court to give preference to cases and proceedings under Title 3, Family Code.

SECTION 2. Amends Section 24.534, Government Code, effective January 1, 2003, to delete Subsection (b) requiring the 389th Judicial District (Hidalgo County) to give preference to criminal matters.

SECTION 3. Amends Section 24.543, Government Code, effective January 1, 2003, to delete Subsection (b) requiring the 398th Judicial District (Hidalgo County) to give preference to family violence and criminal matters.

SECTION 4. Amends Section 24.549, Government Code, as follows:

Sec. 24.549. New heading: 404TH JUDICIAL DISTRICT (CAMERON AND WILLACY COUNTIES). Provides that the 404th Judicial District is composed of Cameron and Willacy counties.

SECTION 5. (a) Amends Chapter 24C, Government Code, by adding Section 24.556, as follows:

Sec. 24.556. 412TH JUDICIAL DISTRICT (FANNIN COUNTY). Provides that the 412th Judicial District is composed of Fannin County.

(b) Amends the heading to Section 24.106, Government Code, to read as follows:

Sec. 24.106. 6TH JUDICIAL DISTRICT (LAMAR AND RED RIVER COUNTIES).

(c) Amends Section 24.106(a), Government Code, to make a conforming change.

(d) Amends the heading to Section 24.482, Government Code, to read as follows:

Sec. 24.482. 336TH JUDICIAL DISTRICT (GRAYSON COUNTY).

(e) Amends Section 24.482(a), Government Code, to make a conforming change.

SECTION 6. Amends Chapter 24C, Government Code, by adding Section 24.557, as follows:

Sec. 24.557. 413TH JUDICIAL DISTRICT (JOHNSON AND SOMERVELL COUNTIES). Provides that the 413th Judicial District is composed of Johnson and Somervell counties.

SECTION 7. Amends Chapter 24C, Government Code, by adding Section 24.558, as follows:

Sec. 24.558. 414TH JUDICIAL DISTRICT (MCLENNAN COUNTY). Provides that the 414th Judicial District is composed of McLennan County.

SECTION 8. Amends Chapter 24C, Government Code, by adding Section 24.560, as follows:

Sec. 24.560. 415TH JUDICIAL DISTRICT (TRAVIS COUNTY). Provides that the 415th Judicial District is composed of Travis County. Requires the 415th Judicial District to give preference to civil cases.

SECTION 9. (a) Amends Chapter 24C, Government Code, by adding Section 24.561, as follows:

Sec. 24.561. 416TH JUDICIAL DISTRICT (PARKER COUNTY). Provides that the 416th Judicial District is composed of Parker County.

(b) Amends Section 32.184(a), Government Code, to authorize the Commissioners Court of Parker County to budget for and pay the judges, rather than judge, of the 43rd and 416th judicial districts an annual salary not to exceed \$7,800 for performing judicial and administrative services.

(c) Amends Section 43.125, Government Code, to provide that the voters of the 43rd Judicial District elect a district attorney who represents the state in all cases before the 43rd and 416th district courts.

(d) Amends Section 152.1901(b), Human Resources Code, to require the juvenile board to elect one of its members as chairman, rather than the district judge is the chairman of the board.

SECTION 10. Amends Chapter 24C, Government Code, by adding Section 24.562, as follows:

Sec. 24.562. 417TH JUDICIAL DISTRICT (COLLIN COUNTY). Provides that the 417th Judicial District is composed of Collin County.

SECTION 11. Repealer: Chapters 24B, C, D, and E, Government Code.

SECTION 12. Amends Chapter 24, Government Code, by adding Subchapter AA, as follows:

#### SUBCHAPTER AA. JUDICIAL DISTRICTS

Sec. 24.0001. DISTRICT A-1. Sets forth the counties that Judicial District A-1 is composed of.

Sec. 24.0002. DISTRICT A-2. Sets forth the counties that Judicial District A-2 is composed

of.

SECTION 13. (a) Effective date: September 1, 2001, except as provided by Subsections (b) and (e) of this section. Provides that the 397th, 412th, 413th, 414th, 415th, 416th, and 417th judicial districts are created.

(b) Provides that Sections 5(b) and (c) of this Act take effect June 1, 2002.

(c) Requires the local administrative district judge to transfer to the 412th District Court all cases from Fannin County that are pending in the 336th District Court on September 1, 2001, and all cases from Fannin County that are pending in the 6th District Court on June 1, 2002.

(d) Provides that when a case is transferred from one court to another as provided by Subsection (c) of this section, all processes, writs, bonds, recognizances, or other obligations issued from the transferring court are returnable to the court to which the case is transferred, as if originally issued by that court. Provides that the obligees in all bonds and recognizances taken in and for a court from which a case is transferred, and all witnesses summoned to appear in a court from which a case is transferred, are required to appear before the court to which a case is transferred as if originally required to appear before the court to which the transfer is made.

(e) Provides that Sections 11 and 12 of this Act take effect December 31, 2003.