

BILL ANALYSIS

Senate Research Center
77R752 JMG-D

H.B. 538
By: Thompson (Wentworth)
Jurisprudence
4/11/2001
Engrossed

DIGEST AND PURPOSE

Prior to September 1, 1999, a judge was required to hear the proceedings of a case in the county in which the case was pending. Since a judge who sits in different counties may not return to a county in which a case is pending for extended periods of time, the parties involved in a case might have to wait to have routine court matters resolved. In 1999, the governor signed into law S.B. 1436, to authorize an active, former, or retired district or statutory county court judge to hear judicial proceedings, except the trial on the merits, in a county different from the one in which the suit is pending, unless objected to by a party. Statutory probate judges were not included among such judges. As proposed, H.B. 538 authorizes an assigned statutory probate court judge to conduct any proceedings, except the trial on the merits, in a county different from the one in which the suit is pending, unless a party objects.

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 25.0022, Government Code, to authorize a judge who has jurisdiction over a suit pending in one county to, unless a party objects, conduct any of the judicial proceedings except the trial on the merits in a different county.

SECTION 2. Effective date: September 1, 2001.