

BILL ANALYSIS

Senate Research Center
77R10618 KLA-D

S.B. 1808
By: Ogden
Intergovernmental Relations
4/26/2001
As Filed

DIGEST AND PURPOSE

Currently, Navarro County has a constitutional county court and a state district court. However, because of pressures on the local legal system such as growing caseloads and increasingly complex family law cases before the district court, Navarro's county judge and district judge believe that a new county court at law is needed. As proposed, S.B. 1808 creates a county court at law for Navarro County after voter approval via a nonbinding referendum to be held by the 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 Chapter 25C, Government Code, by adding Sections 25.1771 and 25.1772, as follows:

Sec. 25.1771. NAVARRO COUNTY. Provides that Navarro County has one statutory county court, the County Court at Law of Navarro County.

Sec. 25.1772. NAVARRO COUNTY COURT AT LAW PROVISIONS. (a) Provides that, in addition to the jurisdiction provided by Section 25.0003 and other law, and notwithstanding any law granting exclusive jurisdiction to the district court, a county court at law in Navarro County has concurrent jurisdiction with the district court.

b) Provides that the district clerk serves as clerk of a statutory county court in all criminal matters in which the statutory county court has concurrent jurisdiction with the district court. Provides that the county clerk serves as clerk of the statutory county court in all other matters.

SECTION 2. Provides that, notwithstanding Section 25.1771, Government Code, as added by this Act, the County Court at Law of Navarro County is created September 1, 2003, or on an earlier date determined by the commissioners court by an order entered in its minutes following a nonbinding referendum held in the county in which the voters express a public opinion on the creation of the court as provided by Section 3 of this Act.

SECTION 3. (a) Requires the Commissioners Court of Navarro County, before entering an order as provided by Section 2 of this Act to create the County Court at Law of Navarro County on a date earlier than September 1, 2003, to order a nonbinding referendum to be held in the county on the question of whether to create a county court at law in the county as provided by this Act.

(b) Requires the ballot to be printed to permit voting for or against the proposition: "Creating a county court at law in Navarro County."

(c) Requires the proposition to be printed on the ballot under the heading: "Referendum Proposition." Requires that the following be printed beneath the heading: "This referendum is an expression of public opinion only and has no binding effect as law."

(d) Requires the nonbinding referendum to be conducted as provided by the Election Code.

SECTION 4. Effective date: upon passage or September 1, 2001.