

BILL ANALYSIS

Senate Research Center
78R4199 YDB-D

S.B. 1551
By: Duncan
Jurisprudence
4/7/2003
As Filed

DIGEST AND PURPOSE

Currently, several counties are experiencing backlogs in their county district courts. As proposed, S.B. 1551 creates new district courts in those counties. This bill also removes Upton County from the 83rd Judicial District.

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. (a) Amends Chapter 24C, Government Code, by adding Section 24.557, as follows:

Sec. 24.557. 413TH JUDICIAL DISTRICT (JOHNSON COUNTY). Provides that the 413th Judicial District is composed of Johnson County.

(b) Provides that the 413th Judicial District is created, and this section takes effect, September 1, 2003.

SECTION 2. (a) 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.

(b) Provides that the 414th Judicial District is created, and this section takes effect, September 1, 2003.

SECTION 3. (a) Amends Chapter 24C, Government Code, by adding Section 24.559, as follows:

Sec. 24.559. 415TH JUDICIAL DISTRICT (PARKER COUNTY). Provides that the 415th Judicial District is composed of Parker County.

(b) Amends Section 32.184(a), Government Code, as follows:

(a) Authorizes the Commissioners Court of Parker County to budget for and pay the judges, rather than judge, of the 43rd and 415th judicial districts an annual salary not to exceed \$7,800 for performing judicial and administrative services.

(c) Amends Section 43.125, Government Code, as follows:

Sec. 43.125. 43RD JUDICIAL DISTRICT. Provides that the voters of the 43rd Judicial District elect a district attorney who represents the state in all cases before the 43rd and 415th district courts.

(d) Amends Section 152.1901(b), Human Resources Code, as follows:

(b) Provides that the judge of the 43rd Judicial District, rather than the district court judge, is the chairman of the board.

(e) Provides that the 415th Judicial District is created, and this section takes effect, September 1, 2003.

SECTION 4. (a) Amends Chapter 24C, Government Code, by adding Sections 24.560 and 24.561, as follows:

Sec. 24.560. 416TH JUDICIAL DISTRICT (COLLIN COUNTY). Provides that the 416th Judicial District is composed of Collin County.

Sec. 24.561. 417TH JUDICIAL DISTRICT (COLLIN COUNTY). (a) Provides that the 417th Judicial District is composed of Collin County.

(b) Requires the 417th District Court to give preference to juvenile matters.

(b) Amends Chapter 24C, Government Code, by adding Section 24.562, as follows:

Sec. 24.562. 418TH JUDICIAL DISTRICT (COLLIN COUNTY). Provides that the 418th Judicial District is composed of Collin County.

(c) Provides that the 416th and 417th judicial districts are created September 1, 2003, and Subsection (a) of this section takes effect September 1, 2003.

(d) Provides that the 418th Judicial District is created September 1, 2004, and Subsection (b) of this section takes effect September 1, 2004.

SECTION 5. (a) Amends Chapter 24C, Government Code, by adding Section 24.564, as follows:

Sec. 24.564. 420TH JUDICIAL DISTRICT (NACOGDOCHES COUNTY). Provides that the 420th Judicial District is composed of Nacogdoches County.

(b) Provides that the 420th Judicial District is created, and this section takes effect, September 1, 2003.

SECTION 6. (a) Amends Section 24.185, Government Code, as follows:

Sec. 24.185. New heading: 83RD JUDICIAL DISTRICT (PECOS, TERRELL, AND VAL VERDE COUNTIES). (a) Provides that the 83rd Judicial District is composed of Pecos, Terrell, and Val Verde counties, but not Upton County.

(b) Provides that the 83rd and 112th district courts have concurrent jurisdiction in Pecos County, but not Upton County.

(c) Provides that the 83rd and 63rd district courts have concurrent jurisdiction in Terrell and Val Verde counties.

(d) Provides certain terms of the 83rd District Court.

(e) Makes a conforming change.

(b) Amends Section 43.141(a), Government Code, to make a conforming change.

(c) Requires the local administrative district judge to transfer all cases from Upton

County that are pending in the 83rd District Court on September 1, 2003, to the 112th District Court.

(d) Provides that when a case is transferred as provided by Subsection (c) of this section, all processes, writs, bonds, recognizances, or other obligations issued from the 83rd District Court are returnable to the 112th District Court as if originally issued by that court. Provides that the obligees on all bonds and recognizances taken in and for the 83rd District Court and all witnesses summoned to appear in the 83rd District Court are required to appear before the 112th District Court as if originally required to appear before that court.

(e) Provides that Section 43.141(a), Government Code, as amended by this section, does not affect the election of a district attorney for the 83rd Judicial District held before September 1, 2003. Requires the district attorney of the 83rd Judicial District elected before and serving on that date to serve the remainder of the elected term, unless otherwise removed by law.

(f) Effective date: September 1, 2003.

SECTION 7. (a) Amends Chapter 24C, Government Code, by adding Section 24.566, as follows:

Sec. 24.566. 422ND JUDICIAL DISTRICT (KAUFMAN COUNTY). Provides that the 422nd Judicial District is composed of Kaufman County.

(b) Provides that the 422nd Judicial District is created, and this section takes effect, September 1, 2003.

SECTION 8. (a) Amends Chapter 24C, Government Code, by adding Section 24.567, as follows:

Sec. 24.567. 423RD JUDICIAL DISTRICT (TRAVIS COUNTY). Provides that the 423rd Judicial District is composed of Travis County.

(b) Provides that the 423rd Judicial District is created, and this section takes effect, September 1, 2003.

SECTION 9. Effective date: September 1, 2003, except as otherwise provided by this Act.