

BILL ANALYSIS

Senate Research Center
80R3827 YDB-D

S.B. 2009
By: Hinojosa
Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the City of Corpus Christi does not have a municipal court of record. Under current law, an appeal for a case tried in a municipal court that is not a court of record must have a new trial. A municipal court of record, however, negates the necessity for an new trial because the court maintains transcripts of cases heard in the court, allowing an appeal to be based on errors of law in the initial trial.

As proposed, S.B. 2009 authorizes the City of Corpus Christi to create a municipal court of record and to designate Nueces County courts at law that having criminal appellate jurisdiction as the appropriate appellate courts.

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 30, Government Code, by adding Subchapter ZZ, as follows:

SUBCHAPTER ZZ. CORPUS CHRISTI

Sec. 30.01901. APPLICATION; DEFINITIONS. (a) Provides that this subchapter applies to the City of Corpus Christi.

(b) Defines "appellate courts" and "municipal court director."

Sec. 30.01902. JUDGE. Provides that Sections 30.00007(b)(1)-(3) and (5) (relating to certain duties of a municipal court judge) do not apply to this subchapter.

Sec. 30.01903. MUNICIPAL COURT DIRECTOR; OTHER PERSONNEL. (a) Requires the city manager to appoint a municipal court director (director) to serve as the clerk of the municipal courts of record.

(b) Requires the director to perform, as applicable, the duties prescribed by law for the county clerk of a county court at law. Requires the director to perform certain duties.

(c) Authorizes the director to hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

(d) Provides that Sections 30.00009(c) (relating to certain duties of the county clerk) and (d) (authorizing the governing body of a municipality to hire, direct, supervise, and remove certain personnel) do not apply to this subchapter.

Sec. 30.01904. COURT REPORTER. Requires the director to appoint the court reporter under Section 30.00010 (Court Reporter).

SECTION 2. Effective date: upon passage or September 1, 2007.