

## **BILL ANALYSIS**

Senate Research Center  
80R7029 KFF-D

S.B. 565  
By: Wentworth  
Jurisprudence  
3/15/2007  
Committee Report (Amended)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law does not provide an alternate location or "emergency provisions" for when a court is unable to hold proceedings in the courthouse because of damages sustained due to natural disasters or emergencies. As a result of the hurricanes that impacted the Texas coast in 2005, several courthouses sustained significant damages, and the courts in those buildings were unable to conduct their daily operations until the courthouses were repaired and reopened.

S.B. 565 authorizes Texas courts of appeals, district courts, and statutory county courts to hear cases, hold court, and transact business at the county seat of a county in an adjacent district or administrative judicial region, by order of the chief justice of the Texas Supreme Court.

### **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 Subchapter C, Chapter 22, Government Code, by adding Section 22.2011, as follows:

Sec. 22.2011. LOCATION OF COURT PROCEEDINGS. (a) Authorizes a court of appeals to hear cases, hold court, and transact its business at the county seat of any county in the court of appeals district as the court determines necessary or convenient.

(b) Authorizes the chief justice of the supreme court, in the event of an emergency, by order to allow a court of appeals to hear cases, hold court, and transact business at the county seat of a county located in an adjacent court of appeals district. Provides that this subsection prevails over any provision of this subchapter that requires a case to be heard in a specific county or city.

SECTION 2. Amends Section 22.204(b), Government Code, as follows:

(b) Requires that all cases originating in Travis County be heard and transacted in that county, notwithstanding Section 22.2011(a). Makes conforming changes.

SECTION 3. Amends Section 22.205(b), Government Code, as follows:

(b) Requires that all cases originating in Bexar County be heard and transacted in that county, notwithstanding Section 22.2011(a). Makes conforming changes.

SECTION 4. Amends Section 22.207(b), Government Code, to make conforming changes.

SECTION 5. Amends Section 22.209(b), Government Code, to make conforming changes.

SECTION 6. Amends Section 22.211(a), Government Code, to require that the Court of Appeals for the Tenth Court of Appeals District be held in the City of Waco, rather than in Waco or the county seat of any county located within the Tenth Court of Appeals District.

SECTION 7. Amends Section 22.213(c), Government Code, to make conforming changes.

SECTION 8. Amends Section 22.214(c), Government Code, to make conforming and nonsubstantive changes.

SECTION 9. Amends Subchapter A, Chapter 24, Government Code, by adding Section 24.0171, as follows:

Sec. 24.0171. LOCATION OF EMERGENCY COURT PROCEEDINGS. Authorizes the chief justice of the supreme court, in the event of an emergency, by order to allow a district court to hear cases, hold court, and transact business at the county seat of another county located in the administrative judicial region in which the district court is located or at the county seat of a county located in an adjacent administrative judicial region. Provides that this subsection prevails over any provision of this subchapter that requires a case to be heard in a specific county or city.

SECTION 10. Repealer: Section 22.202(g) (First Court of Appeals), 22.203(b) (Second Court of Appeals), 22.206(b) (Fifth Court of Appeals), 22.210(c) (Ninth Court of Appeals), 22.212(c) (Eleventh Court of Appeals), and 22.215(c) (Fourteenth Court of Appeals), Government Code.

SECTION 11. Effective date: September 1, 2007.

### **SUMMARY OF COMMITTEE CHANGES**

Adds the appropriately numbered section to the bill and renumbers subsequent sections accordingly:

SECTION \_\_\_\_\_. Amends Subchapter A, Chapter 25, Government Code, by adding Section 25.0013, as follows:

Sec. 25.0013. LOCATION OF EMERGENCY COURT PROCEEDINGS. Authorizes the chief justice of the supreme court, in the event of an emergency, by order to allow a statutory county court to hear cases, hold court, and transact business at the county seat of another county located in the administrative judicial region in which the statutory county court is located or at the county seat of a county located in an adjacent administrative judicial region. Provides that this section prevails over any provision of this chapter that requires a case to be heard in a specific county or city.