

## **BILL ANALYSIS**

Senate Research Center  
84R28310 CAE-D

H.B. 4199  
By: Paddie (Elife)  
Administration  
5/19/2015  
Engrossed

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

Effective January 2015, the Harrison County Court at Law became a full-time court. In order to increase judicial efficiency, H.B. 4199 expands the jurisdiction of the Harrison County Court at Law to have concurrent jurisdiction with the District Court of Harrison County in all felony criminal matters and cases, with the exception of capital murder. The county court at law would also have civil jurisdiction. Authority would be fully retained by the district court, which would have to delegate cases to the county court in order for it to have jurisdiction.

H.B. 4199 amends current law relating to the Harrison County Court at Law.

### **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 25.1042, Government Code, by amending Subsections (a), (d), and (g) and adding Subsection (h), as follows:

(a) Provides that, in addition to the jurisdiction provided by Section 25.0003 (Jurisdiction) and other law, a county court at law in Harrison County has concurrent jurisdiction with the district court, on assignment of a district judge presiding in Harrison County, in:

- (1) family law cases and proceedings;
- (2) felony cases other than capital murder cases; and
- (3) civil cases.

(d) Provides that, except as provided by Subsection (h), party who does not make a timely request under this subsection waives the right to request a 12-person jury and the case will proceed with a six-person jury. Makes a nonsubstantive change.

(g) Entitles the criminal district attorney to the same fees prescribed by law for prosecutions in the county court, except that in cases assigned under Subsection (a), the criminal district attorney is entitled to the same fees prescribed by law for prosecutions in a district court.

(h) Requires a jury to be composed of 12 members in:

- (1) any civil case pending in which the amount in controversy is \$200,000 or more; and
- (2) any felony case.

SECTION 2. Provides that Section 25.1042(a), Government Code, as amended by this Act, and Section 25.1042(h), Government Code, as added by this Act, apply only to an action filed on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2015.