

BILL ANALYSIS

Senate Research Center

S.B. 643
By: Creighton
State Affairs
5/28/2015
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Chambers County has two district courts. The 344th district court operates out of the courthouse. The 253rd district court operates out of the auxiliary court building.

Jury summons in Chambers County routinely yield around 100 citizens. The courthouse can hold 100, unless a potential juror has a physical disability, which can make it difficult to maneuver. The auxiliary courthouse can only hold 50 people, which is insufficient for the needs of the county. Unfortunately, there are no other facilities in Anahuac, the county seat of Chambers County, capable of meeting the county's needs in this regard.

S.B. 643 allows the Commissioners Court of Chambers County to designate a facility outside the City of Anahuac but within 10 miles of the city limits as an auxiliary county seat for purposes of holding court proceedings for the 253rd or 344th district courts as necessary.

S.B. 643 amends current law relating to proceedings held in auxiliary facilities outside certain county seats.

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 24.430, Government Code, by adding Subsection (c) to provide that Section 24.490 (344th Judicial District (Chambers County)), relating to the 344th District Court, contains provisions applicable to both that court and the 253rd District Court in Chambers County.

SECTION 2. Amends Section 24.490, Government Code, by adding Subsections (d), (e), and (f), as follows:

(d) Authorizes a district court in Chambers County, notwithstanding Section 24.030 (Location of Court), to sit in a suitable facility outside the county seat if the facility is designated by the commissioners court as an auxiliary county seat, as provided by Section 292.031, Local Government Code.

(e) Authorizes a district court in Chambers County sitting in an auxiliary court facility designated by the commissioners court as an auxiliary county seat to hear, in all case types, the motions, arguments, nonjury trials and jury trials, and any other matters before the court within the court's jurisdiction.

(f) Provides that the district clerk or the clerk's deputy serves as clerk of the court when a district court sits in a facility designated as an auxiliary county seat and may keep all necessary books, minutes, records, and papers at the facility.

SECTION 3. Amends Subchapter B, Chapter 292, Local Government Code, by adding Section 292.031, as follows:

Sec. 292.031. FACILITIES OUTSIDE COUNTY SEAT IN CERTAIN COUNTIES. (a) Provides that this section applies only to a county with a population of less than 40,000 that is adjacent to a county with a population of more than 3.3 million.

(b) Authorizes the commissioners court of a county to provide an auxiliary court facility, office building, or jail facility at a location in the county and within 10 miles of the boundaries of the county seat in the same manner that is applicable to a court, building, or facility at the county seat. Authorizes the commissioners court to provide for the building or facility through the issuance of bonds or other evidences of indebtedness as provided under Section 292.002 (Facilities Outside County Seat) and to provide office space in the building or facility for any county or precinct office.

(c) Authorizes the auxiliary court facility to be used for the holding of court proceedings, including district court proceedings. Authorizes the commissioners court, for the purpose of the court proceedings, to designate the location of the auxiliary court as an auxiliary county seat.

(d) Authorizes the records of a county officer who is provided space at a court facility, building, or other facility under this section to be kept at the building or facility.

SECTION 4. Effective date: upon passage or September 1, 2015.