

BILL ANALYSIS

Senate Research Center

H.B. 2727
By: Garcia (Ellis)
Jurisprudence
5-13-97
Engrossed

DIGEST

In the state's largest counties, prosecuting small civil suits, small mortgages and liens and forcible entry and detainer cases can be very lengthy and costly. Justice and small claims courts in large counties often have large staffs and the authority and ability to hear very small civil suits. Expanding their jurisdiction in civil suits would ease the time and expense burden in prosecuting small civil cases and help to alleviate the caseload burdens in county and district courts.

H.B. 2727 would expand the jurisdiction of justice and small claims courts in Dallas and Harris counties.

PURPOSE

As proposed, H.B. 2727 expands the jurisdiction of justice and small claims courts in Dallas and Harris counties.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 27.031, Government Code, to provide that in addition to the jurisdiction and powers provided by the constitution and other law, a justice court in a county with a population of 1.89 million or more has original jurisdiction of certain matters, cases, and foreclosures. Makes conforming changes.

SECTION 2. Amends Section 28.003, Government Code, to provide that the small claims courts in a county with a population of 1.8 million or more have concurrent jurisdiction with the justice court in actions by any person for the recovery of money in which the amount involved, exclusive of costs, does not exceed \$10,000. Makes conforming changes.

SECTION 3. Amends Section 36.102(b), Water Code, to authorize the board of directors of a groundwater conservation district to set reasonable civil penalties for breach of any rule of the district that shall not exceed the jurisdiction of a justice court as provided by Section 27.031(a), rather than 27.031, Government Code.

SECTION 4. Amends Section 49.004(a), Water Code, to make a conforming changes.

SECTION 5. Emergency clause.

Effective date: 90 days after adjournment.