

BILL ANALYSIS

Senate Research Center

H.B. 412
By: Hartnett (Shapiro)
Jurisprudence
4-17-97
Engrossed

DIGEST

Currently, there are five statutory county courts at law in Dallas County, which have concurrent jurisdiction with district courts seated in Dallas County concerning matters involving between \$500 and \$100,00 in controversy. Any claim over \$100,000 must be filed in a district-level court. This bill provides that a county court in Dallas County has concurrent jurisdiction with a district court in civil cases, regardless of the amount in controversy, in addition to the jurisdiction provided by Section 25.0003, Government Code.

PURPOSE

As proposed, H.B. 412 provides that a county court at law in Dallas County has concurrent jurisdiction with a district court in civil cases, regardless of the amount in controversy, in addition to the jurisdiction provided by Section 25.0003, Government Code.

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 25.0592, Government Code, by adding Subsections (a), (c), and (d), as follows:

- (a) Provides that a county court at law in Dallas County has concurrent jurisdiction with a district court in civil cases, regardless of the amount in controversy, in addition to the jurisdiction provided by Section 25.0003 and other law.
- (c) Sets forth requirements and procedures for correcting a clerical error regarding filing in a civil district court of Dallas County, rather than filing in a county court at law in Dallas County.
- (d) Provides that a judgment or determination of fact or law in a proceeding in a county court at law in Dallas County is res judicata and constitutes the basis of collateral estoppel in any other proceeding in any court except for appeals from other tribunals, notwithstanding Section 31.004, Civil Practice and Remedies Code.

SECTION 2. Emergency clause.
Effective date: upon passage.