BILL ANALYSIS

DIGEST

Currently, there is a perceived local need for a new statutory county court in Nueces County. This bill would create the County Court at Law No. 5 in Nueces County and establish its jurisdiction.

PURPOSE

As proposed, C.S.H.B. 3780 creates the County Court at Law No. 5 in Nueces County and establishes its jurisdiction.

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 25.1801, Government Code, by amending Subsection (a) and adding Subsection (c), to provide that Nueces County has the County Court at Law No. 5 of Nueces County (Court No. 5), is required to give preference to: any proceedings involving an order relating to a child in the possession or custody of the Department of Protective and Regulatory Services; proceedings under Title 3, Family Code; and mental health matters under Section 25.1802(a)(4).

SECTION 2. Amends Section 25.1802, Government Code, by amending Subsections (a), (d), (e), (g), (i), and (n), and adding Subsection (r), to provide that a county court does not have jurisdiction of family law cases, except as provided by Subsection (r). Requires the judge of Court No. 5 to be paid an annual salary. Requires a district court clerk to charge the same fees that are allowed in district court cases, except that in cases enumerated in Subsection (a)(4), rather than (a)(3) and (a)(5). Sets forth jurisdiction of Court No. 5. Makes conforming nonsubtantive changes.

SECTION 3. Amends Section 152.1841(a), Human Resources Code, to include the judge of Court No. 5 in the composition of the juvenile board of Nueces County.

SECTION 4. Effective date: September 1, 1999, and Court No. 5 is created on the same date.

SECTION 5. Sets forth procedures for transferring cases to Court No. 5.

SECTION 6. Emergency clause.