

BILL ANALYSIS

Senate Research Center

S.B. 1150
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Jurisprudence
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As Filed

DIGEST

Currently, some statutory courts have attempted to alter the current probate system by giving themselves probate jurisdiction without converting the court into a statutory probate court. These courts lack the specialized staff needed to handle probate cases effectively. S.B. 1150 would delete any statutory provisions granting statutory probate court jurisdiction and authority to courts other than statutory probate courts.

PURPOSE

As proposed, S.B. 1150 establishes provisions regarding the statutory probate court 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 21.009(2), Government Code, to redefine “statutory county court.”

SECTION 2. Amends Section 25.003, Government Code, by adding Subsection (f), to provide that a statutory probate county does not have the jurisdiction of a statutory probate court granted statutory probate courts by the Texas Probate Code.

SECTION 3. Amends Section 25.1802(a), Government Code, to delete text providing that a county court in Nueces County has the general jurisdiction and authority provided for a probate or statutory court. Deletes text regarding the inclusion of a statutory probate court in cases involving mental health matters. Deletes text regarding the pendent and ancillary jurisdiction necessary to promote judicial efficiency and economy. Makes conforming changes.

SECTION 4. Effective date: September 1, 1999.