

BILL ANALYSIS

Senate Research Center
76R13201 DB-D

C.S.S.B. 376
By: Nelson
Intergovernmental Relations
4/22/1999
Committee Report (Substituted)

DIGEST

Currently, the court dockets in Denton County are overcrowded and overburdened, in part due to an increase in the population growth rate. C.S.S.B. 376 would add County Criminal Court No. 5 of Denton County to the statutory county courts in Denton County.

PURPOSE

As proposed, C.S.S.B. 376 adds County Criminal Court No. 5 of Denton County to the statutory county courts in Denton County.

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 25.0631(a), Government Code, to provide that Denton County has certain statutory courts including County Criminal Court No. 5 of Denton County.

SECTION 2. Amends Section 25.0632, Government Code, by adding Subsection (j), to provide that Section 25.0006, does not apply to a statutory county court in Denton County.

SECTION 3. Amends Section 25.0633(c), Government Code, to provide that, notwithstanding Section 25.0003, the County Court at Law No. 1 of Denton County does not have jurisdiction over probate or mental health matters or over family law cases and proceedings other than juvenile proceedings. Deletes text providing that the County Court at Law No. 1 of Denton County does not have jurisdiction over civil or civil appellate matters.

SECTION 4. Amends Section 25.0634(b), Government Code, to provide that a county criminal court has no jurisdiction over probate or mental health matters. Deletes text providing that a county criminal court has no jurisdiction over civil or civil appellate matters.

SECTION 5.(a) Provides that the County Criminal Court No. 5 of Denton County is created on October 1, 2000.

(b) Effective date: October 1, 2000, except as provided by Subsection (c).

(c) Effective date for Sections 25.0633 and 25.0634, Government Code, as amended by SECTIONS 3 and 4 of this Act: September 1, 1999, but only if S.B. 1163, 76th Legislature, is enacted and becomes law. Provides that if S.B. 1163 does not become law, SECTIONS 3 and 4 have no effect.

SECTION 6. Emergency clause.
Effective date: 90 days after adjournment.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Deletes proposed text amending Section 25.0631(b).

SECTION 2.

Redesignated from proposed Section 25.0631(d). Amends Section 25.0632, Government Code, by adding Subsection (j), to provide that Section 25.0006, does not apply to a statutory county court, rather than the statutory county courts, in Denton County.

SECTION 3.

Amends Section 25.0633(c), Government Code, to provide that, notwithstanding Section 25.0003, the County Court at Law No. 1 of Denton County does not have jurisdiction over probate or mental health matters or over family law cases and proceedings other than juvenile proceedings. Deletes text providing that, notwithstanding Section 25.0003, the County Court at Law No. 1 of Denton County does not have jurisdiction over civil or civil appellate matters.

SECTION 4.

Amends Section 25.0634(b), Government Code, to provide that a criminal court has no jurisdiction over probate or mental health matters. Deletes text providing that a criminal court has no jurisdiction over civil or civil appellate matters.

SECTION 5.

Switches the text of Subsections (a) and (b) regarding court creation and effective dates. Adds Subsection (c), providing that the effective date for Sections 25.0633 and 25.0634, Government Code, is September 1, 1999, but only if S.B. 1163 is enacted, and that those sections have no effect if S.B. 1163 does not become law.

SECTION 6.

Redesignated from proposed SECTION 3.