

BILL ANALYSIS

Senate Research Center
77R1437 AEI-D

S.B. 1787
By: Duncan
Jurisprudence
4/9/2001
As Filed

DIGEST AND PURPOSE

Currently, Reagan County is divided into two judicial districts, the 83rd and the 112th. As proposed, S.B. 1787 unites Reagan County into one judicial district, the 112th, and provides that the county will have one district attorney to represent it.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 24.185, Government Code, by amending Subsections (a), (b), and (d), as follows:

Sec. 24.185. New heading: 83RD JUDICIAL DISTRICT (PECOS, TERRELL, UPTON, AND VAL VERDE COUNTIES). (a) Provides that the 83rd Judicial District is composed of Pecos, Terrell, Upton, and Val Verde counties. Deletes language regarding Reagan County.

(b) Provides that the 83rd and 112th district courts have concurrent jurisdiction in Pecos and Upton counties. Deletes language regarding Reagan County.

(d) Provides that the terms of the 83rd District Court begin on the second Monday in January and July and in Upton County on the 12th Monday after the first Mondays in January and July. Deletes language regarding Reagan County.

SECTION 2. Amends Section 43.141(a), Government Code, to provide that the voters of Brewster, Jeff Davis, Pecos, Presidio, and Upton counties elect a district attorney for the 83rd Judicial District. Deletes language regarding Reagan County.

SECTION 3. Effective date: September 1, 2001.

SECTION 4. (a) Requires the local administrative district judge to transfer all cases from Reagan County that are pending in the 83rd District Court on the effective date of this Act to the 112th District Court.

(b) Provides that when a case is transferred as provided by Subsection (a) of this section, all processes, writs, bonds, recognizances, or other obligations issued from the 83rd District Court are returnable to the 112th District Court as if originally issued by that court. Provides that the obligees on all bonds and recognizances taken in and for the 83rd District Court and all witnesses summoned to appear in the 83rd District Court are required to appear before the 112th District Court as if originally required to appear before that court.

SECTION 5. Provides that Section 43.141(a), Government Code, as amended by this Act, does not

affect the election of a district attorney for the 83rd Judicial District held before the effective date of this Act. Requires the district attorney of the 83rd Judicial District elected before and serving on the effective date of this Act to serve the remainder of the elected term, unless otherwise removed by law.