

BILL ANALYSIS

Senate Research Center
83R8205 CAE-F

S.B. 576
By: Duncan
Jurisprudence
2/25/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 576 would delay the abolishment of the small claims courts from May 1, 2013, to August 31, 2013. The abolishment of the small claims courts was passed during the 82nd Legislature, 1st Called Session, 2011, in H.B. 79. The extra time is needed to help justice of the peace courts transition to the new rules promulgated by the Texas Supreme Court for justice court cases. The additional transition period is also needed to train judges, clerks, and constables.

As proposed, S.B. 576 amends current law relating to the abolishment of the small claims courts.

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 5.07, Chapter 3 (H.B. 79), Acts of the 82nd Legislature, 1st Called Session, 2011, as follows:

Sec. 5.07. Requires the Texas Supreme Court, not later than August 31, 2013, rather than not later than May 1, 2013, to promulgate rules to define cases that constitute small claims cases; rules of civil procedure applicable to small claims cases as required by Section 27.060 (Small Claims), Government Code, as added by this article (Provisions Relating to Justice and Small Claims Courts); and rules for eviction proceedings.

SECTION 2. Amends Section 5.09, Chapter 3 (H.B. 79), Acts of the 82nd Legislature, 1st Called Session, 2011, as follows:

Sec. 5.09. Effective date, Sections 5.02 (adding Section 27.060 to the Government Code) and 5.06 (repealing Chapter 28 (Small Claims Courts), Government Code, and abolishing each small claims court under that chapter) of this article: August 31, 2013, rather than May 1, 2013.

SECTION 3. Effective date: upon passage or September 1, 2013.