

BILL ANALYSIS

Senate Research Center

H.B. 1765
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Jurisprudence
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This analysis is based on the House Committee Report, which is the most recent version available to the Senate Research Center.

DIGEST AND PURPOSE

As Brown County continues to increase in population, so does the number of both civil and criminal cases in the court system. There is a need for a larger judicial system to handle the rise in cases. H.B. 1765 creates the County Court at Law of Brown County.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

H.B. 1765 amends the Government Code to create the County Court at Law of Brown County as a statutory county court. The bill provides that the county court of law has concurrent jurisdiction with the district court in family law cases and proceedings and felony criminal cases. The commissioners court by order entered of record is required to set at least two terms of court each year for each county court at law. A judge of a county court at law is prohibited from engaging in the private practice of law. H.B. 1765 also requires the salary of a judge of a county court at law to be set by the commissioners court and paid out of the county treasury on orders from the commissioners court.

H.B. 1765 authorizes a special judge of a county court at law to be appointed in the manner provided for the appointment of a special county judge, and is eligible for appointment if the special judge has the same qualifications as the regular judge. H.B. 1765 provides that the district clerk serves as the clerk of a county court at law in matters in which the county court has concurrent jurisdiction with the district court.

The bill provides that the county court at law of Brown County is created January 1, 2003, or on an earlier date determined by the commissioners court.