

BILL ANALYSIS

Senate Research Center
78R16141 YDB-D

C.S.H.B. 2261
By: West, George "Buddy" (Bivins)
State Affairs
5-23-2003
Committee Report (Substituted)

DIGEST AND PURPOSE

C.S.H.B. 2261 removes Ector, Gaines, Glasscock, Martin, and Midland counties from the Eighth Court of Appeals District and adds those counties to the Eleventh Court of Appeals District this bill also decreases the number of justices on the Court of Appeals for the Eighth Court of Appeals District and increases the number of justices on the Court of Appeals for the Ninth Court of Appeals District.

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 Sections 22.201 (i) and (l), Government Code, to remove Ector, Gaines, Glasscock, Martin, and Midland counties from the Eighth Court of Appeals District and add those counties to the Eleventh Court of Appeals District.

SECTION 2. Amends Section 22.216(h), Government Code, to decrease the number of justices on the Court of Appeals for the Eighth Court of Appeals District from three to two.

SECTION 3. Amends Section 22.216(i), Government Code, to increase the number of justices on the Court of Appeals for the Ninth Court of Appeals District from two to three.

SECTION 4. Provides that, notwithstanding Section 22.216(h), Government Code, as amended by this Act, the Eighth Court of Appeals consists of a chief justice and three justices until a vacancy occurs or the term of a justice expires, whichever occurs first. Provides that Section 22.216(h), Government Code, as amended by this Act, does not affect the office of a justice of the Eighth Court of Appeals serving on September 1, 2003, and the justice, unless otherwise removed, continues to serve for the term to which the justice was elected.

SECTION. 5. Provides that this Act does not affect the jurisdiction on appeal of any case from a county that is transferred by this Act to a different court of appeals district if the transcripts for the case were filed before the effective date of this Act in the appropriate court of appeals district.

SECTION 6. (a) Effective date: September 1, 2003, except as provided by Subsection (b).

(b) Provides that SECTION 3 of this Act takes effect January 1, 2005.