

BILL ANALYSIS

Senate Research Center
80R7925 KLA-D

H.B. 2766
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Jurisprudence
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, district and county courts are only authorized to conduct court proceedings at the county seat. In the case of a major disaster, such as a hurricane, the county seat may preclude or prevent a county from conducting proceedings at that location. In order to establish a successful disaster recovery plan coastal counties must have the ability to hold those proceedings at an alternative location during a disaster.

H.B. 2766 authorizes first and second tier coastal counties to conduct court proceedings at a place other than the county seat in the event of a disaster.

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 Subchapter A, Chapter 24, Government Code, by adding Section 24.033, as follows:

Sec. 24.033. LOCATION OF PROCEEDINGS FOLLOWING CERTAIN DISASTERS.

(a) Defines "first tier coastal county" and "second tier coastal county."

(b) Authorizes the presiding judge of the administrative judicial district, notwithstanding any other law, if a natural or other major disaster occurs in a first tier coastal county or a second tier coastal county that precludes a district court from conducting its proceedings at the county seat of that county, to designate an alternate location in the judicial district at which the court may conduct its proceedings.

SECTION 2. Amends Subchapter A, Chapter 25, Government Code, by adding Section 25.0019, as follows:

Sec. 25.0019. LOCATION OF PROCEEDINGS FOLLOWING CERTAIN DISASTERS. (a) Defines "first tier coastal county" and "second tier coastal county."

(b) Authorizes the presiding judge of the administrative judicial region, notwithstanding any other law, including a specific provision in this chapter (Statutory County Courts) for a particular court or county that requires a statutory county court to conduct its proceedings at the county seat, if a natural or other major disaster occurs in a first tier coastal county or a second tier coastal county that precludes a statutory county court in that county from conducting its proceedings at the county seat, to designate an alternate location in the county at which the court may conduct its proceedings.

SECTION 3. Amends Subchapter B, Chapter 25, Government Code, by adding Section 25.0032, as follows:

Sec. 25.0032. LOCATION OF PROCEEDINGS FOLLOWING CERTAIN DISASTERS. (a) Defines "first tier coastal county" and "second tier coastal county."

(b) Authorizes the presiding judge of the statutory probate courts, notwithstanding any other law, including a specific provision in this chapter for a particular court or county that requires a statutory probate court to conduct its proceedings at the county seat, if a natural or other major disaster occurs in a first tier coastal county or a second tier coastal county that precludes a statutory county court in that county from conducting its proceedings at the county seat, to designate an alternate location in the county at which the court may conduct its proceedings.

SECTION 4. Amends Subchapter A, Chapter 26, Government Code, by adding Section 26.009, as follows:

Sec. 26.009. LOCATION OF PROCEEDINGS FOLLOWING CERTAIN DISASTERS.

(a) Defines "first tier coastal county" and "second tier coastal county."

(b) Authorizes the presiding judge of the administrative judicial region, notwithstanding any other law, if a natural or other major disaster occurs in a first tier coastal county or a second tier coastal county that precludes a county court from conducting its proceedings at the county seat of that county, to designate an alternate location in the county at which the court may conduct its proceedings.

SECTION 5. Effective date: upon passage or September 1, 2007.