

BILL ANALYSIS

Senate Research Center
80R15860 KLA-D

H.B. 3460
By: Paxton (Shapiro)
Jurisprudence
5/15/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, statutory probate courts are authorized to transfer cases only to other statutory probate courts, and only a probate judge is authorized to serve for and hear cases before another probate judge. In a county with only one statutory probate court, cases are often delayed when the judge must leave town or is otherwise unavailable, requiring the county to arrange for a visiting probate judge from another county, which can be difficult and expensive.

H.B. 3460 authorizes statutory county court judges in Collin County to hear uncontested cases from the probate court when the statutory probate judge is absent, disabled, or disqualified.

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 25.0453, Government Code, by adding Subsection (g), as follows:

(g) Authorizes a judge of a statutory county court in Collin County, notwithstanding any other law, on the request of a judge of a statutory probate court, to serve for the requesting judge and hear cases, other than contested matters, pending in that judge's court when that judge is absent, disabled, or disqualified. Provides that the authority provided by this section applies regardless of whether the court the statutory county court judge ordinarily serves has jurisdiction of the types of cases pending in the statutory probate court for which the judge is requested to serve.

SECTION 2. Effective date: upon passage or September 1, 2007.