

BILL ANALYSIS

Senate Research Center

S.B. 1740
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Jurisprudence
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently the county courts at law of Bexar County have a significant backlog of cases which are set for trial. As of March 18, 2009, there were 4,453 cases to be heard by the 10 existing Bexar County courts. New courts have not been created since 1999, at which time the number of pending cases was roughly 3,307 with eight Bexar County courts. As of August 2008, each court had roughly 474 cases on its docket and, while the average case will be heard within one year, often cases take much longer because of the backlog. According to the Court Administration Task Force of the State Bar of Texas, the administration of the courts should be focused on reducing the delay.

As proposed, S.B. 1740 creates three additional county courts at law in Bexar County.

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 25.0171(b), Government Code, to provide that Bexar County has certain county courts at law including County Court at Law No. 13 of Bexar County, Texas, County Court at Law No. 14 of Bexar County, Texas; and County Court at Law No. 15 of Bexar County, Texas.

SECTION 2. Amends Section 25.0172, Government Code, by adding Subsection (c-1) and amending Subsections (d), (l), (n), (o), (u), and (v), as follows:

(c-1) Requires the County Court at Law No. 13 of Bexar County, Texas, to give preference to cases under Section 22.01 (Assault), Penal Code, in which the victim is a person whose relationship to or association with the defendant is described by Chapter 71 (Definitions), Family Code, and Section 25.07 (Violation of Protective Order or Magistrate's Order), Penal Code.

(d) Provides that the County Courts at Law Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 have six terms of court beginning on the first Mondays in January, March, May, July, September, and November.

(l) Makes conforming changes.

(n) Makes conforming changes.

(o) Makes conforming changes.

(u) Makes conforming changes.

(v) Makes conforming changes.

SECTION 3. Provides that notwithstanding Section 25.0171(b), Government Code, as amended by this Act, the County Court at Law No. 13 of Bexar County, Texas, is created September 1,

2009, or on an earlier date determined by the Commissioners Court of Bexar County by an order entered in its minutes.

SECTION 4. Provides that notwithstanding Section 25.0171(b), Government Code, as amended by this Act, the County Court at Law No. 14 of Bexar County, Texas, is created September 1, 2009, or on an earlier date determined by the Commissioners Court of Bexar County by an order entered in its minutes.

SECTION 5. Provides that notwithstanding Section 25.0171(b), Government Code, as amended by this Act, the County Court at Law No. 15 of Bexar County, Texas, is created September 1, 2009, or on an earlier date determined by the Commissioners Court of Bexar County by an order entered in its minutes.

SECTION 6. Effective date: upon passage or September 1, 2009.