

BILL ANALYSIS

Senate Research Center

H.B. 1897
By: Flynn (Deuell)
Jurisprudence
5/16/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2007, legislation was passed to allow Van Zandt County to plan for a court to begin in January of 2010. Various revisions were made to tweak the bill, which led to unintended consequences that need to be corrected.

H.B. 1897 clarifies the initial legislation by establishing that a county court at law in Van Zandt County has concurrent jurisdiction with the district court in guardianship matters; that the district clerk serves as clerk of a county court at law in family court matters; and that the jury for cases in the court of law's jurisdiction be comprised of six members unless the constitution requires a 12-member jury.

H.B. 1897 amends current law relating to the jurisdiction of, number of jurors in, and the clerk serving the County Court at Law of Van Zandt 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 25.2362, Government Code, by amending Subsections (a) and (f) and adding Subsection (i), as follows:

(a) Provides that in addition to the jurisdiction provided by Section 25.0003 (Jurisdiction) and other law, and except as limited by Subsection (b) (relating to providing that a county court at law's civil jurisdiction concurrent with the district court in civil cases is limited to cases in which the matter in controversy does not exceed \$200,000), a county court at law in Van Zandt County has concurrent jurisdiction with the district court in certain cases, including guardianship matters. Makes a nonsubstantive change.

(f) Provides that the district clerk serves as clerk of a county court at law in family court matters and proceedings, rather than as clerk of a county court at law in matters of concurrent jurisdiction with the district court, and the county clerk is required to serve as clerk of a county court at law in all other matters.

(i) Requires the jury, if a jury trial is requested in a case that is in a county court at law's jurisdiction, to be composed of six members unless the constitution requires a 12-member jury.

SECTION 2. Effective date: September 1, 2011.