

BILL ANALYSIS

Senate Research Center
83R10424 CAE-F

H.B. 1875
By: Lewis (West)
Jurisprudence
5/8/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law relating to the transfer of cases from one district court to another district court in the county, the consent of the judge of the court to which a case is transferred is not required. H.B. 1875 seeks to require such consent, with certain exceptions.

H.B. 1875 amends current law relating to a case transferred from one district court to another district court.

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 24.003, Government Code, by amending Subsection (b) and adding Subsection (b-1), as follows:

(b) Authorizes a district judge in the county, unless provided otherwise by the local rules of administration, to, in addition to other actions, transfer any civil or criminal case or proceeding on the court's docket, other than a case governed by Chapter 155 (Continuing, Exclusive Jurisdiction; Transfer), Family Code, to the docket of another district court in the county, except as provided by Subsection (b-1).

(b-1) Prohibits a district judge, notwithstanding the local rules of administration, from transferring any civil or criminal case or proceeding to the docket of another district court without the consent of the judge of the court to which it is transferred.

SECTION 2. Provides that this Act applies only to the transfer of a case or proceeding to the docket of another district court that occurs on or after the effective date of this Act. Provides that the transfer of a case or proceeding that occurs before the effective date of this Act is governed by the law in effect on the date the case or proceeding is transferred, and the former law is continued in effect for that purpose.

SECTION 3. Effective date: September 1, 2013.