

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1436  
By: Duncan  
Jurisprudence  
4/14/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, a judge must hear a case and make a ruling in the jurisdiction where the case is filed. Often in rural areas, a judge may sit in different counties during the week or month. Therefore, parties desiring to dispense with pretrial matters or have a judge sign an order must wait until the judge returns to the county. A change in law that authorizes the judge to handle pretrial matters away from the original county would expedite the trial process. This bill authorizes a judge to conduct any judicial proceedings, except the trial, in a different county, unless objected to by a party. C.S.S.B. 1436 authorizes a judge to hear pretrial matters in a county other than the one in which the suit is filed.

### **PURPOSE**

As proposed, C.S.S.B. 1436 authorize a judge to hear pretrial matters in a county other than the one in which the suit is filed.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 74.094, Government Code, by adding Subsection (e), to authorize a judge who has jurisdiction over a suit pending in one county to conduct any of the judicial proceedings except the trial on the merits in a different county, unless objected to by any one party.

SECTION 2. Effective date: September 1, 1999.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 1.

Amends proposed Section 74.094, Government Code, to authorize a judge to conduct any judicial proceeding, except the trial on the merits, in a different county, rather than to authorize the judge to hear pretrial matters in a different county, unless objected to by any party.