

BILL ANALYSIS

Senate Research Center
82R4886 YDB-F

H.B. 984
By: Truitt (Harris)
Jurisprudence
4/20/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A municipal court, in general, has jurisdiction only within its own city limits, does not share concurrent original jurisdiction on municipal matters with other municipal courts, and is unable to merge with other municipal courts.

H.B. 984 allows contiguous municipalities to enter agreements to establish concurrent jurisdiction of certain cases for their respective municipal courts. Participating municipalities may save money and improve court services by establishing such agreements.

H.B. 984 amends current law relating to agreements between contiguous municipalities regarding jurisdiction of cases in municipal courts.

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 29.003, Government Code, by adding Subsection (i), as follows:

(i) Authorizes a municipality to enter into an agreement with a contiguous municipality to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for all cases in which either municipality has jurisdiction under Subsection (a) (relating to requiring a municipal court to have exclusive jurisdiction within the municipality's territorial limits), and cases that arise under Section 821.022 (Seizure of Cruelly Treated Animal), Health and Safety Code, or Section 25.094 (Failure to Attend School), Education Code.

SECTION 2. Amends Article 4.14, Code of Criminal Procedure, by adding Subsection (g), as follows:

(g) Authorizes a municipality to enter into an agreement with a contiguous municipality to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for all cases in which either municipality has jurisdiction under Subsection (a) (relating to requiring a municipal court to have exclusive jurisdiction within the municipality's territorial limits), and cases that arise under Section 821.022, Health and Safety Code, or Section 25.094, Education Code.

SECTION 3. Makes application of Section 29.003(i), Government Code, as added by this Act, or under Article 4.14(g), Code of Criminal Procedure, as added by this Act, prospective.

SECTION 4. Effective date: upon passage or September 1, 2011.