

1 AN ACT

2 relating to the creation, composition, jurisdiction, and procedure
3 of certain judicial districts, to the selection of a local
4 administrative judge for certain counties, to the juvenile board in
5 certain counties, to the district courts in certain counties, and
6 to the criminal court administrator for certain counties.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. (a) Subsection (d), Section 24.151, Government
9 Code, is amended to read as follows:

10 (d) A criminal complaint may be presented to the grand jury
11 of any district court ~~[Indictments returned to the 49th District~~
12 ~~Court]~~ in Webb County, and a resulting indictment may [also] be
13 returned to any other district court in Webb County with the
14 appropriate criminal jurisdiction.

15 (b) Section 24.487, Government Code, is amended by amending
16 Subsection (b) and adding Subsection (d) to read as follows:

17 (b) The judge of the 341st District Court may select jury
18 commissioners and impanel grand juries in Webb County. The judge of
19 the 341st District Court may alternate the drawing of grand juries
20 with the judge of any other district court in the county. By order
21 entered on the minutes, for any term that the judge considers it
22 necessary, the judge may order grand and petit juries to be drawn.
23 ~~[Indictments returned in Webb County may also be returned to the~~
24 ~~49th District Court or the 111th District Court.]~~ The 341st

District Court has concurrent jurisdiction with the 49th District Court in all tax suits and cases.

(d) A criminal complaint may be presented to the grand jury of any district court in Webb County, and a resulting indictment may be returned to any other district court in Webb County with the appropriate criminal jurisdiction.

(c) Section 24.551, Government Code, is amended by adding Subsections (c), (d), (e), and (f) to read as follows:

(c) The 406th District Court has concurrent jurisdiction with the other district courts in Webb County.

(d) In addition to other jurisdiction provided by law, the 406th District Court has the:

(1) criminal jurisdiction of a county court; and

(2) civil jurisdiction of a county court in all cases under the Family Code or the Health and Safety Code.

(e) The terms of the 406th District Court begin on the first Mondays in January, April, July, and October. Each term continues until the court disposes of its business.

(f) A criminal complaint may be presented to the grand jury of any district court in Webb County, and a resulting indictment may be returned to any other district court in Webb County with the appropriate criminal jurisdiction.

(d) Section 53.001, Government Code, is amended by adding Subsection (i) to read as follows:

(i) The judge of the 406th District Court shall appoint a bailiff.

(e) Section 53.004, Government Code, is amended by adding

Subsection (f) to read as follows:

(f) To be eligible to be appointed bailiff in the 406th District Court, a person must be:

(1) at least 21 years of age; and

(2) a citizen of the United States.

SECTION 2. (a) Section 24.194, Government Code, is amended by adding Subsection (d) to read as follows:

(d) All civil cases in the 92nd District Court shall be assigned and docketed at random by the district clerk using an automated system.

(b) Section 24.195, Government Code, is amended by adding Subsection (d) to read as follows:

(d) All civil cases in the 93rd District Court shall be assigned and docketed at random by the district clerk using an automated system.

(c) Section 24.241, Government Code, is amended by adding Subsection (d) to read as follows:

(d) All civil cases in the 139th District Court shall be assigned and docketed at random by the district clerk using an automated system.

(d) Section 24.385, Government Code, is amended to read as follows:

Sec. 24.385. 206TH JUDICIAL DISTRICT (HIDALGO COUNTY).

(a) The 206th Judicial District is composed of Hidalgo County.

(b) All civil cases in the 206th District Court shall be assigned and docketed at random by the district clerk using an automated system.

(e) Section 24.452, Government Code, is amended to read as follows:

Sec. 24.452. 275TH JUDICIAL DISTRICT (HIDALGO COUNTY).

(a) The 275th Judicial District is composed of Hidalgo County.

(b) All civil cases in the 275th District Court shall be assigned and docketed at random by the district clerk using an automated system.

(f) Section 24.478, Government Code, is amended to read as follows:

Sec. 24.478. 332ND JUDICIAL DISTRICT (HIDALGO COUNTY).

(a) The 332nd Judicial District is composed of Hidalgo County.

(b) All civil cases in the 332nd District Court shall be assigned and docketed at random by the district clerk using an automated system.

(g) Section 24.515, Government Code, is amended to read as follows:

Sec. 24.515. 370TH JUDICIAL DISTRICT (HIDALGO COUNTY).

(a) The 370th Judicial District is composed of Hidalgo County.

(b) All civil cases in the 370th District Court shall be assigned and docketed at random by the district clerk using an automated system.

(h) Section 24.534, Government Code, is amended by adding Subsection (c) to read as follows:

(c) All civil cases in the 389th District Court shall be assigned and docketed at random by the district clerk using an automated system.

(i) Section 24.543, Government Code, is amended by adding

Subsection (c) to read as follows:

(c) All civil cases in the 398th District Court shall be assigned and docketed at random by the district clerk using an automated system.

(j) The changes in law made by this section apply to a civil case filed with the district clerk of Hidalgo County on or after the effective date of this section. A civil case filed with the district clerk of Hidalgo County before the effective date of this section is governed by the law in effect on the date the case was filed, and the former law is continued in effect for that purpose.

SECTION 3. (a) Subsection (d), Section 24.386, Government Code, is amended to read as follows:

(d) The terms of the 207th District Court begin:

(1) in Hays County on the first Mondays in February and~~[, May,]~~ August~~[, and November]~~;

(2) in Caldwell County on the first Mondays in March and~~[, June,]~~ September~~[, and December]~~; and

(3) in Comal County on the first Mondays in January and~~[, April,]~~ July~~[, and October]~~.

(b) Section 53.002, Government Code, is amended by adding Subsection (i) to read as follows:

(i) The judge of the 207th District Court may appoint a bailiff to serve the court in Comal County, subject to the approval of the local administrative judge.

SECTION 4. (a) Effective January 1, 2007, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.574 to read as follows:

Sec. 24.574. 430TH JUDICIAL DISTRICT (HIDALGO COUNTY).

(a) The 430th Judicial District is composed of Hidalgo County.

(b) The 430th District Court shall give preference to family violence and criminal matters.

(c) All civil cases in the 430th District Court shall be assigned and docketed at random by the district clerk using an automated system.

(b) Subsection (b), Section 24.534, and Subsection (b), Section 24.543, Government Code, are repealed.

(c) The 430th Judicial District is created January 1, 2007.

(d) Subsection (b) of this section takes effect January 1, 2007.

SECTION 5. (a) Section 24.205, Government Code, is amended to read as follows:

Sec. 24.205. 103RD JUDICIAL DISTRICT (CAMERON COUNTY [~~AND WILLACY COUNTIES~~]). (a) The 103rd Judicial District is composed of Cameron County [~~and Willacy counties~~]. The court shall give preference to civil cases.

(b) The 103rd, 107th, and 138th district courts have concurrent jurisdiction.

(c) The terms of the 103rd District Court begin[+
[~~(1) in Cameron County~~] on the first Mondays in February and July[~~, and~~
[~~(2) in Willacy County on the first Mondays in January and June~~].

(d) The judges of the 103rd and 107th district courts need not impanel grand juries except in cases of emergency.

(b) Section 24.209, Government Code, is amended to read as follows:

Sec. 24.209. 107TH JUDICIAL DISTRICT (CAMERON COUNTY [~~AND WILLACY COUNTIES~~]). (a) The 107th Judicial District is composed of Cameron County [~~and Willacy counties~~]. The court shall give preference to criminal cases.

(b) The terms of the 107th District Court begin on the first Mondays in January and July.

(c) Section 24.205, relating to the 103rd District Court, contains provisions applicable to both that court and the 107th District Court.

(c) Section 24.240, Government Code, is amended to read as follows:

Sec. 24.240. 138TH JUDICIAL DISTRICT (CAMERON COUNTY [~~AND WILLACY COUNTIES~~]). (a) The 138th Judicial District is composed of Cameron County [~~and Willacy counties~~]. The court shall give preference to criminal cases.

(b) The terms of the 138th District Court begin[+
[~~(1) in Cameron County~~] on the first Mondays in March, July, and November[~~, and~~

[~~(2) in Willacy County on the first Mondays in January, May, and September~~].

(c) The judge of the 138th District Court shall impanel grand juries at all times required by law.

(d) Section 24.205, relating to the 103rd District Court, contains provisions applicable to both that court and the 138th District Court.

(d) Section 24.503, Government Code, is amended to read as follows:

Sec. 24.503. 357TH JUDICIAL DISTRICT (CAMERON COUNTY [~~AND WILLACY COUNTIES~~]). The 357th Judicial District is composed of Cameron County [~~and Willacy counties~~].

(e) Section 24.549, Government Code, is amended to read as follows:

Sec. 24.549. 404TH JUDICIAL DISTRICT (CAMERON COUNTY [~~AND WILLACY COUNTIES~~]). The 404th Judicial District is composed of Cameron County [~~and Willacy counties~~].

(f) The local administrative district judge shall transfer all cases from Willacy County that are pending in the 103rd, 107th, 138th, 357th, and 404th District Courts on September 1, 2005, to the 197th District Court.

(g) When a case is transferred as provided by Subsection (f) of this section, all processes, writs, bonds, recognizances, or other obligations issued from the 103rd, 107th, 138th, 357th, and 404th District Courts are returnable to the 197th District Court as if originally issued by that court. The obligees on all bonds and recognizances taken in and for the 103rd, 107th, 138th, 357th, and 404th District Courts and all witnesses summoned to appear in those courts are required to appear before the 197th District Court as if originally required to appear before that court.

SECTION 6. (a) Effective September 1, 2005, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.556 to read as follows:

Sec. 24.556. 412TH JUDICIAL DISTRICT (BRAZORIA COUNTY).

1 The 412th Judicial District is composed of Brazoria County.

2 (b) The 412th Judicial District is created September 1,
3 2005.

4 SECTION 7. (a) Effective January 1, 2007, Subchapter C,
5 Chapter 24, Government Code, is amended by adding Section 24.569 to
6 read as follows:

7 Sec. 24.569. 425TH JUDICIAL DISTRICT (WILLIAMSON COUNTY).

8 The 425th Judicial District is composed of Williamson County.

9 (b) The 425th Judicial District is created January 1, 2007.

10 SECTION 8. (a) Effective January 1, 2007, Subchapter C,
11 Chapter 24, Government Code, is amended by adding Section 24.570 to
12 read as follows:

13 Sec. 24.570. 426TH JUDICIAL DISTRICT (BELL COUNTY).

14 (a) The 426th Judicial District is composed of Bell County.

15 (b) The terms of the 426th District Court begin on the first
16 Mondays in January, April, July, and October.

17 (c) Section 24.129, relating to the 27th District Court,
18 contains provisions applicable to both that court and the 426th
19 District Court.

20 (b) Effective September 1, 2005, Subsection (b), Section
21 24.129, Government Code, is amended to read as follows:

22 (b) The 27th, 146th, [~~and~~] 169th, and 264th judicial
23 districts have concurrent jurisdiction in Bell County.

24 (c) Effective January 1, 2007, Subsection (b), Section
25 24.129, Government Code, is amended to read as follows:

26 (b) The 27th, 146th, [~~and~~] 169th, 264th, and 426th judicial
27 districts have concurrent jurisdiction in Bell County.

(d) The 426th Judicial District is created January 1, 2007.

SECTION 9. (a) Effective January 1, 2007, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.571 to read as follows:

Sec. 24.571. 427TH JUDICIAL DISTRICT (TRAVIS COUNTY).

(a) The 427th Judicial District is composed of Travis County.

(b) The 427th Judicial District shall give preference to criminal matters.

(b) The 427th Judicial District is created January 1, 2007.

SECTION 10. (a) Effective September 1, 2005, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.572 to read as follows:

Sec. 24.572. 428TH JUDICIAL DISTRICT (HAYS COUNTY). The 428th Judicial District is composed of Hays County.

(b) The 428th Judicial District is created September 1, 2005.

SECTION 11. (a) Effective January 1, 2007, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.577 to read as follows:

Sec. 24.577. 433RD JUDICIAL DISTRICT (COMAL COUNTY). The 433rd Judicial District is composed of Comal County.

(b) The 433rd Judicial District is created January 1, 2007.

SECTION 12. (a) Effective January 1, 2007, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.578 to read as follows:

Sec. 24.578. 434TH JUDICIAL DISTRICT (FORT BEND COUNTY). The 434th Judicial District is composed of Fort Bend County.

(b) The 434th Judicial District is created January 1, 2007.

SECTION 13. (a) Subsection (c), Section 24.115, Government Code, is amended to read as follows:

(c) Except for Subsection (b), which applies only to the 14th District Court, this section applies to the 14th, 44th, 68th, 95th, 101st, 116th, 134th, 160th, and 162nd district courts, the Criminal Judicial District of Dallas County, and the Criminal Judicial Districts Nos. 2, 3, 4, ~~and~~ 5, 6, and 7 of Dallas County.

(b) Effective September 1, 2005, Subchapter E, Chapter 24, Government Code, is amended by adding Sections 24.906 and 24.907 to read as follows:

Sec. 24.906. DALLAS COUNTY CRIMINAL JUDICIAL DISTRICT NO. 6. (a) The Dallas County Criminal Judicial District No. 6 is composed of Dallas County.

(b) The terms of the criminal district court no. 6 begin on the first Mondays in January, April, July, and October.

(c) Section 24.901, relating to the Criminal District Court of Dallas County, contains provisions applicable to both that court and the Dallas County Criminal District Court No. 6.

(d) Section 24.115, relating to the 14th District Court, contains provisions applicable to both that court and the Dallas County Criminal District Court No. 6.

Sec. 24.907. DALLAS COUNTY CRIMINAL JUDICIAL DISTRICT NO. 7. (a) The Dallas County Criminal Judicial District No. 7 is composed of Dallas County.

(b) The terms of the criminal district court no. 7 begin on the first Mondays in January, April, July, and October.

1 (c) Section 24.901, relating to the Criminal District Court
2 of Dallas County, contains provisions applicable to both that court
3 and the Dallas County Criminal District Court No. 7.

4 (d) Section 24.115, relating to the 14th District Court,
5 contains provisions applicable to both that court and the Dallas
6 County Criminal District Court No. 7.

7 (c) The Dallas County Criminal Judicial Districts Nos. 6 and
8 7 are created September 1, 2005.

9 SECTION 14. Section 24.135, Government Code, is amended by
10 adding Subsections (c) and (d) to read as follows:

11 (c) The judge of the 33rd District Court may select jury
12 commissioners and impanel grand juries in each county. The judge of
13 the 33rd District Court may alternate the drawing of grand juries
14 with the judge of any other district court in each county within the
15 33rd Judicial District and may order grand and petit juries to be
16 drawn for any term of the court as the judge determines is
17 necessary, by an order entered in the minutes of the court.
18 Indictments within each county may be returned to either court
19 within that county.

20 (d) The 33rd District Court may hear and determine, in any
21 county in the district convenient for the court, all preliminary or
22 interlocutory matters in which a jury may not be demanded, in any
23 case pending in any county in the district regardless of whether the
24 case was filed in the county in which the hearing is held. Unless an
25 objection is filed by a party to the suit, the 33rd District Court
26 may hear, in any county in the district convenient for the court,
27 any nonjury case pending in any county in the district, including

1 divorces, adoptions, default judgments, and matters in which
2 citation was by publication, regardless of whether the case was
3 filed in the county in which the hearing is held.

4 SECTION 15. (a) Effective September 1, 2005, Subchapter C,
5 Chapter 24, Government Code, is amended by adding Section 24.568 to
6 read as follows:

7 Sec. 24.568. 424TH JUDICIAL DISTRICT (BLANCO, BURNET,
8 LLANO, AND SAN SABA COUNTIES). (a) The 424th Judicial District is
9 composed of Blanco, Burnet, Llano, and San Saba Counties.

10 (b) The jurisdiction of the 424th District Court is
11 concurrent with the jurisdiction of the 33rd District Court.

12 (c) The 424th District Court has the same terms of court as
13 the 33rd District Court.

14 (d) The judge of the 424th District Court may select jury
15 commissioners and impanel grand juries in each county. The judge of
16 the 424th District Court may alternate the drawing of grand juries
17 with the judge of any other district court in each county within the
18 424th Judicial District and may order grand and petit juries to be
19 drawn for any term of the court as the judge determines is
20 necessary, by an order entered in the minutes of the court.
21 Indictments within each county may be returned to either court
22 within that county.

23 (e) The 424th District Court may hear and determine, in any
24 county in the district convenient for the court, all preliminary or
25 interlocutory matters in which a jury may not be demanded, in any
26 case pending in any county in the district regardless of whether the
27 case was filed in the county in which the hearing is held. Unless an

1 objection is filed by a party to the suit, the 424th District Court
2 may hear, in any county in the district convenient for the court,
3 any nonjury case pending in any county in the district, including
4 divorces, adoptions, default judgments, and matters in which
5 citation was by publication, regardless of whether the case was
6 filed in the county in which the hearing is held.

7 (b) The 424th Judicial District is created September 1,
8 2005.

9 SECTION 16. Subchapter D, Chapter 74, Government Code, is
10 amended by adding Section 74.097 to read as follows:

11 Sec. 74.097. LOCAL ADMINISTRATIVE DISTRICT JUDGE FOR
12 BLANCO, BURNET, LLANO, AND SAN SABA COUNTIES. Notwithstanding
13 Section 74.091(b), the local administrative district judge for
14 Blanco, Burnet, Llano, and San Saba Counties is selected on the
15 basis of seniority from the district judges of the 33rd Judicial
16 District and the 424th Judicial District.

17 SECTION 17. Section 75.014, Government Code, is amended by
18 adding Subsection (h) to read as follows:

19 (h) A district judge in El Paso County or a judge of a
20 statutory county court in El Paso County may serve as the local
21 administrative judge for the council of judges. The council of
22 judges shall elect a judge as local administrative judge for a term
23 of not more than two years. The local administrative judge may not
24 be elected on the basis of rotation or seniority.

25 SECTION 18. Subsection (b), Section 152.0221, Human
26 Resources Code, is amended to read as follows:

27 (b) The ~~[juvenile court]~~ judge of the 33rd District Court is

the chairman of the board and its chief administrative officer.

SECTION 19. Subsection (b), Section 152.0331, Human Resources Code, is amended to read as follows:

(b) The ~~[juvenile court]~~ judge of the 33rd District Court is the chairman of the board and its chief administrative officer.

SECTION 20. Subsection (a), Section 152.0521, Human Resources Code, is amended to read as follows:

(a) The Comal County Juvenile Board is composed of:

(1) the county judge;

(2) the ~~[local administrative statutory county]~~ judge of each county court at law in the county;

(3) the judge of the 207th District Court;

(4) an additional judge of the district courts having jurisdiction in Comal County, to be appointed biennially by the local administrative district judge; and

(5) the criminal district attorney of Comal County.

SECTION 21. Subsection (b), Section 152.1561, Human Resources Code, is amended to read as follows:

(b) The ~~[juvenile court]~~ judge of the 33rd District Court is the chairman of the board and its chief administrative officer.

SECTION 22. Subsection (b), Section 152.2121, Human Resources Code, is amended to read as follows:

(b) The ~~[juvenile court]~~ judge of the 33rd District Court is the chairman of the board and its chief administrative officer.

SECTION 23. Subsection (h), Section 152.2261, Human Resources Code, is amended to read as follows:

(h) Sections 152.0002, ~~[152.0003]~~ 152.0004, 152.0005,

152.0006, 152.0007, and 152.0008(a) do not apply to the juvenile board of Tarrant County.

SECTION 24. Subchapter D, Chapter 152, Human Resources Code, is amended by adding Section 152.2264 to read as follows:

Sec. 152.2264. TARRANT COUNTY CRIMINAL COURT ADMINISTRATOR. (a) Subject to the approval of the commissioners court, the judges of the district and county courts in Tarrant County that give preference to criminal matters may use the services of a criminal courts administrator.

(b) A judge may not be subjected to a suit for, and is immune from liability for damages arising from, an act or omission committed while performing a duty under this section unless the act or omission is:

(1) committed intentionally, wilfully, or wantonly;

or

(2) committed with:

(A) gross negligence; or

(B) conscious indifference or reckless disregard for the safety of others.

SECTION 25. Subsection (a), Section 152.2461, Human Resources Code, is amended to read as follows:

(a) The Webb County Juvenile Board is composed of the county judge, the district judges in the county, and the judge of each county court at law. The county judge may designate any member of the commissioners court to represent the judge on the board. A reference in this section to a juvenile court judge of a juvenile board member includes a person designated by the county judge under

1 this subsection.

2 SECTION 26. Subsection (a), Section 152.1511, Human
3 Resources Code, is amended to read as follows:

4 (a) The juvenile board of Leon County is composed of the
5 county judge and the judges of the 12th, 87th, and 278th Judicial
6 Districts.

7 SECTION 27. Except as otherwise provided by this Act, this
8 Act takes effect September 1, 2005.

David Swihurst
President of the Senate

Jim Cusick
Speaker of the House

I hereby certify that S.B. No. 1189 passed the Senate on April 28, 2005, by the following vote: Yeas 31, Nays 0; May 26, 2005, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 28, 2005, House granted request of the Senate; May 29, 2005, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Patsy Saw
Secretary of the Senate

I hereby certify that S.B. No. 1189 passed the House, with amendments, on May 25, 2005, by a non-record vote; May 28, 2005, House granted request of the Senate for appointment of Conference Committee; May 29, 2005, House adopted Conference Committee Report by a non-record vote.

Robert Haney
Chief Clerk of the House

Approved:

18 JUNE '05

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM O'CLOCK

Roger Williams
Secretary of State