

By: Homer

H.B. No. 4685

A BILL TO BE ENTITLED

AN ACT

relating to the County Court of Titus County.

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

SECTION 1. Subchapter E, Chapter 26, Government Code, is amended by adding Section 26.325 to read as follows:

Sec. 26.325. TITUS COUNTY. (a) The County Court of Titus County has:

(1) the general jurisdiction of a probate court;

(2) juvenile jurisdiction as provided by Section 26.042(b); and

(3) original and appellate jurisdiction in all matters over which county courts have jurisdiction under the constitution and general laws of this state.

(b) The terms of the county court continue until the court has disposed of its business. The commissioners court may change the court terms under Section 26.002.

(c) A judge of a district court in Titus County and the judge of the county court may enter into a written agreement granting the county court jurisdiction to hear:

(1) guilty pleas in felony cases;

(2) default judgments;

(3) uncontested civil and family law cases in which a final judgment will be entered; and

(4) civil and family law cases in which an agreed final

1 judgment will be entered.

2 (d) The county court judge may not enter into an agreement
3 under Subsection (c) unless:

4 (1) the county is included in at least two judicial
5 districts that contain more than one county;

6 (2) the county does not have a county court at law;

7 (3) the county court retains original misdemeanor
8 jurisdiction; and

9 (4) the county judge is an attorney who:

10 (A) is licensed to practice law in this state;

11 and

12 (B) meets the qualifications for holding the
13 office of district court judge.

14 (e) An agreement under Subsection (c) may provide that a
15 final judgment be approved by the district court judge.

16 (f) The county judge has the same judicial immunity as the
17 district court judge when presiding over cases authorized under
18 Subsection (c).

19 (g) All pleadings, documents, records, and other papers in
20 district court cases heard by a county court judge remain under the
21 control of the district clerk. The district clerk may establish a
22 separate docket for the cases considered by the county court judge.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2009.