

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1341
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State Affairs
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1985, the legislature required that cases transferred from a county court to a district court include several documents in paper form. These documents include a certified transcript of the proceedings held in the county court, the original papers filed in the county court, a bill of the costs that have accrued in the county court, and a certified copy of the judgments rendered in the county court that remain unsatisfied.

Interested parties contend that the need to submit these documents in paper form requires a great deal of equipment, paper, and time. In order to save money and increase efficiency, C.S.S.B. 1341 authorizes a county court to transfer court records to a district court in electronic form, and also allows a district court to transfer court records to a county court in electronic form.

C.S.S.B. 1341 amends current law relating to the transfer of certain court records.

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 Subchapter D, Chapter 51, Government Code, by adding Section 51.3071, as follows:

Sec. 51.3071. TRANSFER OF CASES. Authorizes the clerk of the district court, if a case is transferred from a district court to a county court, to send to the county clerk in electronic or paper form:

- (1) a certified transcript of the proceedings held in the district court;
- (2) the original papers filed in the district court; and
- (3) a bill of the costs that have accrued in the district court.

SECTION 2. Amends Section 51.403, Government Code, as follows:

Sec. 51.403. TRANSFER OF CASES. (a) Requires the clerk of the county court to send certain documents as enumerated to the district clerk in electronic or paper form if a case is transferred from a county court to a district court.

- (b) Requires the clerk of the county court to send a certified copy of the judgments rendered in the county court that remain unsatisfied, in electronic or paper form, to the district clerks of the appropriate counties if civil or criminal jurisdiction of a county court is transferred to a district court.

SECTION 3. Effective date: upon passage or September 1, 2015.