

By: Leach

H.B. No. 2120

A BILL TO BE ENTITLED

AN ACT

relating to the operation and administration of and practice in courts in the judicial branch of state government.

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

ARTICLE 1. DISTRICT COURTS

SECTION 1.01. (a) The heading to Section 24.124, Government Code, is amended to read as follows:

Sec. 24.124. 23RD JUDICIAL DISTRICT (~~BRAZORIA,~~ MATAGORDA~~]~~ AND WHARTON COUNTIES).

(b) Sections 24.124(a) and (b), Government Code, are amended to read as follows:

(a) The 23rd Judicial District is composed of ~~Brazoria,~~ Matagorda~~]~~ and Wharton counties.

(b) The terms of the 23rd District Court begin:

(1) ~~[in Brazoria County on the first Mondays in April and October, and the terms are designated the April-September and October-March terms,~~

~~(2)]~~ in Matagorda County on the first Mondays in June and December, and the terms are designated the June-November and December-May terms; and

(2) ~~(3)]~~ in Wharton County on the first Mondays in July and January, and the terms are designated the July-December and January-June terms.

(c) Subchapter C, Chapter 24, Government Code, is amended by

1 adding Section 24.6005 to read as follows:

2 Sec. 24.6005. 461ST JUDICIAL DISTRICT (BRAZORIA COUNTY).

3 (a) The 461st Judicial District is composed of Brazoria County.

4 (b) The 461st District Court shall give preference to family
5 law matters.

6 (d) The local administrative district judge shall transfer
7 to the 461st District Court all cases from Brazoria County that are
8 pending in the 23rd District Court on the effective date of this
9 Act.

10 (e) When a case is transferred as provided by Subsection (d)
11 of this section:

12 (1) all processes, writs, bonds, recognizances, or
13 other obligations issued from the 23rd District Court are
14 returnable to the 461st District Court as if originally issued by
15 that court; and

16 (2) the obligees on all bonds and recognizances taken
17 in and for the 23rd District Court and all witnesses summoned to
18 appear in the 23rd District Court are required to appear before the
19 461st District Court as if originally required to appear before
20 that court.

21 (f) The 461st Judicial District is created on September 1,
22 2019.

23 SECTION 1.02. (a) Subchapter C, Chapter 24, Government
24 Code, is amended by adding Section 24.600 to read as follows:

25 Sec. 24.600. 456TH JUDICIAL DISTRICT (GUADALUPE COUNTY).

26 (a) The 456th Judicial District is composed of Guadalupe County.

27 (b) The 456th District Court shall give preference to civil

1 cases.

2 (b) The 456th Judicial District is created on September 1,
3 2019.

4 SECTION 1.03. (a) Subchapter C, Chapter 24, Government
5 Code, is amended by adding Section 24.6001 to read as follows:

6 Sec. 24.6001. 457TH JUDICIAL DISTRICT (MONTGOMERY COUNTY).
7 The 457th Judicial District is composed of Montgomery County.

8 (b) The 457th Judicial District is created on September 1,
9 2019.

10 SECTION 1.04. (a) Subchapter C, Chapter 24, Government
11 Code, is amended by adding Section 24.60010 to read as follows:

12 Sec. 24.60010. 466th JUDICIAL DISTRICT (COMAL COUNTY). The
13 466th Judicial District is composed of Comal County.

14 (b) The 466th Judicial District is created on September 1,
15 2019.

16 ARTICLE 2. STATUTORY COUNTY COURTS

17 SECTION 2.01. (a) Subchapter C, Chapter 25, Government
18 Code, is amended by adding Section 25.0381 to read as follows:

19 Sec. 25.0381. CHAMBERS COUNTY. Chambers County has one
20 statutory county court, the County Court at Law of Chambers County.

21 (b) The County Court at Law of Chambers County is created on
22 September 1, 2019.

23 SECTION 2.02. (a) Section 25.0481, Government Code, is
24 amended to read as follows:

25 Sec. 25.0481. COMAL COUNTY. Comal County has the following
26 statutory county courts:

27 (1) County Court at Law No. 1 of Comal County; ~~and~~

1 (2) County Court at Law No. 2 of Comal County; and

2 (3) County Court at Law No. 3 of Comal County.

3 (b) The County Court at Law No. 3 of Comal County is created
4 on September 1, 2019.

5 SECTION 2.03. Section 25.0512, Government Code, is amended
6 by adding Subsections (a) and (b) to read as follows:

7 (a) In addition to the jurisdiction provided by Section
8 25.0003 and other law, a county court at law in Cooke County has
9 concurrent jurisdiction with the district court in family law cases
10 and proceedings.

11 (b) The district clerk serves as clerk of a county court at
12 law in family law cases and proceedings, and the county clerk serves
13 as clerk of the court in all other cases and proceedings.

14 SECTION 2.04. (a) Section 25.1481, Government Code, is
15 amended to read as follows:

16 Sec. 25.1481. LIBERTY COUNTY. (a) Liberty County has the
17 following statutory county courts:

18 (1) [~~one statutory county court,~~] the County Court at
19 Law of Liberty County; and

20 (2) the County Court at Law No. 2 of Liberty County.

21 (b) The county courts at law [~~County Court at Law~~] of
22 Liberty County sit [~~sits~~] in Liberty.

23 (b) The County Court at Law No. 2 of Liberty County is
24 created on September 1, 2019.

25 ARTICLE 3. DISTRICT AND COUNTY ATTORNEYS

26 SECTION 3.01. Section 43.105(a), Government Code, is
27 amended to read as follows:

1 (a) The voters of Montgomery County elect a district
2 attorney for the 9th Judicial District who represents the state in
3 that district court only in that county. The district attorney also
4 acts as district attorney for the 410th and 457th Judicial
5 Districts [~~District in Montgomery County~~].

6 SECTION 3.02. Section 43.108, Government Code, is amended
7 to read as follows:

8 Sec. 43.108. 21ST JUDICIAL DISTRICT. (a) The voters of
9 Washington County [~~and Burleson counties~~] elect a district attorney
10 for the 21st Judicial District who represents the state in that
11 district court only in that county [~~those counties~~].

12 (b) The district attorney also represents the state and
13 performs the duties of district attorney before the 335th District
14 Court in Washington County [~~and Burleson counties~~].

15 SECTION 3.03. Subchapter B, Chapter 45, Government Code, is
16 amended by adding Section 45.126 to read as follows:

17 Sec. 45.126. BURLESON COUNTY. (a) In Burleson County, the
18 county attorney of Burleson County shall perform the duties imposed
19 on and have the powers conferred on district attorneys by general
20 law and is entitled to be compensated by the state in the manner and
21 amount set by general law relating to the salary paid to district
22 attorneys by the state.

23 (b) The county attorney of Burleson County or the
24 Commissioners Court of Burleson County may accept gifts or grants
25 from any individual, partnership, corporation, trust, foundation,
26 association, or governmental entity for the purpose of financing or
27 assisting the operation of the office of county attorney in

1 Burleson County. The county attorney shall account for and report
2 to the commissioners court all gifts or grants accepted under this
3 subsection.

4 SECTION 3.04. Section 46.002, Government Code, is amended
5 to read as follows:

6 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter
7 applies to the state prosecuting attorney, all county prosecutors,
8 and the following state prosecutors:

9 (1) the district attorneys for Kenedy and Kleberg
10 Counties and for the 1st, 2nd, 8th, 9th, 18th, 21st, 23rd, 24th,
11 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th, 39th,
12 42nd, 43rd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th,
13 66th, 69th, 70th, 76th, 79th, 81st, 83rd, 84th, 85th, 88th, 90th,
14 97th, 100th, 105th, 106th, 109th, 110th, 112th, 118th, 119th,
15 123rd, 132nd, 142nd, 143rd, 145th, 156th, 159th, 173rd, 196th,
16 198th, 216th, 220th, 229th, 235th, 253rd, 258th, 259th, 266th,
17 268th, 271st, 286th, 287th, 329th, 344th, 349th, 355th, 369th,
18 452nd, and 506th judicial districts;

19 (2) the criminal district attorneys for the counties
20 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,
21 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,
22 Fannin, Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo,
23 Jasper, Jefferson, Kaufman, Kendall, Lubbock, McLennan, Madison,
24 Navarro, Newton, Panola, Polk, Randall, Rockwall, San Jacinto,
25 Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker,
26 Waller, Wichita, Wood, and Yoakum; and

27 (3) the county attorneys performing the duties of

1 district attorneys in the counties of Andrews, Aransas, Burleson,
2 Callahan, Cameron, Castro, Colorado, Crosby, Ellis, Falls,
3 Freestone, Gonzales, Guadalupe, Lamar, Lamb, Lampasas, Lavaca,
4 Lee, Limestone, Marion, Milam, Morris, Ochiltree, Oldham, Orange,
5 Rains, Red River, Robertson, Rusk, Swisher, Terry, Webb, and
6 Willacy.

7 ARTICLE 4. ELECTRONIC PUBLICATION AND DISPLAY OF
8 LEGAL DOCUMENTS

9 SECTION 4.01. Sections 9.160(a), (b), and (c), Business
10 Organizations Code, are amended to read as follows:

11 (a) If process in an action under this subchapter is
12 returned not found, the attorney general shall publish notice on
13 the public information Internet website maintained as required by
14 Section 72.034, Government Code [~~in a newspaper in the county in~~
15 ~~which the registered office of the foreign filing entity in this~~
16 ~~state is located~~]. The notice must contain:

- 17 (1) a statement of the pendency of the action;
18 (2) the title of the court;
19 (3) the title of the action; and
20 (4) the earliest date on which default judgment may be
21 entered by the court.

22 (b) Notice under this section must be published [~~at least~~
23 ~~once a week~~] for at least two consecutive weeks beginning at any
24 time after the citation has been returned.

25 (c) The attorney general may include in a [~~one~~] published
26 notice the name of each foreign filing entity against which an
27 action for involuntary revocation is pending in the same court.

1 SECTION 4.02. Sections 11.310(a) and (b), Business
2 Organizations Code, are amended to read as follows:

3 (a) If process in an action under this subchapter is
4 returned not found, the attorney general shall publish notice on
5 the public information Internet website maintained as required by
6 Section 72.034, Government Code [~~in a newspaper in the county in~~
7 ~~which the registered office of the filing entity in this state is~~
8 ~~located~~]. The notice must contain:

- 9 (1) a statement of the pendency of the action;
10 (2) the title of the court;
11 (3) the title of the action; and
12 (4) the earliest date on which default judgment may be
13 entered by the court.

14 (b) Notice under this section must be published [~~at least~~
15 ~~once a week~~] for at least two consecutive weeks beginning at any
16 time after the citation has been returned.

17 SECTION 4.03. Sections 51.054(a) and (b), Estates Code, are
18 amended to read as follows:

19 (a) Citation or notice to a person to be served by
20 publication shall be published one time on the public information
21 Internet website maintained as required by Section 72.034,
22 Government Code [~~in a newspaper of general circulation in the~~
23 ~~county in which the proceeding is pending~~]. The publication must be
24 made at least 10 days before the return day of the service,
25 excluding the date of publication.

26 (b) The date of service of citation or notice by publication
27 is the date the citation or notice is published on the public

1 information Internet website under Subsection (a) [~~of publication~~
2 ~~printed on the newspaper in which the citation or notice is~~
3 ~~published~~].

4 SECTION 4.04. Section 51.103(b), Estates Code, is amended
5 to read as follows:

6 (b) Proof of service consists of:

7 (1) if the service is made by a sheriff or constable,
8 the return of service;

9 (2) if the service is made by a private person, the
10 person's affidavit;

11 (3) if the service is made by mail:

12 (A) the certificate of the county clerk making
13 the service, or the affidavit of the personal representative or
14 other person making the service, stating that the citation or
15 notice was mailed and the date of the mailing; and

16 (B) the return receipt attached to the
17 certificate or affidavit, as applicable, if the mailing was by
18 registered or certified mail and a receipt has been returned; and

19 (4) if the service is made by publication, an
20 affidavit:

21 (A) made by the Office of Court Administration of
22 the Texas Judicial System [~~publisher of the newspaper in which the~~
23 ~~citation or notice was published~~] or an employee of that office [~~the~~
24 ~~publisher~~];

25 (B) that contains or to which is attached a copy
26 of the published citation or notice; and

27 (C) that states the date of publication on the

1 public information Internet website maintained as required by
2 Section 72.034, Government Code [~~printed on the newspaper in which~~
3 ~~the citation or notice was published~~].

4 SECTION 4.05. Sections 1051.054(a) and (b), Estates Code,
5 are amended to read as follows:

6 (a) Citation or notice to a person to be served by
7 publication shall be published one time on the public information
8 Internet website maintained as required by Section 72.034,
9 Government Code [~~in a newspaper of general circulation in the~~
10 ~~county in which the proceeding is pending~~]. The publication must be
11 made at least 10 days before the return day of the citation or
12 notice, excluding the date of publication.

13 (b) The date of service of citation or notice by publication
14 is the date the citation or notice is published on the public
15 information Internet website under Subsection (a) [~~of publication~~
16 ~~printed on the newspaper in which the citation or notice is~~
17 ~~published~~].

18 SECTION 4.06. Section 1051.153(b), Estates Code, is amended
19 to read as follows:

20 (b) Proof of service consists of:

21 (1) if the service is made by a sheriff or constable,
22 the return of service;

23 (2) if the service is made by a private person, the
24 person's affidavit;

25 (3) if the service is made by mail:

26 (A) the certificate of the county clerk making
27 the service, or the affidavit of the guardian or other person making

1 the service that states that the citation or notice was mailed and
2 the date of the mailing; and

3 (B) the return receipt attached to the
4 certificate, if the mailing was by registered or certified mail and
5 a receipt has been returned; and

6 (4) if the service is made by publication, an
7 affidavit that:

8 (A) is made by the Office of Court Administration
9 of the Texas Judicial System [~~publisher of the newspaper in which~~
10 ~~the citation or notice was published~~] or an employee of that office
11 [~~the publisher~~];

12 (B) contains or to which is attached a copy of the
13 published citation or notice; and

14 (C) states the date of publication on the public
15 information Internet website maintained as required by Section
16 72.034, Government Code [~~printed on the newspaper in which the~~
17 ~~citation or notice was published~~].

18 SECTION 4.07. Section 3.305, Family Code, is amended to
19 read as follows:

20 Sec. 3.305. CITATION BY PUBLICATION. (a) If the residence
21 of the respondent, other than a respondent reported to be a prisoner
22 of war or missing on public service, is unknown, citation shall be
23 published on the public information Internet website maintained as
24 required by Section 72.034, Government Code [~~in a newspaper of~~
25 ~~general circulation published in the county in which the petition~~
26 ~~was filed. If that county has no newspaper of general circulation,~~
27 ~~citation shall be published in a newspaper of general circulation~~

1 ~~in an adjacent county or in the nearest county in which a newspaper~~
2 ~~of general circulation is published].~~

3 (b) The notice [~~shall be published once a week for two~~
4 ~~consecutive weeks before the hearing, but the first notice]~~ may not
5 be published after the 20th day before the date set for the hearing.

6 SECTION 4.08. Section 102.010(e), Family Code, is amended
7 to read as follows:

8 (e) In a suit filed under Chapter 161 or 262 in which the
9 last name of the respondent is unknown, the court may order
10 substituted service of citation by publication, including
11 publication by posting the citation at the courthouse door for a
12 specified time, if the court finds and states in its order that the
13 method of substituted service is as likely as citation by
14 publication on the public information Internet website maintained
15 as required by Section 72.034, Government Code, [in a newspaper] in
16 the manner described by Subsection (b) to give the respondent
17 actual notice of the suit. If the court orders that citation by
18 publication shall be completed by posting the citation at the
19 courthouse door for a specified time, service must be completed on,
20 and the answer date is computed from, the expiration date of the
21 posting period. If the court orders another method of substituted
22 service of citation by publication, service shall be completed as
23 directed by the court.

24 SECTION 4.09. Effective September 1, 2019, Subchapter D,
25 Chapter 51, Government Code, is amended by adding Section 51.3032
26 to read as follows:

27 Sec. 51.3032. ELECTRONIC DISPLAY OF OFFICIAL AND LEGAL

1 NOTICES BY DISTRICT CLERK. A district clerk may post an official
2 and legal notice by electronic display, instead of posting a
3 physical document, in the manner provided for a county clerk by
4 Section 82.051, Local Government Code.

5 SECTION 4.10. Section 715.006(c), Health and Safety Code,
6 is amended to read as follows:

7 (c) If the address or identity of a plot owner is not known
8 and cannot be ascertained with reasonable diligence, service by
9 publication shall be made on the plot owner by publishing notice on
10 the public information Internet website maintained as required by
11 Section 72.034, Government Code [~~at least three times in a~~
12 ~~newspaper of general circulation in the county in which the~~
13 ~~cemetery is located. If there is not a newspaper of general~~
14 ~~circulation in the county in which the cemetery is located, the~~
15 ~~notice may be published in a newspaper of general circulation in an~~
16 ~~adjoining county)].~~

17 SECTION 4.11. Except as otherwise provided by this article,
18 this article takes effect June 1, 2020.

19 ARTICLE 5. NOTARIZATION REQUIREMENTS

20 SECTION 5.01. Section 6.4035(c), Family Code, is amended to
21 read as follows:

22 (c) The [~~Notwithstanding Section 132.001, Civil Practice~~
23 ~~and Remedies Code, the~~] waiver must be sworn before a notary public
24 who is not an attorney in the suit or conform to the requirements
25 for an unsworn declaration under Section 132.001, Civil Practice
26 and Remedies Code. This subsection does not apply if the party
27 executing the waiver is incarcerated.

1 SECTION 5.02. Section 31.008(d), Family Code, is amended to
2 read as follows:

3 (d) The [~~Notwithstanding Section 132.001, Civil Practice~~
4 ~~and Remedies Code, the~~] waiver must be sworn before a notary public
5 who is not an attorney in the suit or conform to the requirements
6 for an unsworn declaration under Section 132.001, Civil Practice
7 and Remedies Code. This subsection does not apply if the party
8 executing the waiver is incarcerated.

9 SECTION 5.03. Section 45.0031(d), Family Code, is amended
10 to read as follows:

11 (d) The [~~Notwithstanding Section 132.001, Civil Practice~~
12 ~~and Remedies Code, the~~] waiver must be sworn before a notary public
13 who is not an attorney in the suit or conform to the requirements
14 for an unsworn declaration under Section 132.001, Civil Practice
15 and Remedies Code. This subsection does not apply if the party
16 executing the waiver is incarcerated.

17 SECTION 5.04. Section 45.107(d), Family Code, is amended to
18 read as follows:

19 (d) The [~~Notwithstanding Section 132.001, Civil Practice~~
20 ~~and Remedies Code, the~~] waiver must be sworn before a notary public
21 who is not an attorney in the suit or conform to the requirements
22 for an unsworn declaration under Section 132.001, Civil Practice
23 and Remedies Code. This subsection does not apply if the party
24 executing the waiver is incarcerated.

25 SECTION 5.05. Section 102.0091(d), Family Code, is amended
26 to read as follows:

27 (d) The [~~Notwithstanding Section 132.001, Civil Practice~~

1 ~~and Remedies Code, the]~~ waiver must be sworn before a notary public
2 who is not an attorney in the suit or conform to the requirements
3 for an unsworn declaration under Section 132.001, Civil Practice
4 and Remedies Code. This subsection does not apply if the party
5 executing the waiver is incarcerated.

6 ARTICLE 6. THE OFFICE OF COURT ADMINISTRATION OF THE TEXAS JUDICIAL
7 SYSTEM

8 SECTION 6.01. (a) Section 22A.002(d), Government Code, is
9 amended to read as follows:

10 (d) The comptroller [~~Office of Court Administration of the~~
11 ~~Texas Judicial System~~] shall pay from funds appropriated to the
12 comptroller's judiciary section the travel expenses and other
13 incidental costs related to convening a special three-judge
14 district court under this chapter.

15 (b) The change in law made by this section applies only to a
16 travel expense or other incidental cost incurred on or after the
17 effective date of this Act. A travel expense or other incidental
18 cost incurred before the effective date of this Act is governed by
19 the law in effect on the date the travel expense or other incidental
20 cost was incurred, and the former law is continued in effect for
21 that purpose.

22 SECTION 6.02. (a) Sections 51.607(a) and (b), Government
23 Code, are amended to read as follows:

24 (a) Following each regular session of the legislature, the
25 Office of Court Administration of the Texas Judicial System
26 [~~comptroller~~] shall identify each law enacted by that legislature,
27 other than a law disapproved by the governor, that imposes or

1 changes the amount of a court cost or fee collected by the clerk of a
2 district, county, statutory county, municipal, or justice court
3 from a party to a civil case or a defendant in a criminal case,
4 including a filing or docketing fee, jury fee, cost on conviction,
5 or fee or charge for services or to cover the expenses of a public
6 official or agency. This subsection does not apply to attorney's
7 fees, civil or criminal fines or penalties, or amounts charged,
8 paid, or collected on behalf of another party to a proceeding other
9 than the state in a criminal case, including restitution or
10 damages.

11 (b) The Office of Court Administration of the Texas Judicial
12 System [~~comptroller~~] shall prepare a list of each court cost or fee
13 covered by Subsection (a) to be imposed or changed and shall publish
14 the list in the Texas Register not later than August 1 after the end
15 of the regular session of the legislature at which the law imposing
16 or changing the amount of the cost or fee was enacted. The office
17 [~~comptroller~~] shall include with the list a statement describing
18 the operation of this section and stating the date the imposition or
19 change in the amount of the court cost or fee will take effect under
20 Subsection (c).

21 (b) The change in law made by this section applies only to a
22 law imposing or changing the amount of a court cost or fee that
23 takes effect on or after the effective date of this Act.

24 SECTION 6.03. Subchapter C, Chapter 72, Government Code, is
25 amended by adding Sections 72.033 and 72.034 to read as follows:

26 Sec. 72.033. LIST OF NEW OR AMENDED COURT COSTS AND FEES.

27 The office biennially shall prepare and publish a list of new or

1 amended court costs and fees as required by Section 51.607.

2 Sec. 72.034. PUBLIC INTERNET WEBSITE. (a) In this section:

3 (1) "Public information" means citation, other public
4 or legal notice that a person, including a party to a cause of
5 action, is required to publish under a statute or rule, and any
6 other information that the person submits for publication on the
7 public information Internet website.

8 (2) "Public information Internet website" means the
9 official statewide Internet website developed and maintained by the
10 office under this section for the purpose of providing citation by
11 publication.

12 (b) The office shall develop and maintain a public
13 information Internet website that allows a person to easily publish
14 public information on the Internet website or the office to post
15 public information on the Internet website on receipt from the
16 person.

17 (c) The public information Internet website shall allow the
18 public to easily access, search, and sort the public information.

19 (d) The supreme court by rule shall establish procedures for
20 the submission of public information to the public information
21 Internet website by a person who is required to publish the
22 information.

23 SECTION 6.04. (a) The Texas Supreme Court shall adopt the
24 rules necessary to implement Section 72.034, Government Code, as
25 added by this Act, not later than June 1, 2020.

26 (b) The Office of Court Administration of the Texas Judicial
27 System shall develop the public information Internet website for

1 the purposes of providing citation by publication as required by
2 Section 72.034, Government Code, as added by this Act, not later
3 than June 1, 2020.

4 SECTION 6.05. (a) The Office of Court Administration of the
5 Texas Judicial System shall contract with the National Center for
6 State Courts to conduct a study of the caseloads of the district and
7 statutory county courts in this state. The study must concentrate
8 on the weighted caseload of each court, considering the nature and
9 complexity of the cases heard.

10 (b) Not later than December 1, 2020, the National Center for
11 State Courts shall report the results of the study required by
12 Subsection (a) of this section to the Office of Court
13 Administration of the Texas Judicial System. Not later than
14 January 1, 2021, the office shall file a report on those results
15 with the governor, the lieutenant governor, the speaker of the
16 house of representatives, and the chairs of the standing committees
17 of the senate and house of representatives with jurisdiction over
18 the judicial system.

19 ARTICLE 7. SENIOR DISTRICT JUDGES

20 SECTION 7.01. Section 832.101, Government Code, is amended
21 to read as follows:

22 Sec. 832.101. INELIGIBILITY FOR MEMBERSHIP. A retiree who
23 makes an election under Subchapter C of Chapter 74 [~~or who is~~
24 ~~appointed under Subchapter C of Chapter 75~~] may not rejoin the
25 retirement system or receive credit in the retirement system for
26 the period of an appointment or for any service performed under
27 assignment.

1 SECTION 7.02. Section 836.006, Government Code, is amended
2 to read as follows:

3 Sec. 836.006. DIVERSION OF MONEY PROHIBITED. Except as
4 provided by Sections 840.101(b) and 840.305(c), no part of the
5 money contributed to the retirement system under Section 840.102
6 [~~or 840.104~~] and no part of the contribution described by Section
7 840.103(b)(2) may be used for or diverted to any purpose other than
8 the exclusive benefit of members, their beneficiaries, and
9 annuitants of the retirement system.

10 SECTION 7.03. Section 837.101, Government Code, is amended
11 to read as follows:

12 Sec. 837.101. JUDICIAL ASSIGNMENT. A retiree who makes an
13 election under Subchapter C of Chapter 74 [~~or who is appointed under~~
14 ~~Subchapter C of Chapter 75~~] may not rejoin or receive credit in the
15 retirement system for the period of an appointment or for any
16 service performed under assignment.

17 ARTICLE 8. REPEALERS

18 SECTION 8.01. The following provisions of the Estates Code
19 are repealed:

- 20 (1) Section 51.054(c); and
21 (2) Section 1051.054(c).

22 SECTION 8.02. The following provisions of the Government
23 Code are repealed:

- 24 (1) Section 43.111(c);
25 (2) Subchapter C, Chapter 75;
26 (3) Section 832.001(b);
27 (4) Section 835.103;

1 (5) Section 837.001(b); and

2 (6) Section 840.104.

3 ARTICLE 9. EFFECTIVE DATE

4 SECTION 9.01. Except as otherwise provided by this Act,
5 this Act takes effect September 1, 2019.