

CHAPTER 466

H.B. No. 367

AN ACT

relating to the statutory probate courts in Harris County.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Sections 25.1034(a), (b), and (j), Government Code, as added by Senate Bill 895, Acts of the 70th Legislature, Regular Session, 1987, are amended to read as follows:

(a) A statutory probate court in Harris County has the general jurisdiction of a probate court as provided by Section 25.0021 and ~~the Probate Court Nos. 1, 2, and 3 of Harris County~~ also has ~~has~~ jurisdiction over the collection and management of estates of minors, mentally disabled persons, and deceased persons. *The statutory probate courts of Harris County also have, concurrent with the district court, jurisdiction in matters involving an intervivos trust. The statutory probate courts of Harris County may exercise the pendent and ancillary jurisdiction necessary to promote judicial efficiency and economy. A judge of a statutory probate court on the motion of a party to the action or on the motion of a person interested in an estate, may transfer to his court from a district, county, or statutory court a cause of action appertaining to or incident to an estate pending in the statutory probate court or a cause of action in which a personal representative of an estate pending in a statutory probate court is a party and may consolidate the transferred cause of action with the other proceedings in the statutory probate court relating to that estate.*

(b) The Probate Court No. ~~Courts Nos. 1 and~~ 3 of Harris County has ~~has~~ primary responsibility for mental illness proceedings and for all administration related to mental illness proceedings, including budget preparation, staff management, and the adoption of administrative policy. The ~~and the~~ Probate Court No. 4 of Harris County has secondary responsibility for mental illness proceedings.

(j) The county clerk shall keep a separate docket for each court. *Notwithstanding the local rules adopted under Section 74.093, the county clerk shall file matters and*

*proceedings in the statutory probate courts in the manner provided by this subsection. Cases ending in 3 or 4 shall be filed in the Probate Court No. 4 of Harris County. Cases ending in 0 or 5 shall be filed in the Probate Court No. 3 of Harris County. All other cases ending in an odd number shall be filed in the Probate Court No. 1 of Harris County. All other cases ending in an even number shall be filed in the Probate Court No. 2 of Harris County. The clerk shall file the cases in the court in the order in which the cases were deposited with the clerk for filing.*

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 2, 1987, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 367 on May 27, 1987, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 367 on June 1, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 22, 1987, by a viva-voce vote; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 367 on May 31, 1987, by a viva-voce vote.

Approved June 17, 1987.

Effective Sept. 1, 1987.