

CHAPTER 981

S.B. No. 1125

AN ACT

relating to the County Court at Law of Victoria County.

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

SECTION 1. Section 1, Chapter 183, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1970-356, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. The County Court at Law No. 1 of Victoria County is created.

SECTION 2. Subsections (b) and (e), Section 2, Chapter 183, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1970-356, Vernon's Texas Civil Statutes), are amended to read as follows:

(b) The county court at law has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$20,000 [\$5,000], exclusive of interest.

(e) The judge of the County Court at Law No. 1 of Victoria County[,] shall be a member of the juvenile board in Victoria County and shall be entitled to additional compensation for the additional duties hereby imposed, to be fixed by the commissioners court and paid in 12 equal installments out of the general fund or other available fund of the county. Such compensation shall be in addition to all other compensation provided in this Act.

SECTION 3. Section 3, Chapter 183, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1970-356, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 3. The terms of the County Court at Law No. 1 of Victoria County are the same as those for the County Court of Victoria County.

SECTION 4. Subsections (a), (b), (c), and (d), Section 4, Chapter 183, Acts of the 63rd Legislature, Regular Session, 1973, as amended (Article 1970-356, Vernon's Texas Civil Statutes), are amended to read as follows:

(a) The judge of the County Court at Law No. 1 of Victoria County must be a duly licensed and practicing member of the State Bar of Texas who has been a bona fide resident of Victoria County, and actively engaged in the practice of law in Victoria County for a period of not less than two years prior to his appointment or election.

(b) ~~There [When this Act becomes effective, the Commissioners Court of Victoria County shall appoint a judge to the County Court at Law of Victoria County. The judge appointed must have the qualifications prescribed in Subsection (a) of this section and serves until the next general election and until his successor has been duly elected and has qualified. At the general election in 1974 and every fourth year thereafter, there]~~ shall be elected by the qualified voters of Victoria County a judge of the County Court at Law No. 1 of Victoria County for a regular term of four years as provided in Article V, Section 30, and Article XVI, Section 65, of the Texas Constitution. Any vacancy in the office shall be filled by the Commissioners Court of Victoria County until the next general election. The judge of the county court at law may be removed from office in the same manner and for the same causes as provided by the laws of this state for removal of county judges.

(c) The judge of the County Court at Law No. 1 of Victoria County shall execute a bond and take the oath of office prescribed by law for county judges.

(d) The judge of the County Court at Law No. 1 of Victoria County shall receive the same salary, to be paid from the same fund and in the same manner, as the County Judge of Victoria County. The Commissioners Court of Victoria County may provide traveling expenses, office expenses, and administrative and clerical help which it deems necessary.

SECTION 5. Subsections (a) and (c), Section 5, Chapter 183, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1970-356, Vernon's Texas Civil Statutes), are amended to read as follows:

(a) The Criminal District Attorney, County Clerk, and Sheriff of Victoria County shall serve as criminal district attorney, clerk, and sheriff, respectively, of the County Court at Law No. 1 of Victoria County. They shall perform the duties, and are entitled to the compensation, fees, and allowances, prescribed by law for their respective offices.

(c) The seal of the court shall contain the words "County Court at Law No. 1 of Victoria County," but in other respects is identical with the seal of the County Court of Victoria County.

SECTION 6. Subsection (a), Section 6, Chapter 183, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1970-356, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) Practice in the County Court at Law No. 1 of Victoria County shall conform to that prescribed by law for the County Court of Victoria County.

SECTION 7. Subsection (a), Section 2, Chapter 443, Acts of the 66th Legislature, Regular Session, 1979 (Article 1970-356a, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) The County Court at Law No. 2 has the same jurisdiction over all causes and proceedings, civil, criminal, juvenile, and probate, original and appellate, prescribed by law for county courts, and its jurisdiction is concurrent with that of the County Court of Victoria County and the County Court at Law No. 1 of Victoria County. This provision does not affect the jurisdiction of the commissioners court or of the county judge of Victoria County as the presiding officer of the commissioners court as to roads, bridges, and public highways within the jurisdiction of the commissioners court or the county judge as presiding officer.

SECTION 8. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 9, 1987, by the following vote: Yeas 31, Nays 0; May 19, 1987, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 20, 1987, House granted request of the Senate; May 25, 1987, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 0. Passed the House, with amendments, on May 15, 1987, by a non-record vote; May 20, 1987, House granted request of the Senate for appointment of

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Conference Committee; May 27, 1987, House adopted Conference Committee Report by a non-record vote.

Approved June 19, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.