

By: Wilson

H.B. No. 2244

A BILL TO BE ENTITLED

AN ACT

relating to the annual state salary supplement for a county judge.

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

SECTION 1. Section 26.006, Government Code, is amended to read as follows:

Sec. 26.006. SALARY SUPPLEMENT FROM STATE FOR ~~[CERTAIN]~~ COUNTY JUDGES. (a) A county judge is entitled to an annual salary supplement from the state in an amount equal to 18 percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a) ~~[if at least 40 percent of the functions that the judge performs are judicial functions]~~.

(b) ~~[To receive a supplement under Subsection (a), a county judge must file with the comptroller's judiciary section an affidavit stating that at least 40 percent of the functions that the judge performs are judicial functions.]~~

~~[(c)]~~ The commissioners court of ~~[in]~~ a county ~~[with a county judge who is entitled to receive a salary supplement under this section]~~ may not reduce the county funds provided for the salary or office of the county judge as a result of the salary supplement required by this section.

SECTION 2. Section 26.007(a), Government Code, is amended to read as follows:

(a) Beginning on the first day of the state fiscal year, the

1 state shall annually compensate each county [~~that collects the~~
2 ~~additional fees under Section 51.703~~] in an amount equal to \$5,000
3 for a portion of [~~if~~] the county judge's [~~judge is entitled to an~~
4 annual salary supplement from the state under Section 26.006.

5 SECTION 3. Section 26.008(a), Government Code, is amended
6 to read as follows:

7 (a) At the end of each state fiscal year, the comptroller
8 shall determine the amounts deposited in the judicial fund under
9 Section 51.703 and the amounts paid to the counties under Section
10 26.007. If the total amount collected and sent to the comptroller
11 [~~paid~~] under Section 51.703 by all counties [~~that collect fees~~
12 ~~under that section~~] exceeds the total amount paid to the counties
13 under Section 26.007, the state shall remit the excess to the
14 counties [~~that collect fees under Section 51.703~~] proportionately
15 based on the percentage of the total paid by each county.

16 SECTION 4. The heading to Section 51.703, Government Code,
17 is amended to read as follows:

18 Sec. 51.703. ADDITIONAL FEES IN CONSTITUTIONAL [~~CERTAIN~~]
19 COUNTY COURTS.

20 SECTION 5. Section 51.703(a), Government Code, is amended
21 to read as follows:

22 (a) In addition to all other fees authorized or required by
23 other law, the clerk of a constitutional county court [~~with a judge~~
24 ~~who is entitled to an annual salary supplement from the state under~~
25 ~~Section 26.006~~] shall collect a \$40 filing fee in each civil case
26 filed in the court to be used for court-related purposes for the
27 support of the judiciary.

1 SECTION 6. Section 133.004, Local Government Code, is
2 amended to read as follows:

3 Sec. 133.004. CIVIL FEES. This chapter applies to the
4 following civil fees:

5 (1) the consolidated fee on filing in district court
6 imposed under Section 133.151;

7 (2) the filing fee in district court for basic civil
8 legal services for indigents imposed under Section 133.152;

9 (3) the filing fee in courts other than district court
10 for basic civil legal services for indigents imposed under Section
11 133.153;

12 (4) the filing fees for the judicial fund imposed in
13 [~~certain~~] statutory county courts under Section 51.702, Government
14 Code;

15 (5) the filing fees for the judicial fund imposed in
16 constitutional [~~certain~~] county courts under Section 51.703,
17 Government Code;

18 (6) the filing fees for the judicial fund imposed in
19 statutory probate courts under Section 51.704, Government Code;

20 (7) fees collected under Section 118.015;

21 (8) marriage license fees for the family trust fund
22 collected under Section 118.018;

23 (9) marriage license or declaration of informal
24 marriage fees for the child abuse and neglect prevention trust fund
25 account collected under Section 118.022; and

26 (10) the filing fee for the judicial fund imposed in a
27 district court, statutory county court, and county court under

1 Section 133.154.

2 SECTION 7. The changes in law made by this Act take effect
3 on the effective date of this Act and apply only to a salary payment
4 for a pay period beginning on or after that date. A salary payment
5 for a pay period beginning before the effective date of this Act is
6 governed by the law in effect on the date the pay period began, and
7 that law is continued in effect for that purpose.

8 SECTION 8. This Act takes effect September 1, 2021.