

BILL ANALYSIS

H.B. 3270
By: Gallego
Judicial Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, six of the 14 court of appeals districts have “Chapter 22” funds, also known as Appellate Judicial Systems. These consist of funds collected from filing fees within the district and are used to facilitate the operations of the court of appeals. These districts are the 1st/14th (Houston), 2nd (Fort Worth), 4th (San Antonio), 5th (Dallas), and the 13th (Corpus Christi).

H.B. 3270 creates a similar Appellate Judicial System for the 8th Court of Appeals (El Paso).

RULEMAKING AUTHORITY

It is the committee’s opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3270 amends the Government Code to provide for the creation of an appellate judicial system for the eighth court of appeals to assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county courts, county courts at law, probate courts, and district courts; and to defray costs and expenses incurred by the county in the court’s transaction of its business.

The bill mandates that the commissioners court of each county in the eighth court of appeals shall set a court costs fee of \$5 for each civil suit filed in county court, county court at law, probate court, or district court in the county. This fee does not apply to a suit filed by a government entity or to a suit for delinquent taxes.

The bill provides certain procedures for the collection of these funds by the clerk of court and for the forwarding, use and management of these funds.

EFFECTIVE DATE

September 1, 2003.