

By: Gutierrez, Lewis, Quintanilla

H.B. No. 813

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the collection and use of certain filing fees to fund
3 nonprofit organizations that provide shelter or services to victims
4 of family violence.

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

6 SECTION 1. Subchapter D, Chapter 51, Government Code, is
7 amended by adding Section 51.321 to read as follows:

8 Sec. 51.321. FAMILY VIOLENCE PREVENTION FEE. (a) The
9 commissioners court of a county may adopt a family violence
10 prevention fee in an amount not to exceed \$15.

11 (b) Except as provided by Subsection (c), the district clerk
12 shall collect the family violence prevention fee at the time a suit
13 for dissolution of a marriage under Chapter 6, Family Code, is
14 filed. The fee is in addition to any other fee collected by the
15 district clerk.

16 (c) The clerk may not collect a fee under this section from a
17 person who is protected by an order issued under:

18 (1) Subtitle B, Title 4, Family Code; or

19 (2) Article 17.292, Code of Criminal Procedure.

20 (d) The district clerk shall pay a fee collected under this
21 section to the appropriate officer of the county in which the suit
22 is filed for deposit in the county treasury to the credit of the
23 family violence prevention account. The account may be used by the
24 commissioners court of the county only to fund public or private

1 nonprofit organizations providing shelter or services, including
2 civil legal services, to victims of family violence. In this
3 subsection, "family violence" has the meaning assigned by Section
4 71.004, Family Code.

5 SECTION 2. This Act takes effect September 1, 2003, and
6 applies only to a filing fee collected for a suit for the
7 dissolution of a marriage under Chapter 6, Family Code, on or after
8 the effective date of this Act. A filing fee collected for a suit
9 for the dissolution of a marriage under Chapter 6, Family Code,
10 before the effective date of this Act is governed by the law as it
11 existed immediately before the effective date of this Act, and that
12 law is continued in effect for that purpose.