

By: Farrar

H.B. No. 1905

A BILL TO BE ENTITLED

AN ACT

relating to the records management and preservation fee collected by a district clerk.

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

SECTION 1. Section 51.317, Government Code, is amended by amending Subsections (b) and (c) and adding Subsections (d) and (e) to read as follows:

(b) The fees are:

(1) for filing a suit, including an appeal from an inferior court and for filing a petition for preconviction writ of habeas corpus . . . . . \$45

(2) for filing a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition . . . . . \$15

(3) for issuing a citation or other writ or process not otherwise provided for, including one copy, when requested at the time a suit or action is filed . . . . . \$8

(4) for ~~the~~ records management and preservation ~~fund~~ . . . . . \$10 [~~\$5~~].

(c) The district clerk, after collecting a fee under Subsection (b)(4), shall pay the fee to the county treasurer, or to an official who discharges the duties commonly delegated to the county treasurer, for deposit as follows:

(1) \$5 to the county records management and

1 preservation fund for records management and preservation,  
2 including automation, in various county offices; and

3 (2) \$5 to the district clerk records management and  
4 preservation fund for records management and preservation services  
5 performed by the district clerk after a document is filed in the  
6 records office of the district clerk [~~for deposit in the records~~  
7 ~~management and preservation fund~~].

8 (d) A fee deposited in accordance with Subsection (c) may be  
9 used only to provide funds for specific records management and  
10 preservation, including for automation purposes, on approval by the  
11 commissioners court of a budget as provided by Chapter 111, Local  
12 Government Code.

13 (e) An expenditure from a records management and  
14 preservation fund must comply with Subchapter C, Chapter 262, Local  
15 Government Code.

16 SECTION 2. This Act takes effect September 1, 2003, and  
17 applies to a fee that becomes payable under Section 51.317,  
18 Government Code, as amended by this Act, on or after that date. A  
19 fee that became payable before the effective date of this Act is  
20 governed by the law in effect when the fee became payable, and that  
21 law is continued in effect for that purpose.