

1-1 By: Farrar (Senate Sponsor - Gallegos) H.B. No. 1905
1-2 (In the Senate - Received from the House May 19, 2003;
1-3 May 20, 2003, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 22, 2003, reported favorably by
1-5 the following vote: Yeas 3, Nays 0; May 22, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the records management and preservation fee collected
1-9 by a district clerk.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 51.317, Government Code, is amended by
1-12 amending Subsections (b) and (c) and adding Subsections (d) and (e)
1-13 to read as follows:

1-14 (b) The fees are:

1-15 (1) for filing a suit, including an appeal from an
1-16 inferior court and for filing a petition for preconviction writ of
1-17 habeas corpus \$45

1-18 (2) for filing a cross-action, counterclaim,
1-19 intervention, contempt action, motion for new trial, or third-party
1-20 petition \$15

1-21 (3) for issuing a citation or other writ or process not
1-22 otherwise provided for, including one copy, when requested at the
1-23 time a suit or action is filed \$8

1-24 (4) for ~~the~~ records management and preservation
1-25 ~~fund~~ \$10 ~~[\$5]~~.

1-26 (c) The district clerk, after collecting a fee under
1-27 Subsection (b)(4), shall pay the fee to the county treasurer, or to
1-28 an official who discharges the duties commonly delegated to the
1-29 county treasurer, for deposit as follows:

1-30 (1) \$5 to the county records management and
1-31 preservation fund for records management and preservation,
1-32 including automation, in various county offices; and

1-33 (2) \$5 to the district clerk records management and
1-34 preservation fund for records management and preservation services
1-35 performed by the district clerk after a document is filed in the
1-36 records office of the district clerk ~~[for deposit in the records~~
1-37 ~~management and preservation fund]~~.

1-38 (d) A fee deposited in accordance with Subsection (c) may be
1-39 used only to provide funds for specific records management and
1-40 preservation, including for automation purposes, on approval by the
1-41 commissioners court of a budget as provided by Chapter 111, Local
1-42 Government Code.

1-43 (e) An expenditure from a records management and
1-44 preservation fund must comply with Subchapter C, Chapter 262, Local
1-45 Government Code.

1-46 SECTION 2. This Act takes effect September 1, 2003, and
1-47 applies to a fee that becomes payable under Section 51.317,
1-48 Government Code, as amended by this Act, on or after that date. A
1-49 fee that became payable before the effective date of this Act is
1-50 governed by the law in effect when the fee became payable, and that
1-51 law is continued in effect for that purpose.

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