

1-1 By: Armbrister S.B. No. 325  
1-2 (In the Senate - Filed January 29, 2003; February 6, 2003,  
1-3 read first time and referred to Committee on Finance;  
1-4 April 10, 2003, reported favorably by the following vote: Yeas 13,  
1-5 Nays 0; April 10, 2003, sent to printer.)

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

1-8 relating to the implementation of a change in law imposing or  
1-9 changing the amount of certain court costs and fees.

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

1-11 SECTION 1. Subchapter G, Chapter 51, Government Code, is  
1-12 amended by adding Section 51.607 to read as follows:

1-13 Sec. 51.607. IMPLEMENTATION OF NEW OR AMENDED COURT COSTS  
1-14 AND FEES. (a) Following each regular session of the legislature,  
1-15 the comptroller shall identify each law enacted by that  
1-16 legislature, other than a law disapproved by the governor, that  
1-17 imposes or changes the amount of a court cost or fee collected by  
1-18 the clerk of a district, county, statutory county, municipal, or  
1-19 justice court from a party to a civil case or a defendant in a  
1-20 criminal case, including a filing or docketing fee, jury fee, cost  
1-21 on conviction, or fee or charge for services or to cover the  
1-22 expenses of a public official or agency. This subsection does not  
1-23 apply to attorney's fees, civil or criminal fines or penalties, or  
1-24 amounts charged, paid, or collected on behalf of another party to a  
1-25 proceeding other than the state in a criminal case, including  
1-26 restitution or damages.

1-27 (b) The comptroller shall prepare a list of each court cost  
1-28 or fee covered by Subsection (a) to be imposed or changed and shall  
1-29 publish the list in the Texas Register not later than August 1 after  
1-30 the end of the regular session of the legislature at which the law  
1-31 imposing or changing the amount of the cost or fee was enacted. The  
1-32 comptroller shall include with the list a statement describing the  
1-33 operation of this section and stating the date the imposition or  
1-34 change in the amount of the court cost or fee will take effect under  
1-35 Subsection (c).

1-36 (c) Notwithstanding the effective date of the law imposing  
1-37 or changing the amount of a court cost or fee included on the list,  
1-38 the imposition or change in the amount of the court cost or fee does  
1-39 not take effect until the next January 1 after the law takes effect.

1-40 (d) This section does not apply to a court cost or fee if the  
1-41 law imposing or changing the amount of the cost or fee:

1-42 (1) expressly provides that this section does not  
1-43 apply to the imposition or change in the amount of the cost or fee;  
1-44 or

1-45 (2) takes effect before August 1 or after the next  
1-46 January 1 following the regular session of the legislature at which  
1-47 the law was enacted.

1-48 SECTION 2. (a) Section 51.607, Government Code, as added  
1-49 by this Act, does not apply to a law that takes effect before  
1-50 September 1, 2003.

1-51 (b) Section 51.607, Government Code, as added by this Act,  
1-52 applies to a law enacted by the 78th Legislature, Regular Session,  
1-53 2003, that takes effect on or after September 1, 2003, but only if  
1-54 this Act takes effect before July 1, 2003.

1-55 SECTION 3. This Act takes effect immediately if it receives  
1-56 a vote of two-thirds of all the members elected to each house, as  
1-57 provided by Section 39, Article III, Texas Constitution. If this  
1-58 Act does not receive the vote necessary for immediate effect, this  
1-59 Act takes effect September 1, 2003.

1-60 \* \* \* \* \*