1-1   By: Ellis   S.B. No. 604
1-2   (In the Senate - Filed February 19, 2003; February 25, 2003,
1-3   read first time and referred to Committee on Jurisprudence;
1-4   April 16, 2003, reported adversely, with favorable Committee
1-5   Substitute by the following vote: Yeas 7, Nays 0; April 16, 2003,
1-6   sent to printer.)

1-7   COMMITTEE SUBSTITUTE FOR S.B. No. 604   By: Lucio

1-8   A BILL TO BE ENTITLED
1-9   AN ACT

1-10   relating to the recovery of attorney's fees and certain costs in
1-11   proceedings to recover delinquent debts owed to a county.
1-12   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-13   SECTION 1. Section 113.902, Local Government Code, is
1-14   amended to read as follows:
1-15   Sec. 113.902. PROSECUTION TO COLLECT DEBT OWED TO COUNTY;
1-16   RECOVERY OF ATTORNEY'S FEES AND COSTS. (a) The county treasurer
1-17   shall direct prosecution for the recovery of any debt owed to the
1-18   county, as provided by law, and shall supervise the collection of
1-19   the debt.
1-20   (b) In a proceeding to recover a delinquent debt owed to the
1-21   county, including a delinquent account, loan, interest payment,
1-22   tax, charge, fee, fine, penalty, or claim on a judgment, the county
1-23   attorney may recover reasonable attorney's fees and investigative
1-24   and court costs incurred on behalf of the county.   The county
1-25   attorney may recover the fees and costs in the same manner as
1-26   provided by law for a private litigant.
1-27   (c) This section does not apply to the recovery of a
1-28   delinquent ad valorem tax owed to the county.
1-29   SECTION 2. (a) The change in law made by this Act applies
1-30   to a proceeding to recover a delinquent debt owed to a county that
1-31   is brought on or after the effective date of this Act. A proceeding
1-32   to recover a delinquent debt owed to a county that is brought before
1-33   the effective date of this Act is governed by the law in effect
1-34   before the effective date, and that law is continued in effect for
1-35   that purpose.
1-36   (b) This Act takes effect September 1, 2003.

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