

By: Goodman

H.B. No. 1158

A BILL TO BE ENTITLED

AN ACT

relating to the compensation of state judges.

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

SECTION 1. Section 659.012, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Notwithstanding Section 659.011:

(1) a judge of a district court is entitled to an annual salary from the state of at least \$125,000 [~~justice of the supreme court is entitled to an annual salary from the state that is at least \$102,463~~];

(2) a justice of a court of appeals other than the chief justice is entitled to an annual salary from the state that is equal to 110 percent of the salary of a district judge [~~five percent less than the salary provided by the General Appropriations Act for a justice of the supreme court, except that the combined salary of a justice of the court of appeals other than the chief justice from all state and county sources may not exceed the amount that is \$1,000 less than the salary provided for a justice of the supreme court~~];

(3) a justice of the supreme court other than the chief justice or a judge of the court of criminal appeals other than the presiding judge is entitled to an annual salary from the state that is equal to 120 percent of the salary of a district judge; and

1 (4) the chief justice or presiding judge of an
2 appellate [a] court [of appeals] is entitled to an annual salary
3 from the state that is \$2,500 more than the salary provided for the
4 other justices or judges of the court ~~[of appeals, except that the~~
5 ~~combined salary of the chief justice of a court of appeals may not~~
6 ~~exceed the amount that is \$500 less than the salary provided for a~~
7 ~~justice of the supreme court, and~~

8 ~~[(4) a judge of a district court is entitled to an~~
9 ~~annual salary from the state that is 10 percent less than the salary~~
10 ~~provided in the General Appropriations Act for a justice of the~~
11 ~~supreme court, except that unless otherwise provided by law, the~~
12 ~~combined salary of a district judge from state and county sources~~
13 ~~may not exceed the amount that is \$2,000 less than the salary~~
14 ~~provided for a justice of the supreme court].~~

15 (a-1) Subsection (a)(1) applies beginning September 1,
16 2006. For the fiscal year beginning September 1, 2005, a judge of a
17 district court is entitled to an annual salary from the state of at
18 least \$113,350. This subsection expires September 1, 2006.

19 SECTION 2. Section 659.0125, Government Code, is amended to
20 read as follows:

21 Sec. 659.0125. SALARY FOR LOCAL ADMINISTRATIVE JUDGE. In a
22 county with more than six district courts, a district judge who
23 serves as a local administrative district judge under Section
24 74.091 is entitled to an annual salary from the state that is \$5,000
25 more than the salary from the state to which the judge is otherwise
26 entitled under Section 659.012 ~~[659.012(c)]~~.

27 SECTION 3. Section 152.0003, Human Resources Code, is

1 amended to read as follows:

2 Sec. 152.0003. COMPENSATION. The compensation authorized
3 under this chapter for a judge serving on a juvenile board is in
4 addition to all other compensation provided or allowed by law for a
5 judge. Notwithstanding any other law, the combined salary of a
6 district judge serving on a juvenile board may not exceed the salary
7 provided for the chief justice of the supreme court or the presiding
8 judge of the court of criminal appeals by Section 659.012,
9 Government Code.

10 SECTION 4. Subchapter C, Chapter 72, Government Code, is
11 amended by adding Section 72.030 to read as follows:

12 Sec. 72.030. COLLECTION OF DATA RELATING TO JUDICIAL
13 TURNOVER. (a) The office biennially shall collect data relating
14 to:

15 (1) the rate at which state judges resign from office
16 or do not seek reelection; and

17 (2) the reason for action under Subdivision (1).

18 (b) Not later than December 1 of each even-numbered year,
19 the office shall file a report containing the data collected under
20 Subsection (a) for the preceding state fiscal biennium with the
21 lieutenant governor, the speaker of the house of representatives,
22 and the presiding officers of the standing committees of each house
23 of the legislature with jurisdiction over the judiciary or
24 appropriations.

25 SECTION 5. Subchapter H, Chapter 81, Government Code, is
26 amended by adding Section 81.116 to read as follows:

27 Sec. 81.116. COLLECTION OF DATA RELATING TO ATTORNEY

1 COMPENSATION. (a) The state bar shall biennially collect data
2 relating to the compensation of lawyers engaged in the private
3 practice of law.

4 (b) Not later than December 1 of each even-numbered year,
5 the state bar shall file a report containing the data collected
6 under Subsection (a) for the preceding state fiscal biennium with
7 the lieutenant governor, the speaker of the house of
8 representatives, and the presiding officers of the standing
9 committees of each house of the legislature with jurisdiction over
10 the judiciary or appropriations.

11 SECTION 6. Section 133.003, Local Government Code, is
12 amended to read as follows:

13 Sec. 133.003. CRIMINAL FEES. This chapter applies to the
14 following criminal fees:

15 (1) the consolidated fee imposed under Section
16 133.102;

17 (2) the time payment fee imposed under Section
18 133.103;

19 (3) fees for services of peace officers employed by
20 the state imposed under Article 102.011, Code of Criminal
21 Procedure, and forwarded to the comptroller as provided by Section
22 133.104;

23 (4) costs on conviction imposed in certain statutory
24 county courts under Section 51.702, Government Code, and deposited
25 in the judicial fund;

26 (5) costs on conviction imposed in certain county
27 courts under Section 51.703, Government Code, and deposited in the

1 judicial fund;

2 (6) the administrative fee for failure to appear or
3 failure to pay or satisfy a judgment imposed under Section 706.006,
4 Transportation Code; ~~and~~

5 (7) fines on conviction imposed under Section
6 621.506(g), Transportation Code; and

7 (8) the cost on conviction imposed under Section
8 133.105.

9 SECTION 7. Section 133.004, Local Government Code, is
10 amended to read as follows:

11 Sec. 133.004. CIVIL FEES. This chapter applies to the
12 following civil fees:

13 (1) the consolidated fee on filing in district court
14 imposed under Section 133.151;

15 (2) the filing fee in district court for basic civil
16 legal services for indigents imposed under Section 133.152;

17 (3) the filing fee in courts other than district court
18 for basic civil legal services for indigents imposed under Section
19 133.153;

20 (4) the filing fees for the judicial fund imposed in
21 certain statutory county courts under Section 51.702, Government
22 Code;

23 (5) the filing fees for the judicial fund imposed in
24 certain county courts under Section 51.703, Government Code;

25 (6) the filing fees for the judicial fund imposed in
26 certain statutory probate courts under Section 51.704, Government
27 Code;

- 1 (7) fees collected under Section 118.015;
- 2 (8) marriage license fees for the family trust fund
- 3 collected under Section 118.018; ~~and~~
- 4 (9) marriage license or declaration of informal
- 5 marriage fees for the child abuse and neglect prevention trust fund
- 6 account collected under Section 118.022; and
- 7 (10) the filing fee imposed in district court and
- 8 statutory county court under Section 133.154.

9 SECTION 8. Subchapter C, Chapter 133, Local Government

10 Code, is amended by adding Section 133.105 to read as follows:

11 Sec. 133.105. FEE FOR JUDICIAL SALARIES. (a) A person

12 convicted of any offense, other than an offense relating to a

13 pedestrian or the parking of a motor vehicle, shall pay as a court

14 cost, in addition to all other costs, a fee of \$2 to fund judicial

15 salaries.

16 (b) The treasurer shall deposit 10 percent of the fees

17 collected under this section in the general fund of the county or

18 municipality for administrative purposes.

19 (c) The treasurer shall remit the remainder of the fees

20 collected under this section to the comptroller in the manner

21 provided by Subchapter B.

22 SECTION 9. Subchapter D, Chapter 133, Local Government

23 Code, is amended by adding Section 133.154 to read as follows:

24 Sec. 133.154. ADDITIONAL FILING FEE IN DISTRICT OR

25 STATUTORY COUNTY COURT FOR JUDICIAL SALARIES. (a) In addition to

26 other fees authorized or required by law, the clerk of a district or

27 statutory county court shall collect a fee of \$35 on the filing of

1 any civil suit to fund judicial salaries.

2 (b) The treasurer shall deposit 10 percent of the fees
3 collected under this section in the general fund of the county or
4 municipality for administrative purposes.

5 (c) The treasurer shall remit the remainder of the fees
6 collected under this section to the comptroller in the manner
7 provided by Subchapter B.

8 SECTION 10. Section 101.061, Government Code, is amended to
9 read as follows:

10 Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a
11 district court shall collect fees and costs as follows:

12 (1) filing fee in action with respect to a fraudulent
13 court record or fraudulent lien or claim filed against property
14 (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

15 (2) fee for service of notice of action with respect to
16 a fraudulent court record or fraudulent lien or claim filed against
17 property (Sec. 12.005, Civil Practice and Remedies Code) . . . not
18 to exceed \$20, if notice delivered in person, or the cost of
19 postage, if service is by registered or certified mail;

20 (3) court cost in certain civil cases to establish and
21 maintain an alternative dispute resolution system, if authorized by
22 the county commissioners court (Sec. 152.004, Civil Practice and
23 Remedies Code) . . . not to exceed \$10;

24 (4) appellate judicial system filing fees for:

25 (A) First or Fourteenth Court of Appeals District
26 (Sec. 22.2021, Government Code) . . . not more than \$5;

27 (B) Second Court of Appeals District (Sec.

1 22.2031, Government Code) . . . not more than \$5;

2 (C) Fourth Court of Appeals District (Sec.
3 22.2051, Government Code) . . . not more than \$5;

4 (D) Fifth Court of Appeals District (Sec.
5 22.2061, Government Code) . . . not more than \$5; and

6 (E) Thirteenth Court of Appeals District (Sec.
7 22.2141, Government Code) . . . not more than \$5;

8 (5) additional filing fees:

9 (A) for each suit filed for insurance contingency
10 fund, if authorized by the county commissioners court (Sec. 51.302,
11 Government Code) . . . not to exceed \$5;

12 (B) for each civil suit filed, for court-related
13 purposes for the support of the judiciary and for civil legal
14 services to an indigent:

15 (i) for family law cases and proceedings as
16 defined by Section 25.0002, Government Code (Sec. 133.151, Local
17 Government Code) . . . \$45; or

18 (ii) for any case other than a case
19 described by Subparagraph (i) (Sec. 133.151, Local Government
20 Code) . . . \$50;

21 (C) to fund the improvement of Dallas County
22 civil court facilities, if authorized by the county commissioners
23 court (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

24 (D) on the filing of any civil action or
25 proceeding requiring a filing fee, including an appeal, and on the
26 filing of any counterclaim, cross-action, intervention,
27 interpleader, or third-party action requiring a filing fee, to fund

1 civil legal services for the indigent:

2 (i) for family law cases and proceedings as
3 defined by Section 25.0002, Government Code (Sec. 133.152, Local
4 Government Code) . . . \$5; or

5 (ii) for any case other than a case
6 described by Subparagraph (i) (Sec. 133.152, Local Government
7 Code) . . . \$10; and

8 (E) for each civil suit filed, to fund judicial
9 salaries (Sec. 133.154, Local Government Code) . . . \$35;

10 (6) for filing a suit, including an appeal from an
11 inferior court:

12 (A) for a suit with 10 or fewer plaintiffs (Sec.
13 51.317, Government Code) . . . \$50;

14 (B) for a suit with at least 11 but not more than
15 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

16 (C) for a suit with at least 26 but not more than
17 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

18 (D) for a suit with at least 101 but not more
19 than 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

20 (E) for a suit with at least 501 but not more than
21 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

22 (F) for a suit with more than 1,000 plaintiffs
23 (Sec. 51.317, Government Code) . . . \$200;

24 (7) for filing a cross-action, counterclaim,
25 intervention, contempt action, motion for new trial, or third-party
26 petition (Sec. 51.317, Government Code) . . . \$15;

27 (8) for issuing a citation or other writ or process not

1 otherwise provided for, including one copy, when requested at the
2 time a suit or action is filed (Sec. 51.317, Government
3 Code) . . . \$8;

4 (9) for records management and preservation (Sec.
5 51.317, Government Code) . . . \$10;

6 (10) for issuing a subpoena, including one copy (Sec.
7 51.318, Government Code) . . . \$8;

8 (11) for issuing a citation, commission for
9 deposition, writ of execution, order of sale, writ of execution and
10 order of sale, writ of injunction, writ of garnishment, writ of
11 attachment, or writ of sequestration not provided for in Section
12 51.317, or any other writ or process not otherwise provided for,
13 including one copy if required by law (Sec. 51.318, Government
14 Code) . . . \$8;

15 (12) for searching files or records to locate a cause
16 when the docket number is not provided (Sec. 51.318, Government
17 Code) . . . \$5;

18 (13) for searching files or records to ascertain the
19 existence of an instrument or record in the district clerk's office
20 (Sec. 51.318, Government Code) . . . \$5;

21 (14) for abstracting a judgment (Sec. 51.318,
22 Government Code) . . . \$8;

23 (15) for approving a bond (Sec. 51.318, Government
24 Code) . . . \$4;

25 (16) for a certified copy of a record, judgment,
26 order, pleading, or paper on file or of record in the district
27 clerk's office, including certificate and seal, for each page or

- 1 part of a page (Sec. 51.318, Government Code) . . . \$1;
- 2 (17) for a noncertified copy, for each page or part of
3 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;
- 4 (18) jury fee (Sec. 51.604, Government
5 Code) . . . \$30;
- 6 (19) for filing a report of divorce or annulment (Sec.
7 194.002, Health and Safety Code) . . . \$1;
- 8 (20) for filing a suit in Comal County (Sec. 152.0522,
9 Human Resources Code) . . . \$4;
- 10 (21) additional filing fee for family protection on
11 filing a suit for dissolution of a marriage under Chapter 6, Family
12 Code, if authorized by the county commissioners court (Sec. 51.961,
13 Government Code) . . . not to exceed \$15;
- 14 (22) fee on filing a suit for dissolution of a marriage
15 for services of child support department in Harris County, if
16 authorized by the county commissioners court (Sec. 152.1074, Human
17 Resources Code) . . . not to exceed \$12;
- 18 (23) fee on filing a suit requesting an adoption in
19 Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;
- 20 (24) court cost on citation for contempt of court for
21 failure to comply with child support order in Nueces County, if
22 authorized by the commissioners court (Sec. 152.1844, Human
23 Resources Code) . . . not to exceed \$10;
- 24 (25) fee on filing a suit for divorce in Orange County
25 (Sec. 152.1873, Human Resources Code) . . . not less than \$5;
- 26 (26) court costs on citation for contempt of court in
27 Orange County for failure to comply with a child support order or

1 order providing for possession of or access to a child (Sec.
2 152.1873, Human Resources Code) . . . amount determined by
3 district clerk;

4 (27) fee on filing a suit requesting an adoption in
5 Orange County (Sec. 152.1874, Human Resources Code) . . . not less
6 than \$25;

7 (28) fee on filing a suit requesting an adoption in
8 Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;

9 (29) additional filing fee to fund the courthouse
10 security fund, if authorized by the county commissioners court
11 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

12 (30) additional filing fee for filing documents not
13 subject to certain filing fees to fund the courthouse security
14 fund, if authorized by the county commissioners court (Sec.
15 291.008, Local Government Code) . . . \$1;

16 (31) additional filing fee to fund the courthouse
17 security fund in Webb County, if authorized by the county
18 commissioners court (Sec. 291.009, Local Government
19 Code) . . . not to exceed \$20;

20 (32) court cost in civil cases other than suits for
21 delinquent taxes to fund the county law library fund, if authorized
22 by the county commissioners court (Sec. 323.023, Local Government
23 Code) . . . not to exceed \$35;

24 (33) when administering a case for the Rockwall County
25 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
26 court costs as if the case had been filed in district court;

27 (34) at a hearing held by an associate judge in Dallas

1 County, a court cost to preserve the record, in the absence of a
2 court reporter, by other means (Sec. 54.509, Government Code) . . .
3 as assessed by the referring court or associate judge; and

4 (35) at a hearing held by an associate judge in Duval
5 County, a court cost to preserve the record (Sec. 54.1151,
6 Government Code, as added by Chapter 1150, Acts of the 78th
7 Legislature, Regular Session, 2003) . . . as imposed by the
8 referring court or associate judge.

9 SECTION 11. Section 101.081, Government Code, is amended to
10 read as follows:

11 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The
12 clerk of a statutory county court shall collect fees and costs as
13 follows:

14 (1) court cost in certain civil cases to establish and
15 maintain an alternative dispute resolution system, if authorized by
16 the county commissioners court (Sec. 152.004, Civil Practice and
17 Remedies Code) . . . not to exceed \$10;

18 (2) appellate judicial system filing fees:

19 (A) First or Fourteenth Court of Appeals District
20 (Sec. 22.2021, Government Code) . . . not more than \$5;

21 (B) Second Court of Appeals District (Sec.
22 22.2031, Government Code) . . . not more than \$5;

23 (C) Fourth Court of Appeals District (Sec.
24 22.2051, Government Code) . . . not more than \$5;

25 (D) Fifth Court of Appeals District (Sec.
26 22.2061, Government Code) . . . not more than \$5; and

27 (E) Thirteenth Court of Appeals District (Sec.

1 22.2141, Government Code) . . . not more than \$5;

2 (3) an official court reporter fee, County Court at
3 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

4 (4) a court reporter fee when testimony is taken in a
5 county court at law in McLennan County (Sec. 25.1572, Government
6 Code) . . . \$3;

7 (5) a stenographer fee, if a record or part of a record
8 is made:

9 (A) in a county court at law in Hidalgo County
10 (Sec. 25.1102, Government Code) . . . \$20; and

11 (B) in a county court at law in Nolan County (Sec.
12 25.1792, Government Code) . . . \$25;

13 (6) jury fee (Sec. 51.604, Government
14 Code) . . . \$22;

15 (7) an additional filing fee:

16 (A) for each civil case filed to be used for
17 court-related purposes for the support of the judiciary, if
18 authorized by the county commissioners court (Sec. 51.702,
19 Government Code) . . . \$40;

20 (B) to fund the improvement of Dallas County
21 civil court facilities, if authorized by the county commissioners
22 court (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

23 (C) for filing any civil action or proceeding
24 requiring a filing fee, including an appeal, and on the filing of
25 any counterclaim, cross-action, intervention, interpleader, or
26 third-party action requiring a filing fee, to fund civil legal
27 services for the indigent (Sec. 133.153, Local Government Code)

1 . . . \$5; and

2 (D) for each civil suit filed, to fund judicial
3 salaries (Sec. 133.154, Local Government Code) . . . \$35;

4 (8) for filing an application for registration of
5 death (Sec. 193.007, Health and Safety Code) . . . \$1;

6 (9) fee for judge's services on an application for
7 court-ordered mental health services (Sec. 574.031, Health and
8 Safety Code) . . . not to exceed \$50;

9 (10) fee for prosecutor's services on an application
10 for court-ordered mental health services (Sec. 574.031, Health and
11 Safety Code) . . . not to exceed \$50;

12 (11) for filing a suit in Comal County (Sec. 152.0522,
13 Human Resources Code) . . . \$4;

14 (12) additional filing fee to fund contingency fund
15 for liability insurance, if authorized by the county commissioners
16 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

17 (13) civil court actions (Sec. 118.052, Local
18 Government Code):

19 (A) filing of original action (Secs. 118.052 and
20 118.053, Local Government Code):

21 (i) garnishment after judgment (Sec.
22 118.052, Local Government Code) . . . \$15; and

23 (ii) all others (Sec. 118.052, Local
24 Government Code) . . . \$40;

25 (B) filing of action other than original (Secs.
26 118.052 and 118.054, Local Government Code) . . . \$30; and

27 (C) services rendered after judgment in original

1 action (Secs. 118.052 and 118.0545, Local Government Code):

2 (i) abstract of judgment (Sec. 118.052,
3 Local Government Code) . . . \$5; and

4 (ii) execution, order of sale, writ, or
5 other process (Sec. 118.052, Local Government Code) . . . \$5;

6 (14) probate court actions (Sec. 118.052, Local
7 Government Code):

8 (A) probate original action (Secs. 118.052 and
9 118.055, Local Government Code):

10 (i) probate of a will with independent
11 executor, administration with will attached, administration of an
12 estate, guardianship or receivership of an estate, or muniment of
13 title (Sec. 118.052, Local Government Code) . . . \$40;

14 (ii) community survivors (Sec. 118.052,
15 Local Government Code) . . . \$40;

16 (iii) small estates (Sec. 118.052, Local
17 Government Code) . . . \$40;

18 (iv) declarations of heirship (Sec.
19 118.052, Local Government Code) . . . \$40;

20 (v) mental health or chemical dependency
21 services (Sec. 118.052, Local Government Code) . . . \$40; and

22 (vi) additional, special fee (Secs. 118.052
23 and 118.064, Local Government Code) . . . \$5;

24 (B) services in pending probate action (Secs.
25 118.052 and 118.056, Local Government Code):

26 (i) filing an inventory and appraisalment
27 after the 120th day after the date of the initial filing of the

- 1 action (Sec. 118.052, Local Government Code) . . . \$25;
- 2 (ii) approving and recording bond (Sec.
3 118.052, Local Government Code) . . . \$3;
- 4 (iii) administering oath (Sec. 118.052,
5 Local Government Code) . . . \$2;
- 6 (iv) filing annual or final account of
7 estate (Sec. 118.052, Local Government Code) . . . \$25;
- 8 (v) filing application for sale of real or
9 personal property (Sec. 118.052, Local Government Code) . . . \$25;
- 10 and
- 11 (vi) filing annual or final report of
12 guardian of a person (Sec. 118.052, Local Government
13 Code) . . . \$10;
- 14 (C) adverse probate action (Secs. 118.052 and
15 118.057, Local Government Code) . . . \$40; and
- 16 (D) claim against estate (Secs. 118.052 and
17 118.058, Local Government Code) . . . \$2;
- 18 (15) other fees (Sec. 118.052, Local Government Code):
- 19 (A) issuing document (Secs. 118.052 and 118.059,
20 Local Government Code):
- 21 (i) original document and one copy (Sec.
22 118.052, Local Government Code) . . . \$4; and
- 23 (ii) each additional set of an original and
24 one copy (Sec. 118.052, Local Government Code) . . . \$4;
- 25 (B) certified papers (Secs. 118.052 and 118.060,
26 Local Government Code):
- 27 (i) for the clerk's certificate (Sec.

1 118.052, Local Government Code) . . . \$5; and

2 (ii) a fee per page or part of a page (Sec.
3 118.052, Local Government Code) . . . \$1;

4 (C) noncertified papers, for each page or part of
5 a page (Secs. 118.052 and 118.0605, Local Government
6 Code) . . . \$1;

7 (D) letters testamentary, letter of
8 guardianship, letter of administration, or abstract of judgment
9 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

10 (E) safekeeping of wills (Secs. 118.052 and
11 118.062, Local Government Code) . . . \$5;

12 (F) mail service of process (Secs. 118.052 and
13 118.063, Local Government Code) . . . same as sheriff; and

14 (G) records management and preservation fee
15 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
16 . . . \$5;

17 (16) additional filing fee to fund the courthouse
18 security fund, if authorized by the county commissioners court
19 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

20 (17) additional filing fee for filing documents not
21 subject to certain filing fees to fund the courthouse security
22 fund, if authorized by the county commissioners court (Sec.
23 291.008, Local Government Code) . . . \$1;

24 (18) additional filing fee to fund the courthouse
25 security fund in Webb County, if authorized by the county
26 commissioners court (Sec. 291.009, Local Government
27 Code) . . . not to exceed \$20;

1 (19) court cost in civil cases other than suits for
2 delinquent taxes to fund the county law library fund, if authorized
3 by the county commissioners court (Sec. 323.023, Local Government
4 Code) . . . not to exceed \$35;

5 (20) fee for deposit of a will with the county clerk
6 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

7 (21) court cost for each special commissioner in an
8 eminent domain proceeding (Sec. 21.047, Property Code) as taxed by
9 the court, . . . \$10 or more; and

10 (22) fee for county attorney in a suit regarding a
11 railroad company's failure to keep roadbed and right-of-way in
12 proper condition (Art. 6327, Vernon's Texas Civil
13 Statutes) . . . \$10.

14 SECTION 12. Section 101.101, Government Code, is amended to
15 read as follows:

16 Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The
17 clerk of a statutory probate court shall collect fees and costs as
18 follows:

19 (1) court cost in certain civil cases to establish and
20 maintain an alternative dispute resolution system, if authorized by
21 the county commissioners court (Sec. 152.004, Civil Practice and
22 Remedies Code) . . . not to exceed \$10;

23 (2) appellate judicial system filing fees:

24 (A) First or Fourteenth Court of Appeals District
25 (Sec. 22.2021, Government Code) . . . not more than \$5;

26 (B) Second Court of Appeals District (Sec.
27 22.2031, Government Code) . . . not more than \$5;

1 (C) Fourth Court of Appeals District (Sec.
2 22.2051, Government Code) . . . not more than \$5;

3 (D) Fifth Court of Appeals District (Sec.
4 22.2061, Government Code) . . . not more than \$5; and

5 (E) Thirteenth Court of Appeals District (Sec.
6 22.2141, Government Code) . . . not more than \$5;

7 (3) additional filing fees as follows:

8 (A) for certain cases to be used for
9 court-related purposes for support of the judiciary, if authorized
10 by the county commissioners court (Sec. 51.704, Government
11 Code) . . . \$40;

12 (B) to fund the improvement of Dallas County
13 civil court facilities, if authorized by the county commissioners
14 court (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

15 (C) for filing any civil action or proceeding
16 requiring a filing fee, including an appeal, and on the filing of
17 any counterclaim, cross-action, intervention, interpleader, or
18 third-party action requiring a filing fee to fund civil legal
19 services for the indigent (Sec. 133.153, Local Government
20 Code) . . . \$5; and

21 (D) for each civil suit filed, to fund judicial
22 salaries (Sec. 133.154, Local Government Code) . . . \$35;

23 (4) for filing an application for registration of
24 death (Sec. 193.007, Health and Safety Code) . . . \$1;

25 (5) fee for judge's services on an application for
26 court-ordered mental health services (Sec. 574.031, Health and
27 Safety Code) . . . not to exceed \$50;

1 (6) fee for prosecutor's services on an application
2 for court-ordered mental health services (Sec. 574.031, Health and
3 Safety Code) . . . not to exceed \$50;

4 (7) additional filing fee to fund contingency fund for
5 liability insurance, if authorized by the county commissioners
6 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

7 (8) probate court actions (Sec. 118.052, Local
8 Government Code):

9 (A) probate original action (Secs. 118.052 and
10 118.055, Local Government Code):

11 (i) probate of a will with independent
12 executor, administration with will attached, administration of an
13 estate, guardianship or receivership of an estate, or muniment of
14 title (Sec. 118.052, Local Government Code) . . . \$40;

15 (ii) community survivors (Sec. 118.052,
16 Local Government Code) . . . \$40;

17 (iii) small estates (Sec. 118.052, Local
18 Government Code) . . . \$40;

19 (iv) declarations of heirship (Sec.
20 118.052, Local Government Code) . . . \$40;

21 (v) mental health or chemical dependency
22 services (Sec. 118.052, Local Government Code) . . . \$40; and

23 (vi) additional, special fee (Secs. 118.052
24 and 118.064, Local Government Code) . . . \$5;

25 (B) services in pending probate action (Secs.
26 118.052 and 118.056, Local Government Code):

27 (i) filing an inventory and appraisalment

1 after the 120th day after the date of the initial filing of the
2 action (Sec. 118.052, Local Government Code) . . . \$25;

3 (ii) approving and recording bond (Sec.
4 118.052, Local Government Code) . . . \$3;

5 (iii) administering oath (Sec. 118.052,
6 Local Government Code) . . . \$2;

7 (iv) filing annual or final account of
8 estate (Sec. 118.052, Local Government Code) . . . \$25;

9 (v) filing application for sale of real or
10 personal property (Sec. 118.052, Local Government Code) . . . \$25;
11 and

12 (vi) filing annual or final report of
13 guardian of a person (Sec. 118.052, Local Government
14 Code) . . . \$10;

15 (C) adverse probate action (Secs. 118.052 and
16 118.057, Local Government Code) . . . \$40; and

17 (D) claim against estate (Secs. 118.052 and
18 118.058, Local Government Code) . . . \$2;

19 (9) other fees (Sec. 118.052, Local Government Code):

20 (A) issuing document (Secs. 118.052 and 118.059,
21 Local Government Code):

22 (i) original document and one copy (Sec.
23 118.052, Local Government Code) . . . \$4; and

24 (ii) each additional set of an original and
25 one copy (Sec. 118.052, Local Government Code) . . . \$4;

26 (B) certified papers (Secs. 118.052 and 118.060,
27 Local Government Code):

1 (i) for the clerk's certificate (Sec.
2 118.052, Local Government Code) . . . \$5; and

3 (ii) a fee per page or part of a page (Sec.
4 118.052, Local Government Code) . . . \$1;

5 (C) noncertified papers, for each page or part of
6 a page (Secs. 118.052 and 118.0605, Local Government
7 Code) . . . \$1;

8 (D) letters testamentary, letter of
9 guardianship, letter of administration, or abstract of judgment
10 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

11 (E) safekeeping of wills (Secs. 118.052 and
12 118.062, Local Government Code) . . . \$5;

13 (F) mail service of process (Secs. 118.052 and
14 118.063, Local Government Code) . . . same as sheriff; and

15 (G) records management and preservation fee
16 (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;

17 (10) fee for deposit of a will with the county clerk
18 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

19 (11) court costs for each special commissioner in an
20 eminent domain proceeding (Sec. 21.047, Property Code) . . . as
21 taxed by the court, \$10 or more;

22 (12) jury fee for civil case (Sec. 51.604, Government
23 Code) . . . \$22; and

24 (13) court cost in civil cases other than suits for
25 delinquent taxes to fund the county law library fund, if authorized
26 by the county commissioners court (Sec. 323.023, Local Government
27 Code) . . . not to exceed \$35.

1 SECTION 13. Section 102.021, Government Code, is amended to
2 read as follows:

3 Sec. 102.021. COURT COSTS ON CONVICTION. A person
4 convicted of an offense shall pay, in addition to all other costs:

5 (1) court costs on conviction of a felony (Sec.
6 133.102, Local Government Code) . . . \$133;

7 (2) court costs on conviction of a Class A or Class B
8 misdemeanor (Sec. 133.102, Local Government Code) . . . \$83;

9 (3) court costs on conviction of a nonjailable
10 misdemeanor offense, including a criminal violation of a municipal
11 ordinance, other than a conviction of an offense relating to a
12 pedestrian or the parking of a motor vehicle (Sec. 133.102, Local
13 Government Code) . . . \$40;

14 (4) court costs on certain convictions in statutory
15 county courts (Sec. 51.702, Government Code) . . . \$15;

16 (5) court costs on certain convictions in certain
17 county courts (Sec. 51.703, Government Code) . . . \$15;

18 (6) a time payment fee if convicted of a felony or
19 misdemeanor for paying any part of a fine, court costs, or
20 restitution on or after the 31st day after the date on which a
21 judgment is entered assessing the fine, court costs, or restitution
22 (Sec. 133.103, Local Government Code) . . . \$25;

23 (7) a fee for services of prosecutor (Art. 102.008,
24 Code of Criminal Procedure) . . . \$25;

25 (8) fees for services of peace officer:

26 (A) issuing a written notice to appear in court
27 for certain violations (Art. 102.011, Code of Criminal Procedure)

1 . . . \$5;

2 (B) executing or processing an issued arrest
3 warrant or capias (Art. 102.011, Code of Criminal
4 Procedure) . . . \$50;

5 (C) summoning a witness (Art. 102.011, Code of
6 Criminal Procedure) . . . \$5;

7 (D) serving a writ not otherwise listed (Art.
8 102.011, Code of Criminal Procedure) . . . \$35;

9 (E) taking and approving a bond and, if
10 necessary, returning the bond to courthouse (Art. 102.011, Code of
11 Criminal Procedure) . . . \$10;

12 (F) commitment or release (Art. 102.011, Code of
13 Criminal Procedure) . . . \$5;

14 (G) summoning a jury (Art. 102.011, Code of
15 Criminal Procedure) . . . \$5;

16 (H) attendance of a prisoner in habeas corpus
17 case if prisoner has been remanded to custody or held to bail (Art.
18 102.011, Code of Criminal Procedure) . . . \$8 each day;

19 (I) mileage for certain services performed (Art.
20 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

21 (J) services of a sheriff or constable who serves
22 process and attends examining trial in certain cases (Art. 102.011,
23 Code of Criminal Procedure) . . . not to exceed \$5;

24 (9) services of a peace officer in conveying a witness
25 outside the county (Art. 102.011, Code of Criminal
26 Procedure) . . . \$10 per day or part of a day, plus actual
27 necessary travel expenses;

1 (10) overtime of peace officer for time spent
2 testifying in the trial or traveling to or from testifying in the
3 trial (Art. 102.011, Code of Criminal Procedure) . . . actual
4 cost;

5 (11) court costs on an offense relating to rules of the
6 road, when offense occurs within a school crossing zone (Art.
7 102.014, Code of Criminal Procedure) . . . \$25;

8 (12) court costs on an offense of passing a school bus
9 (Art. 102.014, Code of Criminal Procedure) . . . \$25;

10 (13) court costs on an offense of truancy or
11 contributing to truancy (Art. 102.014, Code of Criminal
12 Procedure) . . . \$20;

13 (14) cost for visual recording of intoxication arrest
14 before conviction (Art. 102.018, Code of Criminal
15 Procedure) . . . \$15;

16 (15) cost of certain evaluations (Art. 102.018, Code
17 of Criminal Procedure) . . . actual cost;

18 (16) additional costs attendant to certain
19 intoxication convictions under Chapter 49, Penal Code, for
20 emergency medical services, trauma facilities, and trauma care
21 systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;

22 (17) cost for DNA testing for certain felonies (Art.
23 102.020, Code of Criminal Procedure) . . . \$250;

24 (18) court cost on an offense of public lewdness or
25 indecent exposure (Art. 102.020, Code of Criminal
26 Procedure) . . . \$50;

27 (19) court cost on conviction of a misdemeanor under

1 Subtitle C, Title 7, Transportation Code (Sec. 542.403,
2 Transportation Code) . . . \$3;

3 (20) cost for impoundment of vehicle (Sec. 601.263,
4 Transportation Code) . . . \$15 per day; ~~and~~

5 (21) a civil and criminal enforcement cost on
6 conviction of an offense of, or related to, the nonpayment of a toll
7 in certain counties (Sec. 284.2031, Transportation Code) . . . \$1;
8 and

9 (22) court cost on conviction of any offense, other
10 than a conviction of an offense relating to a pedestrian or the
11 parking of a motor vehicle (Sec. 133.105, Local Government
12 Code) . . . \$2.

13 SECTION 14. Sections 22.214(e), 659.012(b) and (d), Chapter
14 31, and Subchapter A, Chapter 32, Government Code, are repealed.

15 SECTION 15. Notwithstanding the repeal of Chapter 31, and
16 Subchapter A, Chapter 32, Government Code, by this Act, a county may
17 continue to supplement the salary under the General Appropriations
18 Act of a judge serving on September 1, 2005, but the combined amount
19 of a judge's salary under the General Appropriations Act and any
20 county supplement may not exceed the combined amount of the judge's
21 salary from state and county funds for the fiscal year beginning
22 September 1, 2004.

23 SECTION 16. (a) Not later than December 1, 2005, the Office
24 of Court Administration of the Texas Judicial System shall begin
25 collecting the data required by Section 72.030, Government Code, as
26 added by this Act.

27 (b) Not later than December 1, 2005, the State Bar of Texas

1 shall begin collecting the data required by Section 81.116,
2 Government Code, as added by this Act.

3 SECTION 17. (a) The change in law made by Section 133.154,
4 Local Government Code, as added by this Act, applies only to a suit
5 filed on or after the effective date of this Act. A suit filed
6 before the effective date of this Act is governed by the law in
7 effect on the date the suit was filed, and the former law is
8 continued in effect for that purpose.

9 (b) Section 133.105, Local Government Code, as added by
10 this Act, applies only to a defendant convicted of a criminal
11 offense that is committed on or after the effective date of this
12 Act. A defendant convicted of a criminal offense that is committed
13 before the effective date of this Act is governed by the law in
14 effect at the time the offense was committed, and that law is
15 continued in effect for that purpose. For purposes of this section,
16 an offense is committed before the effective date of this Act if any
17 element of the offense occurs before that date.

18 SECTION 18. This Act takes effect September 1, 2005.