

1-1 By: Deshotel (Senate Sponsor - Hinojosa) H.B. No. 1404  
1-2 (In the Senate - Received from the House May 16, 2005;  
1-3 May 17, 2005, read first time and referred to Committee on  
1-4 Jurisprudence; May 21, 2005, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; May 21, 2005, sent to printer.)

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

1-8 relating to the fees collected by a county clerk for certain filings  
1-9 in pending probate actions.

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

1-11 SECTION 1. Section 118.052, Local Government Code, is  
1-12 amended to read as follows:

1-13 Sec. 118.052. FEE SCHEDULE. Each clerk of a county court  
1-14 shall collect the following fees for services rendered to any  
1-15 person:

1-16 (1) CIVIL COURT ACTIONS

1-17 (A) Filing of Original Action (Sec. 118.053):

1-18 (i) Garnishment after judgment . . . \$15.00

1-19 (ii) All others . . . \$40.00

1-20 (B) Filing of Action Other than Original (Sec.

1-21 118.054) . . . \$30.00

1-22 (C) Services Rendered After Judgment in Original  
1-23 Action (Sec. 118.0545):

1-24 (i) Abstract of judgment . . . \$ 5.00

1-25 (ii) Execution, order of sale, writ, or  
1-26 other process . . . \$ 5.00

1-27 (2) PROBATE COURT ACTIONS

1-28 (A) Probate Original Action (Sec. 118.055):

1-29 (i) Probate of a will with independent  
1-30 executor, administration with will attached, administration of an  
1-31 estate, guardianship or receivership of an estate, or muniment of  
1-32 title . . . \$40.00

1-33 (ii) Community survivors . . . \$40.00

1-34 (iii) Small estates . . . \$40.00

1-35 (iv) Declarations of heirship . . . \$40.00

1-36 (v) Mental health or chemical dependency

1-37 services . . . \$40.00

1-38 (vi) Additional, special fee (Sec.

1-39 118.064) . . . \$ 5.00

1-40 (B) Services in Pending Probate Action (Sec.  
1-41 118.056):

1-42 (i) Filing an inventory and appraisalment  
1-43 after the 120th day after the date of the initial filing of the  
1-44 action . . . \$25.00

1-45 (ii) Approving and recording bond . . .

1-46 \$ 3.00

1-47 (iii) Administering oath . . . \$ 2.00

1-48 (iv) Filing annual or final account of  
1-49 estate . . . \$25.00

1-50 (v) Filing application for sale of real or  
1-51 personal property . . . \$25.00

1-52 (vi) Filing annual or final report of  
1-53 guardian of a person . . . \$10.00

1-54 (vii) Filing a document not listed under  
1-55 this paragraph after the filing of an order approving the inventory  
1-56 and appraisalment or after the 120th day after the date of the  
1-57 initial filing of the action, whichever occurs first, if more than  
1-58 25 pages . . . \$25.00

1-59 (C) Adverse Probate Action (Sec.  
1-60 118.057) . . . \$40.00

1-61 (D) Claim Against Estate (Sec. 118.058) . . .  
1-62 \$ 2.00

1-63 (3) OTHER FEES

1-64 (A) Issuing Document (Sec. 118.059):

2-1 original document and one copy . . . \$ 4.00  
2-2 each additional set of an original and one  
2-3 copy . . . \$ 4.00  
2-4 (B) Certified Papers (Sec. 118.060):  
2-5 for the clerk's certificate . . . \$ 5.00  
2-6 plus a fee per page or part of a page of . . .  
2-7 \$ 1.00  
2-8 (C) Noncertified Papers (Sec. 118.0605):  
2-9 for each page or part of a page . . . \$ 1.00  
2-10 (D) Letters Testamentary, Letter of  
2-11 Guardianship, Letter of Administration, or Abstract of Judgment  
2-12 (Sec. 118.061) . . . \$ 2.00  
2-13 (E) Safekeeping of Wills (Sec. 118.062) . . .  
2-14 \$ 5.00  
2-15 same as  
2-16 (F) Mail Service of Process (Sec.  
2-17 118.063) . . . sheriff  
2-18 (G) Records Management and Preservation  
2-19 Fee . . . \$ 5.00  
2-20 SECTION 2. Section 101.081, Government Code, is amended to  
2-21 read as follows:  
2-22 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The  
2-23 clerk of a statutory county court shall collect fees and costs as  
2-24 follows:  
2-25 (1) court cost in certain civil cases to establish and  
2-26 maintain an alternative dispute resolution system, if authorized by  
2-27 the county commissioners court (Sec. 152.004, Civil Practice and  
2-28 Remedies Code) . . . not to exceed \$10;  
2-29 (2) appellate judicial system filing fees:  
2-30 (A) First or Fourteenth Court of Appeals District  
2-31 (Sec. 22.2021, Government Code) . . . not more than \$5;  
2-32 (B) Second Court of Appeals District (Sec.  
2-33 22.2031, Government Code) . . . not more than \$5;  
2-34 (C) Fourth Court of Appeals District (Sec.  
2-35 22.2051, Government Code) . . . not more than \$5;  
2-36 (D) Fifth Court of Appeals District (Sec.  
2-37 22.2061, Government Code) . . . not more than \$5; and  
2-38 (E) Thirteenth Court of Appeals District (Sec.  
2-39 22.2141, Government Code) . . . not more than \$5;  
2-40 (3) an official court reporter fee, County Court at  
2-41 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;  
2-42 (4) a court reporter fee when testimony is taken in a  
2-43 county court at law in McLennan County (Sec. 25.1572, Government  
2-44 Code) . . . \$3;  
2-45 (5) a stenographer fee, if a record or part of a record  
2-46 is made:  
2-47 (A) in a county court at law in Hidalgo County  
2-48 (Sec. 25.1102, Government Code) . . . \$20; and  
2-49 (B) in a county court at law in Nolan County (Sec.  
2-50 25.1792, Government Code) . . . \$25;  
2-51 (6) jury fee (Sec. 51.604, Government  
2-52 Code) . . . \$22;  
2-53 (7) an additional filing fee:  
2-54 (A) for each civil case filed to be used for  
2-55 court-related purposes for the support of the judiciary, if  
2-56 authorized by the county commissioners court (Sec. 51.702,  
2-57 Government Code) . . . \$40;  
2-58 (B) to fund the improvement of Dallas County  
2-59 civil court facilities, if authorized by the county commissioners  
2-60 court (Sec. 51.705, Government Code) . . . not more than \$15; and  
2-61 (C) for filing any civil action or proceeding  
2-62 requiring a filing fee, including an appeal, and on the filing of  
2-63 any counterclaim, cross-action, intervention, interpleader, or  
2-64 third-party action requiring a filing fee, to fund civil legal  
2-65 services for the indigent (Sec. 133.153, Local Government  
2-66 Code) . . . \$5;  
2-67 (8) for filing an application for registration of  
2-68 death (Sec. 193.007, Health and Safety Code) . . . \$1;  
2-69 (9) fee for judge's services on an application for

3-1 court-ordered mental health services (Sec. 574.031, Health and  
3-2 Safety Code) . . . not to exceed \$50;

3-3 (10) fee for prosecutor's services on an application  
3-4 for court-ordered mental health services (Sec. 574.031, Health and  
3-5 Safety Code) . . . not to exceed \$50;

3-6 (11) for filing a suit in Comal County (Sec. 152.0522,  
3-7 Human Resources Code) . . . \$4;

3-8 (12) additional filing fee to fund contingency fund  
3-9 for liability insurance, if authorized by the county commissioners  
3-10 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

3-11 (13) civil court actions (Sec. 118.052, Local  
3-12 Government Code):

3-13 (A) filing of original action (Secs. 118.052 and  
3-14 118.053, Local Government Code):

3-15 (i) garnishment after judgment (Sec.  
3-16 118.052, Local Government Code) . . . \$15; and

3-17 (ii) all others (Sec. 118.052, Local  
3-18 Government Code) . . . \$40;

3-19 (B) filing of action other than original (Secs.  
3-20 118.052 and 118.054, Local Government Code) . . . \$30; and

3-21 (C) services rendered after judgment in original  
3-22 action (Secs. 118.052 and 118.0545, Local Government Code):

3-23 (i) abstract of judgment (Sec. 118.052,  
3-24 Local Government Code) . . . \$5; and

3-25 (ii) execution, order of sale, writ, or  
3-26 other process (Sec. 118.052, Local Government Code) . . . \$5;

3-27 (14) probate court actions (Sec. 118.052, Local  
3-28 Government Code):

3-29 (A) probate original action (Secs. 118.052 and  
3-30 118.055, Local Government Code):

3-31 (i) probate of a will with independent  
3-32 executor, administration with will attached, administration of an  
3-33 estate, guardianship or receivership of an estate, or muniment of  
3-34 title (Sec. 118.052, Local Government Code) . . . \$40;

3-35 (ii) community survivors (Sec. 118.052,  
3-36 Local Government Code) . . . \$40;

3-37 (iii) small estates (Sec. 118.052, Local  
3-38 Government Code) . . . \$40;

3-39 (iv) declarations of heirship (Sec.  
3-40 118.052, Local Government Code) . . . \$40;

3-41 (v) mental health or chemical dependency  
3-42 services (Sec. 118.052, Local Government Code) . . . \$40; and

3-43 (vi) additional, special fee (Secs. 118.052  
3-44 and 118.064, Local Government Code) . . . \$5;

3-45 (B) services in pending probate action (Secs.  
3-46 118.052 and 118.056, Local Government Code):

3-47 (i) filing an inventory and appraisement  
3-48 after the 120th day after the date of the initial filing of the  
3-49 action (Sec. 118.052, Local Government Code) . . . \$25;

3-50 (ii) approving and recording bond (Sec.  
3-51 118.052, Local Government Code) . . . \$3;

3-52 (iii) administering oath (Sec. 118.052,  
3-53 Local Government Code) . . . \$2;

3-54 (iv) filing annual or final account of  
3-55 estate (Sec. 118.052, Local Government Code) . . . \$25;

3-56 (v) filing application for sale of real or  
3-57 personal property (Sec. 118.052, Local Government Code) . . . \$25;

3-58 [~~and~~]

3-59 (vi) filing annual or final report of  
3-60 guardian of a person (Sec. 118.052, Local Government  
3-61 Code) . . . \$10; and

3-62 (vii) filing a document not listed under  
3-63 this paragraph after the filing of an order approving the inventory  
3-64 and appraisement or after the 120th day after the date of the  
3-65 initial filing of the action, whichever occurs first (Secs. 118.052  
3-66 and 191.007, Local Government Code), if more than 25  
3-67 pages . . . \$25;

3-68 (C) adverse probate action (Secs. 118.052 and  
3-69 118.057, Local Government Code) . . . \$40; and

4-1 (D) claim against estate (Secs. 118.052 and  
4-2 118.058, Local Government Code) . . . \$2;  
4-3 (15) other fees (Sec. 118.052, Local Government Code):  
4-4 (A) issuing document (Secs. 118.052 and 118.059,  
4-5 Local Government Code):  
4-6 (i) original document and one copy (Sec.  
4-7 118.052, Local Government Code) . . . \$4; and  
4-8 (ii) each additional set of an original and  
4-9 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
4-10 (B) certified papers (Secs. 118.052 and 118.060,  
4-11 Local Government Code):  
4-12 (i) for the clerk's certificate (Sec.  
4-13 118.052, Local Government Code) . . . \$5; and  
4-14 (ii) a fee per page or part of a page (Sec.  
4-15 118.052, Local Government Code) . . . \$1;  
4-16 (C) noncertified papers, for each page or part of  
4-17 a page (Secs. 118.052 and 118.0605, Local Government  
4-18 Code) . . . \$1;  
4-19 (D) letters testamentary, letter of  
4-20 guardianship, letter of administration, or abstract of judgment  
4-21 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;  
4-22 (E) safekeeping of wills (Secs. 118.052 and  
4-23 118.062, Local Government Code) . . . \$5;  
4-24 (F) mail service of process (Secs. 118.052 and  
4-25 118.063, Local Government Code) . . . same as sheriff; and  
4-26 (G) records management and preservation fee  
4-27 (Secs. 118.052, 118.0546, and 118.0645, Local Government  
4-28 Code) . . . \$5;  
4-29 (16) additional filing fee to fund the courthouse  
4-30 security fund, if authorized by the county commissioners court  
4-31 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;  
4-32 (17) additional filing fee for filing documents not  
4-33 subject to certain filing fees to fund the courthouse security  
4-34 fund, if authorized by the county commissioners court (Sec.  
4-35 291.008, Local Government Code) . . . \$1;  
4-36 (18) additional filing fee to fund the courthouse  
4-37 security fund in Webb County, if authorized by the county  
4-38 commissioners court (Sec. 291.009, Local Government Code) . . . not  
4-39 to exceed \$20;  
4-40 (19) court cost in civil cases other than suits for  
4-41 delinquent taxes to fund the county law library fund, if authorized  
4-42 by the county commissioners court (Sec. 323.023, Local Government  
4-43 Code) . . . not to exceed \$35;  
4-44 (20) fee for deposit of a will with the county clerk  
4-45 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;  
4-46 (21) court cost for each special commissioner in an  
4-47 eminent domain proceeding (Sec. 21.047, Property Code) . . . as  
4-48 taxed by the court, \$10 or more; and  
4-49 (22) fee for county attorney in a suit regarding a  
4-50 railroad company's failure to keep roadbed and right-of-way in  
4-51 proper condition (Art. 6327, Vernon's Texas Civil  
4-52 Statutes) . . . \$10.  
4-53 SECTION 3. Section 101.101, Government Code, is amended to  
4-54 read as follows:  
4-55 Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The  
4-56 clerk of a statutory probate court shall collect fees and costs as  
4-57 follows:  
4-58 (1) court cost in certain civil cases to establish and  
4-59 maintain an alternative dispute resolution system, if authorized by  
4-60 the county commissioners court (Sec. 152.004, Civil Practice and  
4-61 Remedies Code) . . . not to exceed \$10;  
4-62 (2) appellate judicial system filing fees:  
4-63 (A) First or Fourteenth Court of Appeals District  
4-64 (Sec. 22.2021, Government Code) . . . not more than \$5;  
4-65 (B) Second Court of Appeals District (Sec.  
4-66 22.2031, Government Code) . . . not more than \$5;  
4-67 (C) Fourth Court of Appeals District (Sec.  
4-68 22.2051, Government Code) . . . not more than \$5;  
4-69 (D) Fifth Court of Appeals District (Sec.

5-1 22.2061, Government Code) . . . not more than \$5; and  
 5-2 (E) Thirteenth Court of Appeals District (Sec.  
 5-3 22.2141, Government Code) . . . not more than \$5;  
 5-4 (3) additional filing fees as follows:  
 5-5 (A) for certain cases to be used for  
 5-6 court-related purposes for support of the judiciary, if authorized  
 5-7 by the county commissioners court (Sec. 51.704, Government  
 5-8 Code) . . . \$40;  
 5-9 (B) to fund the improvement of Dallas County  
 5-10 civil court facilities, if authorized by the county commissioners  
 5-11 court (Sec. 51.705, Government Code) . . . not more than \$15; and  
 5-12 (C) for filing any civil action or proceeding  
 5-13 requiring a filing fee, including an appeal, and on the filing of  
 5-14 any counterclaim, cross-action, intervention, interpleader, or  
 5-15 third-party action requiring a filing fee to fund civil legal  
 5-16 services for the indigent (Sec. 133.153, Local Government  
 5-17 Code) . . . \$5;  
 5-18 (4) for filing an application for registration of  
 5-19 death (Sec. 193.007, Health and Safety Code) . . . \$1;  
 5-20 (5) fee for judge's services on an application for  
 5-21 court-ordered mental health services (Sec. 574.031, Health and  
 5-22 Safety Code) . . . not to exceed \$50;  
 5-23 (6) fee for prosecutor's services on an application  
 5-24 for court-ordered mental health services (Sec. 574.031, Health and  
 5-25 Safety Code) . . . not to exceed \$50;  
 5-26 (7) additional filing fee to fund contingency fund for  
 5-27 liability insurance, if authorized by the county commissioners  
 5-28 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;  
 5-29 (8) probate court actions (Sec. 118.052, Local  
 5-30 Government Code):  
 5-31 (A) probate original action (Secs. 118.052 and  
 5-32 118.055, Local Government Code):  
 5-33 (i) probate of a will with independent  
 5-34 executor, administration with will attached, administration of an  
 5-35 estate, guardianship or receivership of an estate, or muniment of  
 5-36 title (Sec. 118.052, Local Government Code) . . . \$40;  
 5-37 (ii) community survivors (Sec. 118.052,  
 5-38 Local Government Code) . . . \$40;  
 5-39 (iii) small estates (Sec. 118.052, Local  
 5-40 Government Code) . . . \$40;  
 5-41 (iv) declarations of heirship (Sec.  
 5-42 118.052, Local Government Code) . . . \$40;  
 5-43 (v) mental health or chemical dependency  
 5-44 services (Sec. 118.052, Local Government Code) . . . \$40; and  
 5-45 (vi) additional, special fee (Secs. 118.052  
 5-46 and 118.064, Local Government Code) . . . \$5;  
 5-47 (B) services in pending probate action (Secs.  
 5-48 118.052 and 118.056, Local Government Code):  
 5-49 (i) filing an inventory and appraisement  
 5-50 after the 120th day after the date of the initial filing of the  
 5-51 action (Sec. 118.052, Local Government Code) . . . \$25;  
 5-52 (ii) approving and recording bond (Sec.  
 5-53 118.052, Local Government Code) . . . \$3;  
 5-54 (iii) administering oath (Sec. 118.052,  
 5-55 Local Government Code) . . . \$2;  
 5-56 (iv) filing annual or final account of  
 5-57 estate (Sec. 118.052, Local Government Code) . . . \$25;  
 5-58 (v) filing application for sale of real or  
 5-59 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
 5-60 ~~and~~  
 5-61 (vi) filing annual or final report of  
 5-62 guardian of a person (Sec. 118.052, Local Government  
 5-63 Code) . . . \$10; and  
 5-64 (vii) filing a document not listed under  
 5-65 this paragraph after the filing of an order approving the inventory  
 5-66 and appraisement or after the 120th day after the date of the  
 5-67 initial filing of the action, whichever occurs first (Secs. 118.052  
 5-68 and 191.007, Local Government Code), if more than 25  
 5-69 pages . . . \$25;

6-1 (C) adverse probate action (Secs. 118.052 and  
6-2 118.057, Local Government Code) . . . \$40; and  
6-3 (D) claim against estate (Secs. 118.052 and  
6-4 118.058, Local Government Code) . . . \$2;  
6-5 (9) other fees (Sec. 118.052, Local Government Code):  
6-6 (A) issuing document (Secs. 118.052 and 118.059,  
6-7 Local Government Code):  
6-8 (i) original document and one copy (Sec.  
6-9 118.052, Local Government Code) . . . \$4; and  
6-10 (ii) each additional set of an original and  
6-11 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
6-12 (B) certified papers (Secs. 118.052 and 118.060,  
6-13 Local Government Code):  
6-14 (i) for the clerk's certificate (Sec.  
6-15 118.052, Local Government Code) . . . \$5; and  
6-16 (ii) a fee per page or part of a page (Sec.  
6-17 118.052, Local Government Code) . . . \$1;  
6-18 (C) noncertified papers, for each page or part of  
6-19 a page (Secs. 118.052 and 118.0605, Local Government  
6-20 Code) . . . \$1;  
6-21 (D) letters testamentary, letter of  
6-22 guardianship, letter of administration, or abstract of judgment  
6-23 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;  
6-24 (E) safekeeping of wills (Secs. 118.052 and  
6-25 118.062, Local Government Code) . . . \$5;  
6-26 (F) mail service of process (Secs. 118.052 and  
6-27 118.063, Local Government Code) . . . same as sheriff; and  
6-28 (G) records management and preservation fee  
6-29 (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;  
6-30 (10) fee for deposit of a will with the county clerk  
6-31 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;  
6-32 (11) court costs for each special commissioner in an  
6-33 eminent domain proceeding (Sec. 21.047, Property Code) . . . as  
6-34 taxed by the court, \$10 or more;  
6-35 (12) jury fee for civil case (Sec. 51.604, Government  
6-36 Code) . . . \$22; and  
6-37 (13) court cost in civil cases other than suits for  
6-38 delinquent taxes to fund the county law library fund, if authorized  
6-39 by the county commissioners court (Sec. 323.023, Local Government  
6-40 Code) . . . not to exceed \$35.  
6-41 SECTION 4. Section 101.121, Government Code, is amended to  
6-42 read as follows:  
6-43 Sec. 101.121. COUNTY COURT FEES AND COSTS. The clerk of a  
6-44 county court shall collect:  
6-45 (1) fee for hearing on application for a license to  
6-46 manufacture, distribute, store, or sell beer (Sec. 61.31, Alcoholic  
6-47 Beverage Code) . . . \$5;  
6-48 (2) court cost in certain civil cases to establish and  
6-49 maintain an alternative dispute resolution system, if authorized by  
6-50 the county commissioners court (Sec. 152.004, Civil Practice and  
6-51 Remedies Code) . . . not to exceed \$10;  
6-52 (3) appellate judicial system filing fees:  
6-53 (A) First or Fourteenth Court of Appeals District  
6-54 (Sec. 22.2021, Government Code) . . . not more than \$5;  
6-55 (B) Second Court of Appeals District (Sec.  
6-56 22.2031, Government Code) . . . not more than \$5;  
6-57 (C) Fourth Court of Appeals District (Sec.  
6-58 22.2051, Government Code) . . . not more than \$5;  
6-59 (D) Fifth Court of Appeals District (Sec.  
6-60 22.2061, Government Code) . . . not more than \$5; and  
6-61 (E) Thirteenth Court of Appeals District (Sec.  
6-62 22.2141, Government Code) . . . not more than \$5;  
6-63 (4) a jury fee (Sec. 51.604, Government  
6-64 Code) . . . \$22;  
6-65 (5) a filing fee in each civil case filed to be used  
6-66 for court-related purposes for the support of the judiciary (Sec.  
6-67 51.703, Government Code) . . . \$40;  
6-68 (6) for filing an application for registration of  
6-69 death (Sec. 193.007, Health and Safety Code) . . . \$1;

7-1 (7) fee for judge's services on an application for  
7-2 court-ordered mental health services (Sec. 574.031, Health and  
7-3 Safety Code) . . . not to exceed \$50;  
7-4 (8) fee for prosecutor's services on an application  
7-5 for court-ordered mental health services (Sec. 574.031, Health and  
7-6 Safety Code) . . . not to exceed \$50;  
7-7 (9) additional filing fee to fund contingency fund for  
7-8 liability insurance, if authorized by the county commissioners  
7-9 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;  
7-10 (10) civil court actions (Sec. 118.052, Local  
7-11 Government Code):  
7-12 (A) filing of original action (Secs. 118.052 and  
7-13 118.053, Local Government Code):  
7-14 (i) garnishment after judgment (Sec.  
7-15 118.052, Local Government Code) . . . \$15; and  
7-16 (ii) all others (Sec. 118.052, Local  
7-17 Government Code) . . . \$40;  
7-18 (B) filing of action other than original (Secs.  
7-19 118.052 and 118.054, Local Government Code) . . . \$30; and  
7-20 (C) services rendered after judgment in original  
7-21 action (Secs. 118.052 and 118.0545, Local Government Code):  
7-22 (i) abstract of judgment (Sec. 118.052,  
7-23 Local Government Code) . . . \$5; and  
7-24 (ii) execution, order of sale, writ, or  
7-25 other process (Sec. 118.052, Local Government Code) . . . \$5;  
7-26 (11) probate court actions (Sec. 118.052, Local  
7-27 Government Code):  
7-28 (A) probate original action (Secs. 118.052 and  
7-29 118.055, Local Government Code):  
7-30 (i) probate of a will with independent  
7-31 executor, administration with will attached, administration of an  
7-32 estate, guardianship or receivership of an estate, or muniment of  
7-33 title (Sec. 118.052, Local Government Code) . . . \$40;  
7-34 (ii) community survivors (Sec. 118.052,  
7-35 Local Government Code) . . . \$40;  
7-36 (iii) small estates (Sec. 118.052, Local  
7-37 Government Code) . . . \$40;  
7-38 (iv) declarations of heirship (Sec.  
7-39 118.052, Local Government Code) . . . \$40;  
7-40 (v) mental health or chemical dependency  
7-41 services (Sec. 118.052, Local Government Code) . . . \$40; and  
7-42 (vi) additional, special fee (Secs. 118.052  
7-43 and 118.064, Local Government Code) . . . \$5;  
7-44 (B) services in pending probate action (Secs.  
7-45 118.052 and 118.056, Local Government Code):  
7-46 (i) filing an inventory and appraisement  
7-47 after the 120th day after the date of the initial filing of the  
7-48 action (Sec. 118.052, Local Government Code) . . . \$25;  
7-49 (ii) approving and recording bond (Sec.  
7-50 118.052, Local Government Code) . . . \$3;  
7-51 (iii) administering oath (Sec. 118.052,  
7-52 Local Government Code) . . . \$2;  
7-53 (iv) filing annual or final account of  
7-54 estate (Sec. 118.052, Local Government Code) . . . \$25;  
7-55 (v) filing application for sale of real or  
7-56 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
7-57 ~~and~~  
7-58 (vi) filing annual or final report of  
7-59 guardian of a person (Sec. 118.052, Local Government  
7-60 Code) . . . \$10; and  
7-61 (vii) filing a document not listed under  
7-62 this paragraph after the filing of an order approving the inventory  
7-63 and appraisement or after the 120th day after the date of the  
7-64 initial filing of the action, whichever occurs first (Secs. 118.052  
7-65 and 191.007, Local Government Code), if more than 25  
7-66 pages . . . \$25;  
7-67 (C) adverse probate action (Secs. 118.052 and  
7-68 118.057, Local Government Code) . . . \$40; and  
7-69 (D) claim against estate (Secs. 118.052 and

8-1 118.058, Local Government Code) . . . \$2;  
8-2 (12) other fees (Sec. 118.052, Local Government Code):  
8-3 (A) issuing document (Secs. 118.052 and 118.059,  
8-4 Local Government Code):  
8-5 (i) original document and one copy (Sec.  
8-6 118.052, Local Government Code) . . . \$4; and  
8-7 (ii) each additional set of an original and  
8-8 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
8-9 (B) certified papers (Secs. 118.052 and 118.060,  
8-10 Local Government Code):  
8-11 (i) for the clerk's certificate (Sec.  
8-12 118.052, Local Government Code) . . . \$5; and  
8-13 (ii) a fee per page or part of a page (Sec.  
8-14 118.052, Local Government Code) . . . \$1;  
8-15 (C) noncertified papers, for each page or part of  
8-16 a page (Secs. 118.052 and 118.0605, Local Government  
8-17 Code) . . . \$1;  
8-18 (D) letters testamentary, letter of  
8-19 guardianship, letter of administration, or abstract of judgment  
8-20 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;  
8-21 (E) safekeeping of wills (Secs. 118.052 and  
8-22 118.062, Local Government Code) . . . \$5;  
8-23 (F) mail service of process (Secs. 118.052 and  
8-24 118.063, Local Government Code) . . . same as sheriff; and  
8-25 (G) records management and preservation fee  
8-26 (Secs. 118.052, 118.0546, and 118.0645, Local Government  
8-27 Code) . . . \$5;  
8-28 (13) deposit on filing petition requesting permission  
8-29 to create a municipal civic center authority (Sec. 281.013, Local  
8-30 Government Code) . . . \$200;  
8-31 (14) additional filing fee to fund the courthouse  
8-32 security fund, if authorized by the county commissioners court  
8-33 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;  
8-34 (15) additional filing fee for filing documents not  
8-35 subject to certain filing fees to fund the courthouse security  
8-36 fund, if authorized by the county commissioners court (Sec.  
8-37 291.008, Local Government Code) . . . \$1;  
8-38 (16) additional filing fee to fund the courthouse  
8-39 security fund in Webb County, if authorized by the county  
8-40 commissioners court (Sec. 291.009, Local Government  
8-41 Code) . . . not to exceed \$20;  
8-42 (17) court cost in civil cases other than suits for  
8-43 delinquent taxes to fund the county law library fund, if authorized  
8-44 by the county commissioners court (Sec. 323.023, Local Government  
8-45 Code) . . . not to exceed \$35;  
8-46 (18) fee for deposit of a will with the county clerk  
8-47 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;  
8-48 (19) fee for county attorney in a suit regarding a  
8-49 railroad company's failure to keep roadbed and right-of-way in  
8-50 proper condition (Art. 6327, Vernon's Texas Civil  
8-51 Statutes) . . . \$10;  
8-52 (20) appeal bond from a petitioner or taxpayer in a  
8-53 water control and preservation district (Art. 7818, Vernon's Texas  
8-54 Civil Statutes) . . . \$100; and  
8-55 (21) additional filing fee for filing any civil action  
8-56 or proceeding requiring a filing fee, including an appeal, and on  
8-57 the filing of any counterclaim, cross-action, intervention,  
8-58 interpleader, or third-party action requiring a filing fee, to fund  
8-59 civil legal services for the indigent (Sec. 133.153, Local  
8-60 Government Code) . . . \$5.  
8-61 SECTION 5. This Act takes effect September 1, 2005.

8-62 \* \* \* \* \*