

By: Keffer of Eastland

H.B. No. 1997

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of an appellate judicial system for the
3 Eleventh Court of Appeals District.

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

5 SECTION 1. Subchapter C, Chapter 22, Government Code, is
6 amended by adding Section 22.2121 to read as follows:

7 Sec. 22.2121. APPELLATE JUDICIAL SYSTEM. (a) The
8 commissioners court of each county in the Eleventh Court of Appeals
9 District, on request of the chief justice of the court of appeals,
10 by order entered in its minutes shall establish an appellate
11 judicial system to:

12 (1) assist the court of appeals for the county in the
13 processing of appeals filed with the court of appeals from the
14 county courts, statutory county courts, probate courts, and
15 district courts; and

16 (2) defray costs and expenses incurred by the county
17 under Section 22.212.

18 (b) To fund the system, the commissioners court shall set a
19 court costs fee of \$5 for each civil suit filed in county court,
20 statutory county court, probate court, or district court in the
21 county.

22 (c) The court costs fee does not apply to a suit filed by any
23 governmental entity or to a suit for delinquent taxes.

24 (d) The court costs fee shall be taxed, collected, and paid

1 as other court costs in a suit. The clerk of the court shall collect
2 the court costs fee set under this section and pay it to the county
3 officer who performs the county treasurer's functions. That
4 officer shall deposit the fee in a separate appellate justice
5 system fund. The commissioners court shall establish and maintain
6 the fund to assist the court of appeals district. The fund may not
7 be used for any other purpose.

8 (e) The commissioners court shall monthly order the funds
9 collected under this section to be forwarded to the clerk of the
10 court of appeals for expenditure by the court of appeals for its
11 judicial system.

12 (f) The commissioners court shall vest management of the
13 system in the chief justice of the court of appeals.

14 SECTION 2. This Act takes effect September 1, 2005.