

1-1 By: Keffer of Eastland (Senate Sponsor - Estes) H.B. No. 1997
1-2 (In the Senate - Received from the House May 2, 2005;
1-3 May 3, 2005, read first time and referred to Committee on
1-4 Jurisprudence; May 19, 2005, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 19, 2005, sent to printer.)

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

1-8 relating to the creation of an appellate judicial system for the
1-9 Eleventh Court of Appeals District.

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

1-11 SECTION 1. Subchapter C, Chapter 22, Government Code, is
1-12 amended by adding Section 22.2121 to read as follows:

1-13 Sec. 22.2121. APPELLATE JUDICIAL SYSTEM. (a) The
1-14 commissioners court of each county in the Eleventh Court of Appeals
1-15 District, on request of the chief justice of the court of appeals,
1-16 by order entered in its minutes shall establish an appellate
1-17 judicial system to:

1-18 (1) assist the court of appeals for the county in the
1-19 processing of appeals filed with the court of appeals from the
1-20 county courts, statutory county courts, probate courts, and
1-21 district courts; and

1-22 (2) defray costs and expenses incurred by the county
1-23 under Section 22.212.

1-24 (b) To fund the system, the commissioners court shall set a
1-25 court costs fee of \$5 for each civil suit filed in county court,
1-26 statutory county court, probate court, or district court in the
1-27 county.

1-28 (c) The court costs fee does not apply to a suit filed by any
1-29 governmental entity or to a suit for delinquent taxes.

1-30 (d) The court costs fee shall be taxed, collected, and paid
1-31 as other court costs in a suit. The clerk of the court shall collect
1-32 the court costs fee set under this section and pay it to the county
1-33 officer who performs the county treasurer's functions. That
1-34 officer shall deposit the fee in a separate appellate justice
1-35 system fund. The commissioners court shall establish and maintain
1-36 the fund to assist the court of appeals district. The fund may not
1-37 be used for any other purpose.

1-38 (e) The commissioners court shall monthly order the funds
1-39 collected under this section to be forwarded to the clerk of the
1-40 court of appeals for expenditure by the court of appeals for its
1-41 judicial system.

1-42 (f) The commissioners court shall vest management of the
1-43 system in the chief justice of the court of appeals.

1-44 SECTION 2. This Act takes effect September 1, 2005.

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