

By: Wentworth

S.B. No. 168

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the funding of alternative dispute resolution systems.

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

4 SECTION 1. Section 152.004(a), Civil Practice and Remedies
5 Code, is amended to read as follows:

6 (a) To establish and maintain an alternative dispute
7 resolution system, the commissioners court may set a court cost in
8 an amount not to exceed \$15 [~~\$10~~] to be taxed, collected, and paid
9 as other court costs in each civil case filed in a county or
10 district court in the county, including a civil case relating to
11 probate matters but not including:

12 (1) a suit for delinquent taxes;

13 (2) a condemnation proceeding under Chapter 21,
14 Property Code; or

15 (3) a proceeding under Subtitle C, Title 7, Health and
16 Safety Code.

17 SECTION 2. Section 152.005, Civil Practice and Remedies
18 Code, is amended to read as follows:

19 Sec. 152.005. ADDITIONAL FEE FOR JUSTICE COURTS [~~CERTAIN~~
20 ~~COUNTIES~~]. (a) To establish and maintain an alternative dispute
21 resolution system, the commissioners court [~~of a county with a~~
22 ~~population of 2.5 million or more~~] may, in addition to the court
23 cost authorized under Section 152.004, set a court cost in an amount
24 not to exceed \$5 [~~\$3~~] for civil cases filed in a justice court

1 located in the county, but not including:

2 (1) a suit for delinquent taxes; or

3 (2) an eviction proceeding, including a forcible
4 detainer, a forcible entry and detainer, or a writ of re-entry.

5 (b) A clerk of the court shall collect and pay the court cost
6 in the manner prescribed by Section 152.004(c).

7 SECTION 3. This Act applies only to a civil case filed on or
8 after the effective date of this Act.

9 SECTION 4. This Act takes effect September 1, 2005.