

1-1 By: Wentworth S.B. No. 168
1-2 (In the Senate - Filed January 10, 2005; February 1, 2005,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 February 28, 2005, reported favorably by the following vote:
1-5 Yeas 5, Nays 1; February 28, 2005, sent to printer.)

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

1-8 relating to the funding of alternative dispute resolution systems.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subsection (a), Section 152.004, Civil Practice
1-11 and Remedies Code, is amended to read as follows:

1-12 (a) To establish and maintain an alternative dispute
1-13 resolution system, the commissioners court may set a court cost in
1-14 an amount not to exceed \$15 [~~\$10~~] to be taxed, collected, and paid
1-15 as other court costs in each civil case filed in a county or
1-16 district court in the county, including a civil case relating to
1-17 probate matters but not including:

1-18 (1) a suit for delinquent taxes;

1-19 (2) a condemnation proceeding under Chapter 21,
1-20 Property Code; or

1-21 (3) a proceeding under Subtitle C, Title 7, Health and
1-22 Safety Code.

1-23 SECTION 2. Section 152.005, Civil Practice and Remedies
1-24 Code, is amended to read as follows:

1-25 Sec. 152.005. ADDITIONAL FEE FOR JUSTICE COURTS [~~CERTAIN~~
1-26 ~~COUNTIES~~]. (a) To establish and maintain an alternative dispute

1-27 resolution system, the commissioners court [~~of a county with a~~
1-28 ~~population of 2.5 million or more~~] may, in addition to the court
1-29 cost authorized under Section 152.004, set a court cost in an amount
1-30 not to exceed \$5 [~~\$3~~] for civil cases filed in a justice court
1-31 located in the county, but not including:

1-32 (1) a suit for delinquent taxes; or

1-33 (2) an eviction proceeding, including a forcible
1-34 detainer, a forcible entry and detainer, or a writ of re-entry.

1-35 (b) A clerk of the court shall collect and pay the court cost
1-36 in the manner prescribed by Section 152.004(c).

1-37 SECTION 3. This Act applies only to a civil case filed on or
1-38 after the effective date of this Act.

1-39 SECTION 4. This Act takes effect September 1, 2005.

1-40 * * * * *