

By: Wentworth

S.B. No. 241

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an appellate judicial system for the Third Court of Appeals District.

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

SECTION 1. Subchapter C, Chapter 22, Government Code, is amended by adding Section 22.2041 to read as follows:

Sec. 22.2041. APPELLATE JUDICIAL SYSTEM. (a) The commissioners court of each county in the Third Court of Appeals District, by order entered in its minutes, shall establish an appellate judicial system to:

(1) assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county courts, county courts at law, probate courts, and district courts; and

(2) defray costs and expenses incurred by the county under Section 22.204.

(b) To fund the system, the commissioners court shall set a court fee of \$5 for each civil suit filed in county court, county court at law, probate court, or district court in the county.

(c) The court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes.

(d) The court costs fee shall be taxed, collected, and paid as other court costs in a suit. The clerk of the court shall collect the court costs fee set under this section and pay it to the county

1 officer who performs the county treasurer's functions. That
2 officer shall deposit the fee in a separate appellate judicial
3 system fund. The commissioners court shall administer the fund to
4 establish and maintain a fund system to assist the court of appeals
5 in the district. The fund may not be used for any other purpose.

6 (e) The commissioners court shall monthly order the funds
7 collected under this section to be forwarded to the court of appeals
8 for expenditures by the court of appeals for its judicial system.

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

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