

1-1 By: Wentworth S.B. No. 241
1-2 (In the Senate - Filed January 25, 2005; February 3, 2005,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 14, 2005, reported favorably by the following vote: Yeas 4,
1-5 Nays 2; March 14, 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 Third 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 22.2041 to read as follows:

1-13 Sec. 22.2041. APPELLATE JUDICIAL SYSTEM. (a) The
1-14 commissioners court of each county in the Third Court of Appeals
1-15 District, by order entered in its minutes, shall establish an
1-16 appellate judicial system to:

1-17 (1) assist the court of appeals for the county in the
1-18 processing of appeals filed with the court of appeals from the
1-19 county courts, county courts at law, probate courts, and district
1-20 courts; and

1-21 (2) defray costs and expenses incurred by the county
1-22 under Section 22.204.

1-23 (b) To fund the system, the commissioners court shall set a
1-24 court costs fee of \$5 for each civil suit filed in county court,
1-25 county court at law, probate court, or district court in the county.

1-26 (c) The court costs fee does not apply to a suit filed by the
1-27 county or to a suit for delinquent taxes.

1-28 (d) The court costs fee shall be taxed, collected, and paid
1-29 as other court costs in a suit. The clerk of the court shall collect
1-30 the court costs fee set under this section and pay it to the county
1-31 officer who performs the county treasurer's functions. That
1-32 officer shall deposit the fee in a separate appellate judicial
1-33 system fund. The commissioners court shall administer the fund to
1-34 establish and maintain a fund system to assist the court of appeals
1-35 in the district. The fund may not be used for any other purpose.

1-36 (e) The commissioners court shall monthly order the funds
1-37 collected under this section to be forwarded to the court of appeals
1-38 for expenditures by the court of appeals for its judicial system.

1-39 (f) The commissioners court shall vest management of the
1-40 system in the chief justice of the court of appeals.

1-41 SECTION 2. This Act takes effect September 1, 2005.

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