

By: Duncan

S.B. No. 832

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the compensation of state judges and to the computation
3 of retirement benefits for members of the elected class of the
4 Employees Retirement System of Texas.

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

6 SECTION 1. Sections 659.012(a) and (d), Government Code,
7 are amended to read as follows:

8 (a) Notwithstanding Section 659.011:

9 (1) a judge of a district court is entitled to an
10 annual salary from the state of \$101,000, except that unless
11 otherwise provided by law, the combined salary of a district judge
12 from state and county sources may not exceed \$111,000 [~~justice of~~
13 ~~the supreme court is entitled to an annual salary from the state~~
14 ~~that is at least \$102,463];~~

15 (2) a justice of a court of appeals other than the
16 chief justice is entitled to an annual salary from the state of
17 \$137,500 [~~that is five percent less than the salary provided by the~~
18 ~~General Appropriations Act for a justice of the supreme court,~~
19 ~~except that the combined salary of a justice of the court of appeals~~
20 ~~other than the chief justice from all state and county sources may~~
21 ~~not exceed the amount that is \$1,000 less than the salary provided~~
22 ~~for a justice of the supreme court];~~

23 (3) a justice of the supreme court other than the chief
24 justice or a judge of the court of criminal appeals other than the

1 presiding judge is entitled to an annual salary from the state of
2 \$150,000; and

3 (4) the chief justice or presiding judge of an
4 appellate [a] court [of appeals] is entitled to an annual salary
5 from the state that is \$2,500 more than the salary provided for the
6 other justices or judges of the court [of appeals, except that the
7 combined salary of the chief justice of a court of appeals may not
8 exceed the amount that is \$500 less than the salary provided for a
9 justice of the supreme court; and

10 ~~[(4) a judge of a district court is entitled to an~~
11 ~~annual salary from the state that is 10 percent less than the salary~~
12 ~~provided in the General Appropriations Act for a justice of the~~
13 ~~supreme court, except that unless otherwise provided by law, the~~
14 ~~combined salary of a district judge from state and county sources~~
15 ~~may not exceed the amount that is \$2,000 less than the salary~~
16 ~~provided for a justice of the supreme court].~~

17 (d) In a county with more than five district courts, a
18 district judge who serves as a local administrative district judge
19 under Section 74.091 is entitled to an annual salary from the state
20 that is \$5,000 more than the salary from the state to which the
21 judge is otherwise entitled under Subsection (a)(1) ~~[(c)]~~.

22 SECTION 2. Section 659.0125, Government Code, is amended to
23 read as follows:

24 Sec. 659.0125. SALARY FOR LOCAL ADMINISTRATIVE JUDGE. In a
25 county with more than six district courts, a district judge who
26 serves as a local administrative district judge under Section
27 74.091 is entitled to an annual salary from the state that is \$5,000

1 more than the salary from the state to which the judge is otherwise
2 entitled under Section 659.012 [~~659.012(c)~~].

3 SECTION 3. Section 32.043(a), Government Code, is amended
4 to read as follows:

5 (a) The [~~Notwithstanding Section 659.012, the~~]
6 Commissioners Court of Collin County may budget for and pay the
7 judges of the district courts having jurisdiction in the county an
8 annual salary set by the commissioners court for services rendered
9 and for performing administrative services.

10 SECTION 4. Section 32.070(a), Government Code, is amended
11 to read as follows:

12 (a) The [~~Notwithstanding Section 659.012, the~~]
13 Commissioners Court of Ellis County may budget for and pay the
14 judges of the district courts having jurisdiction in the county an
15 annual salary paid by the commissioners court for services rendered
16 and for performing administrative duties.

17 SECTION 5. Section 32.101(a), Government Code, is amended
18 to read as follows:

19 (a) The [~~Notwithstanding Section 659.012, the~~]
20 Commissioners Court of Harris County may budget for and pay the
21 judges of the district courts having jurisdiction in that county an
22 annual salary of not less than \$12,000 nor more than \$25,000 [~~in an~~
23 ~~amount set by the commissioners court~~] for judicial and
24 administrative services.

25 SECTION 6. Section 32.109(a), Government Code, is amended
26 to read as follows:

27 (a) The [~~Notwithstanding Section 659.012, the~~]

1 Commissioners Court of Hill County may budget for and pay the judges
2 of the district courts having jurisdiction in the county an annual
3 salary paid by the commissioners court for services rendered and
4 for performing administrative duties.

5 SECTION 7. Section 32.220(a), Government Code, is amended
6 to read as follows:

7 (a) The [~~Notwithstanding Section 659.012, the~~]
8 Commissioners Court of Tarrant County may budget and pay the judges
9 of the district courts and criminal district courts having
10 jurisdiction only in that county an annual salary of \$8,000 [~~in an~~
11 ~~amount set by the commissioners court~~] for services rendered and
12 for administrative duties.

13 SECTION 8. Section 32.227(a), Government Code, is amended
14 to read as follows:

15 (a) The [~~Notwithstanding Section 659.012, the~~]
16 Commissioners Court of Travis County may pay the judges of the
17 district courts having jurisdiction in the county an annual salary
18 in an amount set by the commissioners court for services rendered
19 and for performing administrative duties.

20 SECTION 9. Section 32.246(a), Government Code, is amended
21 to read as follows:

22 (a) The [~~Notwithstanding Section 659.012, the~~]
23 Commissioners Court of Williamson County may budget for and pay the
24 judges of the district courts having jurisdiction in the county an
25 annual salary paid by the commissioners court for services rendered
26 and for performing administrative duties.

27 SECTION 10. Subchapter C, Chapter 72, Government Code, is

1 amended by adding Section 72.030 to read as follows:

2 Sec. 72.030. COLLECTION OF DATA RELATING TO JUDICIAL
3 TURNOVER. (a) The office biennially shall collect data relating
4 to:

5 (1) the rate at which state judges resign from office
6 or do not seek reelection; and

7 (2) the reason for action under Subdivision (1).

8 (b) Not later than December 1 of each even-numbered year,
9 the office shall file a report containing the data collected under
10 Subsection (a) for the preceding state fiscal biennium with the
11 lieutenant governor, the speaker of the house of representatives,
12 and the presiding officers of the standing committees of each house
13 of the legislature with jurisdiction over the judiciary or
14 appropriations.

15 SECTION 11. Subchapter H, Chapter 81, Government Code, is
16 amended by adding Section 81.116 to read as follows:

17 Sec. 81.116. COLLECTION OF DATA RELATING TO ATTORNEY
18 COMPENSATION. (a) The state bar shall biennially collect data
19 relating to the compensation of lawyers engaged in the private
20 practice of law.

21 (b) Not later than December 1 of each even-numbered year,
22 the state bar shall file a report containing the data collected
23 under Subsection (a) for the preceding state fiscal biennium with
24 the lieutenant governor, the speaker of the house of
25 representatives, and the presiding officers of the standing
26 committees of each house of the legislature with jurisdiction over
27 the judiciary or appropriations.

1 SECTION 12. Section 814.103, Government Code, is amended to
2 read as follows:

3 Sec. 814.103. SERVICE RETIREMENT BENEFITS FOR ELECTED CLASS
4 SERVICE. (a) Except as provided by Subsection (b) and Section
5 814.1031, the standard service retirement annuity for service
6 credited in the elected class of membership is an amount equal to
7 the number of years of service credit in that class, times 2.3 [~~two~~]
8 percent of the state salary, as adjusted from time to time, being
9 paid the governor [~~a district judge~~].

10 (b) The standard service retirement annuity for service
11 credited in the elected class may not exceed at any time 100 percent
12 of the state salary being paid the governor [~~a district judge~~].

13 SECTION 13. Chapter 814, Government Code, is amended by
14 adding Section 814.1031 to read as follows:

15 Sec. 814.1031. SERVICE RETIREMENT BENEFITS FOR ELECTED
16 CLASS SERVICE AS STATE PROSECUTOR. (a) In this section, "state
17 prosecutor" means a person eligible for membership in the elected
18 class under Section 812.002(a)(3).

19 (b) Except as provided by Subsection (c), the standard
20 service retirement annuity for service credited in the elected
21 class of membership paid to a state prosecutor is an amount equal to
22 the sum of:

23 (1) the number of years of service credit for service
24 of the member as a state prosecutor times 2.3 percent of the state
25 salary, as adjusted from time to time, being paid a district judge;
26 and

27 (2) the number of years of service credit for service

1 of the member as any other elected class member times 2.3 percent of
2 the state salary, as adjusted from time to time, being paid the
3 governor.

4 (c) The standard service retirement annuity paid to a state
5 prosecutor for service credited in the elected class as a state
6 prosecutor may not exceed at any time 100 percent of the state
7 salary being paid a district judge.

8 SECTION 14. Section 133.004, Local Government Code, is
9 amended to read as follows:

10 Sec. 133.004. CIVIL FEES. This chapter applies to the
11 following civil fees:

12 (1) the consolidated fee on filing in district court
13 imposed under Section 133.151;

14 (2) the filing fee in district court for basic civil
15 legal services for indigents imposed under Section 133.152;

16 (3) the filing fee in courts other than district court
17 for basic civil legal services for indigents imposed under Section
18 133.153;

19 (4) the filing fees for the judicial fund imposed in
20 certain statutory county courts under Section 51.702, Government
21 Code;

22 (5) the filing fees for the judicial fund imposed in
23 certain county courts under Section 51.703, Government Code;

24 (6) the filing fees for the judicial fund imposed in
25 certain statutory probate courts under Section 51.704, Government
26 Code;

27 (7) fees collected under Section 118.015;

1 (8) marriage license fees for the family trust fund
2 collected under Section 118.018; ~~and~~

3 (9) marriage license or declaration of informal
4 marriage fees for the child abuse and neglect prevention trust fund
5 account collected under Section 118.022; and

6 (10) the filing fee imposed in district court,
7 statutory county court, and county court under Section 133.154.

8 SECTION 15. Subchapter D, Chapter 133, Local Government
9 Code, is amended by adding Section 133.154 to read as follows:

10 Sec. 133.154. ADDITIONAL FILING FEE IN DISTRICT, STATUTORY
11 COUNTY COURT, OR COUNTY COURT FOR JUDICIAL SALARIES. (a) In
12 addition to other fees authorized or required by law, the clerk of a
13 district, statutory county court, or county court shall collect a
14 fee of \$35 on the filing of any civil suit to fund judicial
15 salaries.

16 (b) The treasurer shall deposit 10 percent of the fees
17 collected under this section in the general fund of the county for
18 administrative purposes.

19 (c) The treasurer shall remit the remainder of the fees
20 collected under this section to the comptroller in the manner
21 provided by Subchapter B.

22 SECTION 16. Section 101.061, Government Code, is amended to
23 read as follows:

24 Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a
25 district court shall collect fees and costs as follows:

26 (1) filing fee in action with respect to a fraudulent
27 court record or fraudulent lien or claim filed against property

1 (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

2 (2) fee for service of notice of action with respect to
3 a fraudulent court record or fraudulent lien or claim filed against
4 property (Sec. 12.005, Civil Practice and Remedies Code) . . . not
5 to exceed \$20, if notice delivered in person, or the cost of
6 postage, if service is by registered or certified mail;

7 (3) court cost in certain civil cases to establish and
8 maintain an alternative dispute resolution system, if authorized by
9 the county commissioners court (Sec. 152.004, Civil Practice and
10 Remedies Code) . . . not to exceed \$10;

11 (4) appellate judicial system filing fees for:

12 (A) First or Fourteenth Court of Appeals District
13 (Sec. 22.2021, Government Code) . . . not more than \$5;

14 (B) Second Court of Appeals District (Sec.
15 22.2031, Government Code) . . . not more than \$5;

16 (C) Fourth Court of Appeals District (Sec.
17 22.2051, Government Code) . . . not more than \$5;

18 (D) Fifth Court of Appeals District (Sec.
19 22.2061, Government Code) . . . not more than \$5; and

20 (E) Thirteenth Court of Appeals District (Sec.
21 22.2141, Government Code) . . . not more than \$5;

22 (5) additional filing fees:

23 (A) for each suit filed for insurance contingency
24 fund, if authorized by the county commissioners court (Sec. 51.302,
25 Government Code) . . . not to exceed \$5;

26 (B) for each civil suit filed, for court-related
27 purposes for the support of the judiciary and for civil legal

1 services to an indigent:

2 (i) for family law cases and proceedings as
3 defined by Section 25.0002, Government Code (Sec. 133.151, Local
4 Government Code) . . . \$45; or

5 (ii) for any case other than a case
6 described by Subparagraph (i) (Sec. 133.151, Local Government
7 Code) . . . \$50;

8 (C) to fund the improvement of Dallas County
9 civil court facilities, if authorized by the county commissioners
10 court (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

11 (D) on the filing of any civil action or
12 proceeding requiring a filing fee, including an appeal, and on the
13 filing of any counterclaim, cross-action, intervention,
14 interpleader, or third-party action requiring a filing fee, to fund
15 civil legal services for the indigent:

16 (i) for family law cases and proceedings as
17 defined by Section 25.0002, Government Code (Sec. 133.152, Local
18 Government Code) . . . \$5; or

19 (ii) for any case other than a case
20 described by Subparagraph (i) (Sec. 133.152, Local Government
21 Code) . . . \$10; and

22 (E) for each civil suit filed, to fund judicial
23 salaries (Sec. 133.154, Local Government Code) . . . \$35;

24 (6) for filing a suit, including an appeal from an
25 inferior court:

26 (A) for a suit with 10 or fewer plaintiffs (Sec.
27 51.317, Government Code) . . . \$50;

1 (B) for a suit with at least 11 but not more than
2 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

3 (C) for a suit with at least 26 but not more than
4 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

5 (D) for a suit with at least 101 but not more
6 than 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

7 (E) for a suit with at least 501 but not more than
8 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

9 (F) for a suit with more than 1,000 plaintiffs
10 (Sec. 51.317, Government Code) . . . \$200;

11 (7) for filing a cross-action, counterclaim,
12 intervention, contempt action, motion for new trial, or third-party
13 petition (Sec. 51.317, Government Code) . . . \$15;

14 (8) for issuing a citation or other writ or process not
15 otherwise provided for, including one copy, when requested at the
16 time a suit or action is filed (Sec. 51.317, Government
17 Code) . . . \$8;

18 (9) for records management and preservation (Sec.
19 51.317, Government Code) . . . \$10;

20 (10) for issuing a subpoena, including one copy (Sec.
21 51.318, Government Code) . . . \$8;

22 (11) for issuing a citation, commission for
23 deposition, writ of execution, order of sale, writ of execution and
24 order of sale, writ of injunction, writ of garnishment, writ of
25 attachment, or writ of sequestration not provided for in Section
26 51.317, or any other writ or process not otherwise provided for,
27 including one copy if required by law (Sec. 51.318, Government

- 1 Code) . . . \$8;
- 2 (12) for searching files or records to locate a cause
3 when the docket number is not provided (Sec. 51.318, Government
4 Code) . . . \$5;
- 5 (13) for searching files or records to ascertain the
6 existence of an instrument or record in the district clerk's office
7 (Sec. 51.318, Government Code) . . . \$5;
- 8 (14) for abstracting a judgment (Sec. 51.318,
9 Government Code) . . . \$8;
- 10 (15) for approving a bond (Sec. 51.318, Government
11 Code) . . . \$4;
- 12 (16) for a certified copy of a record, judgment,
13 order, pleading, or paper on file or of record in the district
14 clerk's office, including certificate and seal, for each page or
15 part of a page (Sec. 51.318, Government Code) . . . \$1;
- 16 (17) for a noncertified copy, for each page or part of
17 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;
- 18 (18) jury fee (Sec. 51.604, Government
19 Code) . . . \$30;
- 20 (19) for filing a report of divorce or annulment (Sec.
21 194.002, Health and Safety Code) . . . \$1;
- 22 (20) for filing a suit in Comal County (Sec. 152.0522,
23 Human Resources Code) . . . \$4;
- 24 (21) additional filing fee for family protection on
25 filing a suit for dissolution of a marriage under Chapter 6, Family
26 Code, if authorized by the county commissioners court (Sec. 51.961,
27 Government Code) . . . not to exceed \$15;

1 (22) fee on filing a suit for dissolution of a marriage
2 for services of child support department in Harris County, if
3 authorized by the county commissioners court (Sec. 152.1074, Human
4 Resources Code) . . . not to exceed \$12;

5 (23) fee on filing a suit requesting an adoption in
6 Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;

7 (24) court cost on citation for contempt of court for
8 failure to comply with child support order in Nueces County, if
9 authorized by the commissioners court (Sec. 152.1844, Human
10 Resources Code) . . . not to exceed \$10;

11 (25) fee on filing a suit for divorce in Orange County
12 (Sec. 152.1873, Human Resources Code) . . . not less than \$5;

13 (26) court costs on citation for contempt of court in
14 Orange County for failure to comply with a child support order or
15 order providing for possession of or access to a child (Sec.
16 152.1873, Human Resources Code) . . . amount determined by
17 district clerk;

18 (27) fee on filing a suit requesting an adoption in
19 Orange County (Sec. 152.1874, Human Resources Code) . . . not less
20 than \$25;

21 (28) fee on filing a suit requesting an adoption in
22 Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;

23 (29) additional filing fee to fund the courthouse
24 security fund, if authorized by the county commissioners court
25 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

26 (30) additional filing fee for filing documents not
27 subject to certain filing fees to fund the courthouse security

1 fund, if authorized by the county commissioners court (Sec.
2 291.008, Local Government Code) . . . \$1;

3 (31) additional filing fee to fund the courthouse
4 security fund in Webb County, if authorized by the county
5 commissioners court (Sec. 291.009, Local Government
6 Code) . . . not to exceed \$20;

7 (32) court cost in civil cases other than suits for
8 delinquent taxes to fund the county law library fund, if authorized
9 by the county commissioners court (Sec. 323.023, Local Government
10 Code) . . . not to exceed \$35;

11 (33) when administering a case for the Rockwall County
12 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
13 court costs as if the case had been filed in district court;

14 (34) at a hearing held by an associate judge in Dallas
15 County, a court cost to preserve the record, in the absence of a
16 court reporter, by other means (Sec. 54.509, Government Code) . . .
17 as assessed by the referring court or associate judge; and

18 (35) at a hearing held by an associate judge in Duval
19 County, a court cost to preserve the record (Sec. 54.1151,
20 Government Code, as added by Chapter 1150, Acts of the 78th
21 Legislature, Regular Session, 2003) . . . as imposed by the
22 referring court or associate judge.

23 SECTION 17. Section 101.081, Government Code, is amended to
24 read as follows:

25 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The
26 clerk of a statutory county court shall collect fees and costs as
27 follows:

1 (1) court cost in certain civil cases to establish and
2 maintain an alternative dispute resolution system, if authorized by
3 the county commissioners court (Sec. 152.004, Civil Practice and
4 Remedies Code) . . . not to exceed \$10;

5 (2) appellate judicial system filing fees:

6 (A) First or Fourteenth Court of Appeals District
7 (Sec. 22.2021, Government Code) . . . not more than \$5;

8 (B) Second Court of Appeals District (Sec.
9 22.2031, Government Code) . . . not more than \$5;

10 (C) Fourth Court of Appeals District (Sec.
11 22.2051, Government Code) . . . not more than \$5;

12 (D) Fifth Court of Appeals District (Sec.
13 22.2061, Government Code) . . . not more than \$5; and

14 (E) Thirteenth Court of Appeals District (Sec.
15 22.2141, Government Code) . . . not more than \$5;

16 (3) an official court reporter fee, County Court at
17 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

18 (4) a court reporter fee when testimony is taken in a
19 county court at law in McLennan County (Sec. 25.1572, Government
20 Code) . . . \$3;

21 (5) a stenographer fee, if a record or part of a record
22 is made:

23 (A) in a county court at law in Hidalgo County
24 (Sec. 25.1102, Government Code) . . . \$20; and

25 (B) in a county court at law in Nolan County (Sec.
26 25.1792, Government Code) . . . \$25;

27 (6) jury fee (Sec. 51.604, Government

1 Code) . . . \$22;

2 (7) an additional filing fee:

3 (A) for each civil case filed to be used for
4 court-related purposes for the support of the judiciary, if
5 authorized by the county commissioners court (Sec. 51.702,
6 Government Code) . . . \$40;

7 (B) to fund the improvement of Dallas County
8 civil court facilities, if authorized by the county commissioners
9 court (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

10 (C) for filing any civil action or proceeding
11 requiring a filing fee, including an appeal, and on the filing of
12 any counterclaim, cross-action, intervention, interpleader, or
13 third-party action requiring a filing fee, to fund civil legal
14 services for the indigent (Sec. 133.153, Local Government Code)
15 . . . \$5; and

16 (D) for each civil suit filed, to fund judicial
17 salaries (Sec. 133.154, Local Government Code) . . . \$35;

18 (8) for filing an application for registration of
19 death (Sec. 193.007, Health and Safety Code) . . . \$1;

20 (9) fee for judge's services on an application for
21 court-ordered mental health services (Sec. 574.031, Health and
22 Safety Code) . . . not to exceed \$50;

23 (10) fee for prosecutor's services on an application
24 for court-ordered mental health services (Sec. 574.031, Health and
25 Safety Code) . . . not to exceed \$50;

26 (11) for filing a suit in Comal County (Sec. 152.0522,
27 Human Resources Code) . . . \$4;

1 (12) additional filing fee to fund contingency fund
2 for liability insurance, if authorized by the county commissioners
3 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

4 (13) civil court actions (Sec. 118.052, Local
5 Government Code):

6 (A) filing of original action (Secs. 118.052 and
7 118.053, Local Government Code):

8 (i) garnishment after judgment (Sec.
9 118.052, Local Government Code) . . . \$15; and

10 (ii) all others (Sec. 118.052, Local
11 Government Code) . . . \$40;

12 (B) filing of action other than original (Secs.
13 118.052 and 118.054, Local Government Code) . . . \$30; and

14 (C) services rendered after judgment in original
15 action (Secs. 118.052 and 118.0545, Local Government Code):

16 (i) abstract of judgment (Sec. 118.052,
17 Local Government Code) . . . \$5; and

18 (ii) execution, order of sale, writ, or
19 other process (Sec. 118.052, Local Government Code) . . . \$5;

20 (14) probate court actions (Sec. 118.052, Local
21 Government Code):

22 (A) probate original action (Secs. 118.052 and
23 118.055, Local Government Code):

24 (i) probate of a will with independent
25 executor, administration with will attached, administration of an
26 estate, guardianship or receivership of an estate, or muniment of
27 title (Sec. 118.052, Local Government Code) . . . \$40;

- 1 (ii) community survivors (Sec. 118.052,
2 Local Government Code) . . . \$40;
- 3 (iii) small estates (Sec. 118.052, Local
4 Government Code) . . . \$40;
- 5 (iv) declarations of heirship (Sec.
6 118.052, Local Government Code) . . . \$40;
- 7 (v) mental health or chemical dependency
8 services (Sec. 118.052, Local Government Code) . . . \$40; and
- 9 (vi) additional, special fee (Secs. 118.052
10 and 118.064, Local Government Code) . . . \$5;
- 11 (B) services in pending probate action (Secs.
12 118.052 and 118.056, Local Government Code):
- 13 (i) filing an inventory and appraisalment
14 after the 120th day after the date of the initial filing of the
15 action (Sec. 118.052, Local Government Code) . . . \$25;
- 16 (ii) approving and recording bond (Sec.
17 118.052, Local Government Code) . . . \$3;
- 18 (iii) administering oath (Sec. 118.052,
19 Local Government Code) . . . \$2;
- 20 (iv) filing annual or final account of
21 estate (Sec. 118.052, Local Government Code) . . . \$25;
- 22 (v) filing application for sale of real or
23 personal property (Sec. 118.052, Local Government Code) . . . \$25;
- 24 and
- 25 (vi) filing annual or final report of
26 guardian of a person (Sec. 118.052, Local Government
27 Code) . . . \$10;

1 (C) adverse probate action (Secs. 118.052 and
2 118.057, Local Government Code) . . . \$40; and

3 (D) claim against estate (Secs. 118.052 and
4 118.058, Local Government Code) . . . \$2;

5 (15) other fees (Sec. 118.052, Local Government Code):

6 (A) issuing document (Secs. 118.052 and 118.059,
7 Local Government Code):

8 (i) original document and one copy (Sec.
9 118.052, Local Government Code) . . . \$4; and

10 (ii) each additional set of an original and
11 one copy (Sec. 118.052, Local Government Code) . . . \$4;

12 (B) certified papers (Secs. 118.052 and 118.060,
13 Local Government Code):

14 (i) for the clerk's certificate (Sec.
15 118.052, Local Government Code) . . . \$5; and

16 (ii) a fee per page or part of a page (Sec.
17 118.052, Local Government Code) . . . \$1;

18 (C) noncertified papers, for each page or part of
19 a page (Secs. 118.052 and 118.0605, Local Government
20 Code) . . . \$1;

21 (D) letters testamentary, letter of
22 guardianship, letter of administration, or abstract of judgment
23 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

24 (E) safekeeping of wills (Secs. 118.052 and
25 118.062, Local Government Code) . . . \$5;

26 (F) mail service of process (Secs. 118.052 and
27 118.063, Local Government Code) . . . same as sheriff; and

1 (G) records management and preservation fee
2 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
3 . . . \$5;

4 (16) additional filing fee to fund the courthouse
5 security fund, if authorized by the county commissioners court
6 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

7 (17) additional filing fee for filing documents not
8 subject to certain filing fees to fund the courthouse security
9 fund, if authorized by the county commissioners court (Sec.
10 291.008, Local Government Code) . . . \$1;

11 (18) additional filing fee to fund the courthouse
12 security fund in Webb County, if authorized by the county
13 commissioners court (Sec. 291.009, Local Government
14 Code) . . . not to exceed \$20;

15 (19) court cost in civil cases other than suits for
16 delinquent taxes to fund the county law library fund, if authorized
17 by the county commissioners court (Sec. 323.023, Local Government
18 Code) . . . not to exceed \$35;

19 (20) fee for deposit of a will with the county clerk
20 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

21 (21) court cost for each special commissioner in an
22 eminent domain proceeding (Sec. 21.047, Property Code) . . . as
23 taxed by the court, \$10 or more; and

24 (22) fee for county attorney in a suit regarding a
25 railroad company's failure to keep roadbed and right-of-way in
26 proper condition (Art. 6327, Vernon's Texas Civil
27 Statutes) . . . \$10.

1 SECTION 18. Section 101.121, Government Code, is amended to
2 read as follows:

3 Sec. 101.121. COUNTY COURT FEES AND COSTS. The clerk of a
4 county court shall collect:

5 (1) fee for hearing on application for a license to
6 manufacture, distribute, store, or sell beer (Sec. 61.31, Alcoholic
7 Beverage Code) . . . \$5;

8 (2) court cost in certain civil cases to establish and
9 maintain an alternative dispute resolution system, if authorized by
10 the county commissioners court (Sec. 152.004, Civil Practice and
11 Remedies Code) . . . not to exceed \$10;

12 (3) appellate judicial system filing fees:

13 (A) First or Fourteenth Court of Appeals District
14 (Sec. 22.2021, Government Code) . . . not more than \$5;

15 (B) Second Court of Appeals District (Sec.
16 22.2031, Government Code) . . . not more than \$5;

17 (C) Fourth Court of Appeals District (Sec.
18 22.2051, Government Code) . . . not more than \$5;

19 (D) Fifth Court of Appeals District (Sec.
20 22.2061, Government Code) . . . not more than \$5; and

21 (E) Thirteenth Court of Appeals District (Sec.
22 22.2141, Government Code) . . . not more than \$5;

23 (4) a jury fee (Sec. 51.604, Government
24 Code) . . . \$22;

25 (5) a filing fee in each civil case filed to be used
26 for court-related purposes for the support of the judiciary (Sec.
27 51.703, Government Code) . . . \$40;

1 (6) for filing an application for registration of
2 death (Sec. 193.007, Health and Safety Code) . . . \$1;

3 (7) fee for judge's services on an application for
4 court-ordered mental health services (Sec. 574.031, Health and
5 Safety Code) . . . not to exceed \$50;

6 (8) fee for prosecutor's services on an application
7 for court-ordered mental health services (Sec. 574.031, Health and
8 Safety Code) . . . not to exceed \$50;

9 (9) additional filing fee to fund contingency fund for
10 liability insurance, if authorized by the county commissioners
11 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

12 (10) civil court actions (Sec. 118.052, Local
13 Government Code):

14 (A) filing of original action (Secs. 118.052 and
15 118.053, Local Government Code):

16 (i) garnishment after judgment (Sec.
17 118.052, Local Government Code) . . . \$15; and

18 (ii) all others (Sec. 118.052, Local
19 Government Code) . . . \$40;

20 (B) filing of action other than original (Secs.
21 118.052 and 118.054, Local Government Code) . . . \$30; and

22 (C) services rendered after judgment in original
23 action (Secs. 118.052 and 118.0545, Local Government Code):

24 (i) abstract of judgment (Sec. 118.052,
25 Local Government Code) . . . \$5; and

26 (ii) execution, order of sale, writ, or
27 other process (Sec. 118.052, Local Government Code) . . . \$5;

1 (11) probate court actions (Sec. 118.052, Local
2 Government Code):

3 (A) probate original action (Secs. 118.052 and
4 118.055, Local Government Code):

5 (i) probate of a will with independent
6 executor, administration with will attached, administration of an
7 estate, guardianship or receivership of an estate, or muniment of
8 title (Sec. 118.052, Local Government Code) . . . \$40;

9 (ii) community survivors (Sec. 118.052,
10 Local Government Code) . . . \$40;

11 (iii) small estates (Sec. 118.052, Local
12 Government Code) . . . \$40;

13 (iv) declarations of heirship (Sec.
14 118.052, Local Government Code) . . . \$40;

15 (v) mental health or chemical dependency
16 services (Sec. 118.052, Local Government Code) . . . \$40; and

17 (vi) additional, special fee (Secs. 118.052
18 and 118.064, Local Government Code) . . . \$5;

19 (B) services in pending probate action (Secs.
20 118.052 and 118.056, Local Government Code):

21 (i) filing an inventory and appraisalment
22 after the 120th day after the date of the initial filing of the
23 action (Sec. 118.052, Local Government Code) . . . \$25;

24 (ii) approving and recording bond (Sec.
25 118.052, Local Government Code) . . . \$3;

26 (iii) administering oath (Sec. 118.052,
27 Local Government Code) . . . \$2;

1 (iv) filing annual or final account of
2 estate (Sec. 118.052, Local Government Code) . . . \$25;

3 (v) filing application for sale of real or
4 personal property (Sec. 118.052, Local Government Code) . . . \$25;
5 and

6 (vi) filing annual or final report of
7 guardian of a person (Sec. 118.052, Local Government
8 Code) . . . \$10;

9 (C) adverse probate action (Secs. 118.052 and
10 118.057, Local Government Code) . . . \$40; and

11 (D) claim against estate (Secs. 118.052 and
12 118.058, Local Government Code) . . . \$2;

13 (12) other fees (Sec. 118.052, Local Government Code):

14 (A) issuing document (Secs. 118.052 and 118.059,
15 Local Government Code):

16 (i) original document and one copy (Sec.
17 118.052, Local Government Code) . . . \$4; and

18 (ii) each additional set of an original and
19 one copy (Sec. 118.052, Local Government Code) . . . \$4;

20 (B) certified papers (Secs. 118.052 and 118.060,
21 Local Government Code):

22 (i) for the clerk's certificate (Sec.
23 118.052, Local Government Code) . . . \$5; and

24 (ii) a fee per page or part of a page (Sec.
25 118.052, Local Government Code) . . . \$1;

26 (C) noncertified papers, for each page or part of
27 a page (Secs. 118.052 and 118.0605, Local Government

1 Code) . . . \$1;

2 (D) letters testamentary, letter of
3 guardianship, letter of administration, or abstract of judgment
4 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

5 (E) safekeeping of wills (Secs. 118.052 and
6 118.062, Local Government Code) . . . \$5;

7 (F) mail service of process (Secs. 118.052 and
8 118.063, Local Government Code) . . . same as sheriff; and

9 (G) records management and preservation fee
10 (Secs. 118.052, 118.0546, and 118.0645, Local Government
11 Code) . . . \$5;

12 (13) deposit on filing petition requesting permission
13 to create a municipal civic center authority (Sec. 281.013, Local
14 Government Code) . . . \$200;

15 (14) additional filing fee to fund the courthouse
16 security fund, if authorized by the county commissioners court
17 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

18 (15) additional filing fee for filing documents not
19 subject to certain filing fees to fund the courthouse security
20 fund, if authorized by the county commissioners court (Sec.
21 291.008, Local Government Code) . . . \$1;

22 (16) additional filing fee to fund the courthouse
23 security fund in Webb County, if authorized by the county
24 commissioners court (Sec. 291.009, Local Government
25 Code) . . . not to exceed \$20;

26 (17) court cost in civil cases other than suits for
27 delinquent taxes to fund the county law library fund, if authorized

1 by the county commissioners court (Sec. 323.023, Local Government
2 Code) . . . not to exceed \$35;

3 (18) fee for deposit of a will with the county clerk
4 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

5 (19) fee for county attorney in a suit regarding a
6 railroad company's failure to keep roadbed and right-of-way in
7 proper condition (Art. 6327, Vernon's Texas Civil
8 Statutes) . . . \$10;

9 (20) appeal bond from a petitioner or taxpayer in a
10 water control and preservation district (Art. 7818, Vernon's Texas
11 Civil Statutes) . . . \$100; ~~and~~

12 (21) additional filing fee for filing any civil action
13 or proceeding requiring a filing fee, including an appeal, and on
14 the filing of any counterclaim, cross-action, intervention,
15 interpleader, or third-party action requiring a filing fee, to fund
16 civil legal services for the indigent (Sec. 133.153, Local
17 Government Code) . . . \$5; and

18 (22) additional filing fee for each civil suit filed,
19 to fund judicial salaries (Sec. 133.154, Local Government
20 Code) . . . \$35.

21 SECTION 19. The following laws are repealed:

22 (1) Section 2, Chapter 100, Acts of the 78th
23 Legislature, Regular Session, 2003;

24 (2) Section 4, Chapter 62, Acts of the 78th
25 Legislature, Regular Session, 2003;

26 (3) Sections 2 and 4, Chapter 675, Acts of the 78th
27 Legislature, Regular Session, 2003;

1 (4) Chapter 31, Government Code; and

2 (5) Sections 22.214(e), 32.070(c), 32.109(c), and
3 32.246(c), Government Code.

4 SECTION 20. Notwithstanding the repeal of Chapter 31,
5 Government Code, by this Act, a county may continue to supplement
6 the salary under the General Appropriations Act of a justice of a
7 court of appeals serving on September 1, 2005, but the combined
8 amount of a salary of the justice of the court of appeals under the
9 General Appropriations Act and any county supplement may not exceed
10 the combined amount of the justice's salary from state and county
11 funds for the fiscal year beginning September 1, 2004. Payment
12 under this section is for judicial and administrative services
13 performed by the justice in the county.

14 SECTION 21. (a) Not later than December 1, 2005, the Office
15 of Court Administration of the Texas Judicial System shall begin
16 collecting the data required by Section 72.030, Government Code, as
17 added by this Act.

18 (b) Not later than December 1, 2005, the State Bar of Texas
19 shall begin collecting the data required by Section 81.116,
20 Government Code, as added by this Act.

21 SECTION 22. (a) Section 814.103, Government Code, as
22 amended by this Act, and Section 814.1031, Government Code, as
23 added by this Act, apply only to an annuity payment made on or after
24 September 1, 2005.

25 (b) The Employees Retirement System of Texas shall
26 recompute an annuity that first became payable before September 1,
27 2005, as though Section 814.103, Government Code, as amended by

1 this Act, and Section 814.1031, as added by this Act, were in effect
2 on the date the annuity first became payable.

3 (c) The first payment of the recomputed annuity is payable
4 on the first payment date occurring on or after September 1, 2005.

5 SECTION 23. This Act takes effect September 1, 2005.