

AN ACT

relating to filing fees in a civil matter in a justice court or small claims court.

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

SECTION 1. Section 118.122, Local Government Code, is amended to read as follows:

Sec. 118.122. FEES BEFORE ENTRY OF JUDGMENT. (a) The fee for "Services rendered before judgment" under Section 118.121(1) is for all required filings of documents, including the filing of a counterclaim, and all other processes and procedures in a civil matter in a justice court or small claims court.

(b) The fee is paid by the plaintiff or the party initiating the action, counterclaim, cross action, third party action, or intervention at the time the applicable action or counterclaim is initiated. The fee is paid only one time for each of those actions or counterclaims.

SECTION 2. The change in law made by this Act to Section 118.122, Local Government Code, applies only to a counterclaim filed on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1424 passed the Senate on April 21, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1424 passed the House on May 20, 2005, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor