

BILL ANALYSIS

Senate Research Center

S.B. 1182
By: Watson
Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The supreme court is in need of funds to defray the costs and expenses incurred in the operation of the court. Currently, the clerk of the supreme court collects \$50 for each petition filed and an additional \$50 if the petition is granted. The clerks of the courts of appeal collect \$75 to \$100 for each case. Motions filed in the supreme court or a court of appeals cost \$10 to \$15. Fees have not been increased since the mid-1980s.

As proposed, S.B. 1182 requires the comptroller of public accounts to create a supreme court judicial system, and requires the supreme court to fund the system by setting a court cost fee of not more than \$50 for each civil suit filed in a court of appeals or the supreme court.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 22, Government Code, by adding Section 22.016, as follows:

Sec. 22.016. SUPREME COURT JUDICIAL SYSTEM. (a) Requires the comptroller of public accounts (comptroller) to establish a supreme court judicial system to assist the supreme court in the processing of original proceedings and petitions for review from the courts of appeals, and defray other costs and expenses incurred in the operation of the supreme court.

(b) Requires the supreme court to set a court costs fee of not more than \$50 for each civil suit filed in a court of appeals or the supreme court to fund the system.

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

(d) Requires that the court costs fee be taxed, collected, and paid as other court costs in an appeal. Requires the clerk of each court to collect the court costs fee set under this section and to remit the fee to the comptroller. Requires the comptroller to deposit the fee in a separate supreme court judicial system fund. Requires the chief justice of the supreme court to manage the fund for the purposes of the judicial system created under this section. Prohibits the fund from being used for any other purpose.

SECTION 2. Effective date: September 1, 2007.