

By: Creighton

H.B. No. 1126

A BILL TO BE ENTITLED

AN ACT

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relating to the operation of the Ninth Court of Appeals District and to the creation of an appellate judicial system for that court of appeals district.

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

SECTION 1. Section 22.210, Government Code, is amended to read as follows:

Sec. 22.210. NINTH COURT OF APPEALS. (a) The Court of Appeals for the Ninth Court of Appeals District shall be held in the City of Beaumont and the City of Conroe.

(b) Jefferson County [~~The City of Beaumont~~] shall furnish and equip suitable rooms in the City of Beaumont and Montgomery County shall furnish and equip suitable rooms in the City of Conroe for the court and the justices without expense to the state.

(c) The court may transact its business at [~~in the City of Beaumont or~~] the county seat of any county in the district as the court determines is necessary or convenient.

(d) The court shall give preference for the hearing of cases originating in Jefferson, Orange, and Hardin Counties to the City of Beaumont, and the court shall give preference for the hearing of cases originating in Montgomery County to the City of Conroe.

(e) Montgomery County shall each fiscal year pay the total amount of the supplemental salaries to the justices of the court. The chief justice of the court shall make reimbursements to

1 Montgomery County out of the appellate judicial system fund
2 established under Section 22.2101 for the total amount of the
3 supplemental salaries paid by Montgomery County to the justices of
4 the court.

5 SECTION 2. Subchapter C, Chapter 22, Government Code, is
6 amended by adding Section 22.2101 to read as follows:

7 Sec. 22.2101. APPELLATE JUDICIAL SYSTEM. (a) The
8 commissioners court of each county in the Ninth Court of Appeals
9 District, by order entered in its minutes, shall establish an
10 appellate judicial system to:

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

15 (2) defray costs and expenses incurred by the county
16 under Section 22.210.

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

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

22 (d) The court costs fee shall be taxed, collected, and paid
23 as other court costs in a suit. The clerk of the court shall collect
24 the court costs fee set under this section and pay it to the county
25 officer who performs the county treasurer's functions. That
26 officer shall deposit the fee in a separate appellate judicial
27 system fund. The commissioners court shall administer the fund to

1 establish and maintain a fund system to assist the court of appeals
2 in the district. The fund may not be used for any other purpose.

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

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

8 SECTION 3. This Act takes effect October 1, 2007.