

By: McClendon

H.B. No. 2272

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an additional filing fee for civil cases filed in Bexar
3 County.

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

5 SECTION 1. Subchapter H, Chapter 51, Government Code, is
6 amended by adding Section 51.706 to read as follows:

7 Sec. 51.706. ADDITIONAL FILING FEE FOR CIVIL CASES IN BEXAR
8 COUNTY. (a) This section applies only to district courts, probate
9 courts, and county courts at law in Bexar County.

10 (b) Except as otherwise provided by this section and in
11 addition to all other fees authorized or required by other law, the
12 clerk of a court shall collect a filing fee of not more than \$15 in
13 each civil case filed in the court to be used for the construction,
14 renovation, or improvement of the facilities that house the Bexar
15 County civil and criminal courts. The fee does not apply to a suit
16 affecting the parent-child relationship for the adoption of a child
17 or the termination of parental rights.

18 (c) Court fees due under this section shall be collected in
19 the same manner as other fees, fines, or costs are collected in the
20 case.

21 (d) The clerk shall send the fees collected under this
22 section to the county treasurer or to any other official who
23 discharges the duties commonly assigned to the county treasurer at
24 least as frequently as monthly. The treasurer or other official

1 shall deposit the fees in a special account in the county treasury
2 dedicated to the construction, renovation, or improvement of the
3 facilities that house the courts collecting the fee.

4 (e) This section applies only to fees for a 12-month period
5 beginning October 1, if the commissioners court:

6 (1) adopts a resolution authorizing a fee of not more
7 than \$15;

8 (2) adopts a resolution requiring the county to spend
9 one dollar for the construction, renovation, or improvement of the
10 court facilities for each dollar spent from the special account
11 dedicated to that purpose; and

12 (3) files the resolutions with the county treasurer or
13 with any other official who discharges the duties commonly assigned
14 to the county treasurer not later than September 1 immediately
15 preceding the first 12-month period during which the fees are to be
16 collected.

17 (f) A resolution adopted under Subsection (e) continues
18 from year to year until October 1, 2022, allowing the county to
19 collect fees under the terms of this section until the resolution is
20 rescinded.

21 (g) The commissioners court may rescind a resolution
22 adopted under Subsection (e) by adopting a resolution rescinding
23 the resolution and submitting the rescission resolution to the
24 county treasurer or to any other official who discharges the duties
25 commonly assigned to the county treasurer not later than September
26 1 preceding the beginning of the first day of the county fiscal
27 year. The commissioners court may adopt an additional resolution

1 in the manner provided by Subsection (e) after rescinding a
2 previous resolution under that subsection.

3 (h) A fee established under a particular resolution is
4 abolished on the earlier of:

5 (1) the date a resolution adopted under Subsection (e)
6 is rescinded as provided by Subsection (g); or

7 (2) October 1, 2022.

8 (i) The county may make the required expenditure described
9 by Subsection (e)(2) at any time, regardless of when the
10 expenditure from the special account occurs.

11 SECTION 2. Section 101.061, Government Code, is amended to
12 read as follows:

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

15 (1) filing fee in action with respect to a fraudulent
16 court record or fraudulent lien or claim filed against property
17 (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

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

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

27 (4) appellate judicial system filing fees for:

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

3 (B) Second Court of Appeals District (Sec.
4 22.2031, Government Code) . . . not more than \$5;

5 (C) Fourth Court of Appeals District (Sec.
6 22.2051, Government Code) . . . not more than \$5;

7 (D) Fifth Court of Appeals District (Sec.
8 22.2061, Government Code) . . . not more than \$5; and

9 (E) Thirteenth Court of Appeals District (Sec.
10 22.2141, Government Code) . . . not more than \$5;

11 (5) additional filing fees:

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

15 (B) for each civil suit filed, for court-related
16 purposes for the support of the judiciary and for civil legal
17 services to an indigent:

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

21 (ii) for any case other than a case
22 described by Subparagraph (i) (Sec. 133.151, Local Government Code)
23 . . . \$50;

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

27 (D) on the filing of any civil action or

1 proceeding requiring a filing fee, including an appeal, and on the
2 filing of any counterclaim, cross-action, intervention,
3 interpleader, or third-party action requiring a filing fee, to fund
4 civil legal services for the indigent:

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

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

11 (E) to fund the improvement of Bexar County court
12 facilities, if authorized by the county commissioners court (Sec.
13 51.706, Government Code) . . . not more than \$15;

14 (6) for filing a suit, including an appeal from an
15 inferior court:

16 (A) for a suit with 10 or fewer plaintiffs (Sec.
17 51.317, Government Code) . . . \$50;

18 (B) for a suit with at least 11 but not more than
19 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

20 (C) for a suit with at least 26 but not more than
21 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

22 (D) for a suit with at least 101 but not more than
23 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

24 (E) for a suit with at least 501 but not more than
25 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

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

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

4 (8) for issuing a citation or other writ or process not
5 otherwise provided for, including one copy, when requested at the
6 time a suit or action is filed (Sec. 51.317, Government Code) . . .
7 \$8;

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

10 (10) for issuing a subpoena, including one copy (Sec.
11 51.318, Government Code) . . . \$8;

12 (11) for issuing a citation, commission for
13 deposition, writ of execution, order of sale, writ of execution and
14 order of sale, writ of injunction, writ of garnishment, writ of
15 attachment, or writ of sequestration not provided for in Section
16 51.317, or any other writ or process not otherwise provided for,
17 including one copy if required by law (Sec. 51.318, Government
18 Code) . . . \$8;

19 (12) for searching files or records to locate a cause
20 when the docket number is not provided (Sec. 51.318, Government
21 Code) . . . \$5;

22 (13) for searching files or records to ascertain the
23 existence of an instrument or record in the district clerk's office
24 (Sec. 51.318, Government Code) . . . \$5;

25 (14) for abstracting a judgment (Sec. 51.318,
26 Government Code) . . . \$8;

27 (15) for approving a bond (Sec. 51.318, Government

1 Code) . . . \$4;

2 (16) for a certified copy of a record, judgment,
3 order, pleading, or paper on file or of record in the district
4 clerk's office, including certificate and seal, for each page or
5 part of a page (Sec. 51.318, Government Code) . . . \$1;

6 (17) for a noncertified copy, for each page or part of
7 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

8 (18) jury fee (Sec. 51.604, Government Code) . . .
9 \$30;

10 (19) for filing a report of divorce or annulment (Sec.
11 194.002, Health and Safety Code) . . . \$1;

12 (20) for filing a suit in Comal County (Sec. 152.0522,
13 Human Resources Code) . . . \$4;

14 (21) additional filing fee for family protection on
15 filing a suit for dissolution of a marriage under Chapter 6, Family
16 Code, if authorized by the county commissioners court (Sec. 51.961,
17 Government Code) . . . not to exceed \$30;

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

22 (22-a) a child support service fee in Nueces County if
23 ordered by the commissioners court and assessed by the court (Sec.
24 152.1844, Human Resources Code) . . . not to exceed \$5 a month
25 payable annually in advance;

26 (22-b) a service fee to be paid by a person ordered by
27 a district court to pay child or spousal support:

1 (A) in Collin County if authorized by the
2 juvenile board (Sec. 152.0492, Human Resources Code) . . . not to
3 exceed \$2.50 added to first support payment each month;

4 (B) in Johnson County if authorized by the
5 juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00
6 added to first support payment each month; and

7 (C) in Montague County (Sec. 152.1752, Human
8 Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50
9 cents if fee is ordered to be paid semimonthly or weekly;

10 (22-c) attorney's fees as an additional cost in
11 Montague County on a finding of contempt of court for failure to pay
12 child or spousal support if the contempt action is initiated by the
13 probation department (Sec. 152.1752, Human Resources Code) . . .
14 \$15;

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

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

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

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

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

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

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

9 (30) additional filing fee for filing documents not
10 subject to certain filing fees to fund the courthouse security
11 fund, if authorized by the county commissioners court (Sec.
12 291.008, Local Government Code) . . . \$1;

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

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

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

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

1 (35) at a hearing held by an associate judge in Duval
2 County, a court cost to preserve the record (Sec. 54.1151,
3 Government Code, as added by Chapter 1150, Acts of the 78th
4 Legislature, Regular Session, 2003) . . . as imposed by the
5 referring court or associate judge;

6 (36) court fees and costs, if ordered by the court, for
7 a suit filed by an inmate in which an affidavit or unsworn
8 declaration of inability to pay costs is filed by the inmate (Sec.
9 14.006, Civil Practice and Remedies Code) . . . the lesser of:

10 (A) 20 percent of the preceding six months'
11 deposits to the inmate's trust account administered by the Texas
12 Department of Criminal Justice under Section 501.014, Government
13 Code; or

14 (B) the total amount of court fees and costs;

15 (37) monthly payment for remaining court fees and
16 costs after the initial payment for a suit in which an affidavit or
17 unsworn declaration of inability to pay costs is filed by the inmate
18 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser
19 of:

20 (A) 10 percent of that month's deposit to the
21 inmate's trust account administered by the Texas Department of
22 Criminal Justice under Section 501.014, Government Code; or

23 (B) the total amount of court fees and costs that
24 remain unpaid;

25 (38) the following costs not otherwise charged to the
26 inmate under Section 14.006, Civil Practice and Remedies Code, if
27 the inmate has previously filed an action dismissed as malicious or

1 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

2 (A) expenses of service of process;

3 (B) postage; and

4 (C) transportation, housing, or medical care
5 incurred in connection with the appearance of the inmate in the
6 court for any proceeding;

7 (39) fee for performing a service:

8 (A) related to the matter of the estate of a
9 deceased person (Sec. 51.319, Government Code) . . . the same fee
10 allowed the county clerk for those services;

11 (B) related to the matter of a minor (Sec.
12 51.319, Government Code) . . . the same fee allowed the county
13 clerk for the service;

14 (C) of serving process by certified or registered
15 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
16 constable is authorized to charge for the service under Section
17 118.131, Local Government Code; and

18 (D) prescribed or authorized by law but for which
19 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

20 (40) court costs, which may include expert witness
21 fees in Travis County in an action in which the plaintiff prevails
22 against an insurer for economic damages sustained by the plaintiff
23 as a result of unfair discrimination (Sec. 544.054, Insurance Code)
24 . . . court costs and reasonable and necessary expert witness fees;

25 (41) security deposit on filing, by any person other
26 than the personal representative of an estate, an application,
27 complaint, or opposition in relation to the estate, if required by

1 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
2 proceeding;

3 (42) security deposit on filing, by any person other
4 than the guardian, attorney ad litem, or guardian ad litem, an
5 application, complaint, or opposition in relation to a guardianship
6 matter, if required by the clerk (Sec. 622, Texas Probate Code)
7 . . . probable cost of the guardianship proceeding; and

8 (43) fee for filing an additional petition for review
9 of an appraisal review board order relating to certain regulated
10 property running through or operating in more than one county after
11 the first petition for review relating to the same property is filed
12 for a tax year (Sec. 42.221, Tax Code) . . . \$5.

13 SECTION 3. Section 101.081, Government Code, is amended to
14 read as follows:

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

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

22 (2) appellate judicial system filing fees:

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

25 (B) Second Court of Appeals District (Sec.
26 22.2031, Government Code) . . . not more than \$5;

27 (C) Fourth Court of Appeals District (Sec.

1 22.2051, Government Code) . . . not more than \$5;

2 (D) Fifth Court of Appeals District (Sec.
3 22.2061, Government Code) . . . not more than \$5; and

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

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

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

11 (5) a stenographer fee, if a record or part of a record
12 is made:

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

15 (B) in a county court at law in Nolan County (Sec.
16 25.1792, Government Code) . . . \$25;

17 (6) jury fee (Sec. 51.604, Government Code) . . . \$22;

18 (7) an additional filing fee:

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

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

26 (C) for filing any civil action or proceeding
27 requiring a filing fee, including an appeal, and on the filing of

1 any counterclaim, cross-action, intervention, interpleader, or
2 third-party action requiring a filing fee, to fund civil legal
3 services for the indigent (Sec. 133.153, Local Government Code)
4 . . . \$5; and

5 (D) to fund the improvement of Bexar County court
6 facilities, if authorized by the county commissioners court (Sec.
7 51.706, Government Code) . . . not more than \$15;

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

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

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

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

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

21 (13) civil court actions (Sec. 118.052, Local
22 Government Code):

23 (A) filing of original action (Secs. 118.052 and
24 118.053, Local Government Code):

25 (i) garnishment after judgment (Sec.
26 118.052, Local Government Code) . . . \$15; and

27 (ii) all others (Sec. 118.052, Local

1 Government Code) . . . \$40;

2 (B) filing of action other than original (Secs.
3 118.052 and 118.054, Local Government Code) . . . \$30; and

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

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

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

10 (14) probate court actions (Sec. 118.052, Local
11 Government Code):

12 (A) probate original action (Secs. 118.052 and
13 118.055, Local Government Code):

14 (i) probate of a will with independent
15 executor, administration with will attached, administration of an
16 estate, guardianship or receivership of an estate, or muniment of
17 title (Sec. 118.052, Local Government Code) . . . \$40;

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

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

22 (iv) declarations of heirship (Sec.
23 118.052, Local Government Code) . . . \$40;

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

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

1 (B) services in pending probate action (Secs.
2 118.052 and 118.056, Local Government Code):

3 (i) filing an inventory and appraisement
4 after the 120th day after the date of the initial filing of the
5 action (Sec. 118.052, Local Government Code) . . . \$25;

6 (ii) approving and recording bond (Sec.
7 118.052, Local Government Code) . . . \$3;

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

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

12 (v) filing application for sale of real or
13 personal property (Sec. 118.052, Local Government Code). . . \$25;

14 (vi) filing annual or final report of
15 guardian of a person (Sec. 118.052, Local Government Code) . . .
16 \$10; and

17 (vii) filing a document not listed under
18 this paragraph after the filing of an order approving the inventory
19 and appraisement or after the 120th day after the date of the
20 initial filing of the action, whichever occurs first (Secs. 118.052
21 and 191.007, Local Government Code), if more than 25 pages . . .
22 \$25;

23 (C) adverse probate action (Secs. 118.052 and
24 118.057, Local Government Code) . . . \$40; and

25 (D) claim against estate (Secs. 118.052 and
26 118.058, Local Government Code) . . . \$2;

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

1 (A) issuing document (Secs. 118.052 and 118.059,
2 Local Government Code):

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

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

7 (B) certified papers (Secs. 118.052 and 118.060,
8 Local Government Code):

9 (i) for the clerk's certificate (Sec.
10 118.052, Local Government Code) . . . \$5; and

11 (ii) a fee per page or part of a page (Sec.
12 118.052, Local Government Code) . . . \$1;

13 (C) noncertified papers, for each page or part of
14 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
15 \$1;

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

19 (E) safekeeping of wills (Secs. 118.052 and
20 118.062, Local Government Code) . . . \$5;

21 (F) mail service of process (Secs. 118.052 and
22 118.063, Local Government Code) . . . same as sheriff; and

23 (G) records management and preservation fee
24 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
25 . . . \$5;

26 (16) additional filing fee to fund the courthouse
27 security fund, if authorized by the county commissioners court

1 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

2 (17) additional filing fee for filing documents not
3 subject to certain filing fees to fund the courthouse security
4 fund, if authorized by the county commissioners court (Sec.
5 291.008, Local Government Code) . . . \$1;

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

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

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

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

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

23 (23) court fees and costs, if ordered by the court, for
24 a suit filed by an inmate in which an affidavit or unsworn
25 declaration of inability to pay costs is filed by the inmate (Sec.
26 14.006, Civil Practice and Remedies Code) . . . the lesser of:

27 (A) 20 percent of the preceding six months'

1 deposits to the inmate's trust account administered by the Texas
2 Department of Criminal Justice under Section 501.014, Government
3 Code; or

4 (B) the total amount of court fees and costs;

5 (24) monthly payment for remaining court fees and
6 costs after the initial payment for a suit in which an affidavit or
7 unsworn declaration of inability to pay costs is filed by the inmate
8 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser
9 of:

10 (A) 10 percent of that month's deposit to the
11 inmate's trust account administered by the Texas Department of
12 Criminal Justice under Section 501.014, Government Code; or

13 (B) the total amount of court fees and costs that
14 remain unpaid;

15 (25) the following costs not otherwise charged to the
16 inmate under Section 14.006, Civil Practice and Remedies Code, if
17 the inmate has previously filed an action dismissed as malicious or
18 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

19 (A) expenses of service of process;

20 (B) postage; and

21 (C) transportation, housing, or medical care
22 incurred in connection with the appearance of the inmate in the
23 court for any proceeding;

24 (26) the official court reporter's fee taxed as costs
25 in civil actions in a statutory county court:

26 (A) in Bexar County Courts at Law:

27 (i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12

1 (Sec. 25.0172, Government Code) . . . taxed in the same manner as
2 the fee is taxed in district court; and

3 (ii) No. 2 (Sec. 25.0172, Government Code)
4 . . . \$3;

5 (B) in Galveston County (Sec. 25.0862,
6 Government Code) . . . taxed in the same manner as the fee is taxed
7 in civil cases in the district courts; and

8 (C) in Parker County (Sec. 25.1862, Government
9 Code) . . . taxed in the same manner as the fee is taxed in civil
10 cases in the district courts;

11 (27) a stenographer's fee as costs in each civil,
12 criminal, and probate case in which a record is made by the official
13 court reporter in a statutory county court in Nolan County (Sec.
14 25.1792, Government Code) . . . \$25;

15 (28) in Brazoria County, in matters of concurrent
16 jurisdiction with the district court, fees (Sec. 25.0222,
17 Government Code) . . . as prescribed by law for district judges
18 according to the nature of the matter;

19 (29) in Nueces County, in matters of concurrent
20 jurisdiction with the district court, with certain exceptions, fees
21 (Sec. 25.1802, Government Code) . . . equal to those in district
22 court cases;

23 (30) security deposit on filing, by any person other
24 than the personal representative of an estate, an application,
25 complaint, or opposition in relation to the estate, if required by
26 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
27 proceeding;

1 (31) security deposit on filing, by any person other
2 than the guardian, attorney ad litem, or guardian ad litem, an
3 application, complaint, or opposition in relation to a guardianship
4 matter, if required by the clerk (Sec. 622, Texas Probate Code)
5 . . . probable cost of the guardianship proceeding;

6 (32) for a hearing or proceeding under the Texas
7 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
8 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .
9 reasonable compensation to the following persons appointed under
10 the Texas Mental Health Code:

- 11 (A) attorneys;
- 12 (B) physicians;
- 13 (C) language interpreters;
- 14 (D) sign interpreters; and
- 15 (E) masters;

16 (33) for a hearing or proceeding under the Texas
17 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
18 costs (Sec. 571.018, Health and Safety Code):

- 19 (A) attorney's fees;
- 20 (B) physician examination fees;
- 21 (C) expense of transportation to a mental health
22 facility or to a federal agency not to exceed \$50 if transporting
23 within the same county and not to exceed the reasonable cost of
24 transportation if transporting between counties;
- 25 (D) costs and salary supplements authorized
26 under Section 574.031, Health and Safety Code; and
- 27 (E) prosecutors' fees authorized under Section

1 574.031, Health and Safety Code;

2 (34) expenses of transporting certain patients from
3 the county of treatment to a hearing in the county in which the
4 proceedings originated (Sec. 574.008, Health and Safety Code) . . .
5 actual expenses unless certain arrangements are made to hold the
6 hearing in the county in which the patient is receiving services;

7 (35) expenses for expert witness testimony for an
8 indigent patient (Sec. 574.010, Health and Safety Code) . . . if
9 authorized by the court as reimbursement to the attorney ad litem,
10 court-approved expenses;

11 (36) fee for judge's services for holding a hearing on
12 an application for court-ordered mental health services (Sec.
13 574.031, Health and Safety Code) . . . as assessed by the judge, not
14 to exceed \$50;

15 (37) expenses to reimburse judge for holding a hearing
16 in a hospital or location other than the county courthouse (Sec.
17 574.031, Health and Safety Code) . . . reasonable and necessary
18 expenses as certified;

19 (38) fee for services of a prosecuting attorney,
20 including costs incurred for preparation of documents related to a
21 hearing on an application for court-ordered mental health services
22 (Sec. 574.031, Health and Safety Code) . . . as assessed by the
23 judge, not to exceed \$50; and

24 (39) a fee not otherwise listed in this section that is
25 required to be collected under Section 25.0008, Government Code
26 (Sec. 25.0008, Government Code), in a county other than Brazos,
27 Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore,

1 Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as
2 prescribed by law relating to county judges' fees.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2007.