

By: Gattis, Rose

H.B. No. 3413

Substitute the following for H.B. No. 3413:

By: Hartnett

C.S.H.B. No. 3413

A BILL TO BE ENTITLED

AN ACT

relating to jury assembly and administration.

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

SECTION 1. Section 51.604, Government Code, is amended by amending Subsection (a) and adding Subsections (d), (e), (f), (g), (h), and (i) to read as follows:

(a) The district clerk shall collect a \$60 [~~\$30~~] jury fee for each civil case in which a person applies for a jury trial. The clerk of a county court or statutory county court shall collect a \$60 [~~\$22~~] jury fee for each civil case in which a person applies for a jury trial. The clerk shall note the payment of the fee on the court's docket. A jury fee is nonrefundable.

(d) The jury assembly and administration fund is a fund in the state treasury. The comptroller shall administer the fund.

(e) The money in the fund may only be appropriated to the secretary of state or the supreme court for the purpose of improving jury assembly and administration in the state.

(f) A district clerk shall send to the comptroller before the last day of the first month following each calendar quarter \$30 of each fee collected under this section during the preceding quarter for deposit to the credit of the jury assembly and administration fund.

(g) A district clerk shall send to the county treasurer or to any other official who discharges the duties commonly delegated

1 to the county treasurer \$30 of each fee collected under this section
2 for deposit in the general fund of the county to be used only to pay
3 for juror services.

4 (h) The clerk of a county court or statutory county court
5 shall send to the comptroller before the last day of the first month
6 following each calendar quarter \$38 of each fee collected under
7 this section during the preceding quarter for deposit to the credit
8 of the jury assembly and administration fund.

9 (i) The clerk of a county court or statutory county court
10 shall send to the county treasurer or to any other official who
11 discharges the duties commonly delegated to the county treasurer
12 \$22 of each fee collected under this section for deposit in the
13 general fund of the county to be used only to pay for juror
14 services.

15 SECTION 2. Section 62.001, Government Code, is amended to
16 read as follows:

17 Sec. 62.001. JURY SOURCE; MASTER JURY LIST [~~RECONSTITUTION~~
18 ~~OF JURY WHEEL~~]. (a) The secretary of state shall compile a master
19 jury list for each county [~~wheel must be reconstituted by~~] using, as
20 the source:

21 (1) the names of all persons on the current voter
22 registration lists from all the precincts in the county; and

23 (2) all names on a current list to be furnished by the
24 Department of Public Safety, showing the citizens of the county
25 who:

26 (A) hold a valid Texas driver's license or a
27 valid personal identification card or certificate issued by the

1 department; and

2 (B) are not disqualified from jury service under
3 Section 62.102(1), (2), or (7).

4 (b) Notwithstanding Subsection (a), the names of persons
5 listed on a register of persons exempt from jury service may not be
6 placed in the master jury list [~~wheel~~], as provided by Sections
7 62.108 and 62.109.

8 (c) On or before the first Monday in January, April, July,
9 and October of each year [~~Each year not later than the third Tuesday~~
10 ~~in November or the date provided by Section 16.032, Election Code,~~
11 ~~for the cancellation of voter registrations, whichever is earlier~~],
12 the voter registrar of each county shall furnish to the secretary of
13 state a current voter registration list from all the precincts in
14 the county that, except as provided by Subsection (d), includes:

15 (1) the complete name, mailing address, date of birth,
16 voter registration number, and precinct number for each voter;

17 (2) if available, the Texas driver's license number or
18 personal identification card or certificate number and social
19 security number for each voter; and

20 (3) any other information included on the voter
21 registration list of the county.

22 (d) The list required by Subsection (c) may exclude, at the
23 option of the voter registrar of each county, the names of persons
24 on the suspense list maintained under Section 15.081, Election
25 Code.

26 (e) The voter registrar shall send a list of the names of
27 persons excluded to the secretary of state with the list required by

1 Subsection (c).

2 (f) The Department of Public Safety shall furnish a list to
3 the secretary of state that shows the names required under
4 Subsection (a)(2) and that contains any of the information
5 enumerated in Subsection (c) that is available to the department,
6 including citizenship status and county of residence. The list
7 shall exclude the names of convicted felons, persons who are not
8 citizens of the United States, persons residing outside the county,
9 and the duplicate name of any registrant. The department shall
10 furnish the list to the secretary of state on or before the first
11 Monday in January, April, July, and October of each year.

12 (f-1) The district clerk of a county shall send a list of the
13 names of persons who have recently been summoned for jury service
14 under a plan developed in accordance with Section 62.022. The clerk
15 shall furnish the list to the secretary of state on or before the
16 first Monday in January, April, July, and October of each year.

17 (g) The secretary of state shall accept the lists furnished
18 as provided by Subsections (c) through (f-1) [~~(f)~~]. The secretary
19 of state shall combine the lists, and, notwithstanding Subsection
20 (a), remove the name of each person who has recently been summoned
21 for jury service [~~eliminate duplicate names, and send the combined~~
22 ~~list to each county on or before December 31 of each year or as may~~
23 ~~be required~~] under a plan developed in accordance with Section
24 62.022 [~~62.011~~]. The district clerk of a county [~~that has adopted a~~
25 ~~plan under Section 62.011~~] shall give the secretary of state notice
26 not later than the 90th day before the date the updated master jury
27 list is required. The list furnished the county must be in a

1 format, electronic or printed copy, as requested by the county and
2 must be certified by the secretary of state stating that the list
3 contains the names required by Subsections (c) through (f),
4 eliminating duplications. The secretary of state shall furnish the
5 list free of charge.

6 ~~[(h) If the secretary of state is unable to furnish the list
7 as provided in this section because of the failure of the voter
8 registrar to furnish the county voter registration list to the
9 secretary of state, the county tax assessor-collector, sheriff,
10 county clerk, and district clerk in the county shall meet at the
11 county courthouse between January 1 and January 15 of the following
12 year and shall reconstitute the jury wheel for the county, except as
13 provided under a plan adopted under Section 62.011. The deadlines
14 included in the plan control for preparing the list and
15 reconstituting the wheel. The secretary of state shall send the
16 list furnished by the Department of Public Safety as provided by
17 Subsection (f) to the voter registrar, who shall combine the lists
18 as described in this section for use as the juror source and certify
19 the combined list as required of the secretary of state under
20 Subsection (g).~~

21 ~~[(i) The commissioners court may, instead of using the
22 method provided by Subsections (c) through (h), contract with
23 another governmental unit or a private person to combine the voter
24 registration list with the list furnished by the Department of
25 Public Safety. Subsections (c) through (h) do not apply to a county
26 in which the commissioners court has contracted with another
27 governmental unit or a private person under this subsection. The~~

1 ~~Department of Public Safety may not charge a fee for furnishing a~~
2 ~~list under this subsection. Each list must contain the name, date~~
3 ~~of birth, address, county of residence, and citizenship status of~~
4 ~~each person listed. If practical, each list must contain any other~~
5 ~~information useful in determining if the person is qualified to~~
6 ~~serve as a juror.~~

7 ~~[(j) Notwithstanding Subsection (a), in a county with a~~
8 ~~population of 250,000 or more, the names of persons who are summoned~~
9 ~~for jury service in the county and who appear for service must be~~
10 ~~removed from the jury wheel and may not be maintained in the jury~~
11 ~~wheel until the third anniversary of the date the person appeared~~
12 ~~for service or until the next date the jury wheel is reconstituted,~~
13 ~~whichever date occurs earlier. This subsection applies regardless~~
14 ~~of whether the person served on a jury as a result of the summons.~~

15 ~~[(k) In reconstituting the jury wheel, the county or~~
16 ~~district clerk shall update jury wheel cards to reflect addresses~~
17 ~~that have been changed as provided by Section 62.0146.]~~

18 SECTION 3. Section 62.019(d), Government Code, is amended
19 to read as follows:

20 (d) The bailiffs and assistant and deputy bailiffs
21 appointed by the district judges shall take care of the general
22 panel and perform the duties in connection with the supervision of
23 the central jury room and the general panel that are required by the
24 district judges. They may notify prospective jurors whose names
25 are drawn from the master jury list ~~[wheel]~~ or selected by other
26 means provided by law to appear for jury service and may serve
27 notices on absent jurors as directed by the district judge having

1 control of the general jury panel.

2 SECTION 4. Subchapter A, Chapter 62, Government Code, is
3 amended by adding Section 62.022 to read as follows:

4 Sec. 62.022. COUNTY JURY ADMINISTRATION PLAN. (a) On the
5 recommendation of a majority of the district, statutory probate,
6 statutory county, and county court judges in a county, the
7 commissioners court, by order entered in its minutes, shall adopt a
8 jury administration plan.

9 (b) The commissioners court shall submit a plan adopted
10 under Subsection (a) to the supreme court. The plan must be
11 approved by the supreme court or its designee before it may be
12 implemented. The supreme court or its designee may alter or abolish
13 the plan at any time.

14 (c) A plan authorized by this section must:

15 (1) be proposed in writing to the commissioners court
16 by a majority of the district, statutory probate, statutory county,
17 and county court judges in the county at a meeting of the judges
18 called for that purpose;

19 (2) provide a fair, impartial, and objective jury
20 administration process;

21 (3) require the local administrative judge to
22 designate the district clerk or another person as the officer in
23 charge of jury administration;

24 (4) define the jury administration officer's duties;

25 (5) ensure that the pool of jurors available for all
26 courts is selected randomly; and

27 (6) require the documentation of any alteration made

1 by the county to a list of persons available for assignment to a
2 jury list.

3 (d) A plan authorized by this section may determine:

4 (1) the timing and frequency of the issuance of juror
5 summonses;

6 (2) the number of jurors that may be summoned;

7 (3) the manner by which a juror may be rescheduled;

8 (4) the manner by which the name of a rescheduled juror
9 is mixed into a jury list;

10 (5) the process by which panels are formed and
11 assigned to courts;

12 (6) whether jurors may be summoned to one central
13 location or to individual courts;

14 (7) the identity and number of persons responsible
15 for juror orientation;

16 (8) the procedure for juror orientation;

17 (9) the identity and number of persons responsible for
18 decisions on qualifications, exemptions, and rescheduling;

19 (10) the procedure for making decisions on juror
20 qualifications, exemptions, and rescheduling;

21 (11) the procedure for enhancing the accuracy of the
22 list of persons available for assignment to a jury list;

23 (12) whether a juror may be assigned for more than one
24 day or one trial, and the process for making such an assignment;

25 (13) whether a juror may be immediately reassigned to
26 another trial after the juror has been eliminated due to a for-cause
27 or peremptory challenge, and the process for making the assignment;

1 (14) how the Internet may be used for juror
2 communications and rescheduling;

3 (15) special procedures for death-qualified capital
4 cases;

5 (16) whether justice of the peace or municipal courts
6 may use jurors that have been summoned by the county; or

7 (17) when litigants or attorneys may be informed of
8 who has been summoned for jury duty.

9 (e) The provisions of a plan that has been approved by the
10 supreme court control to the extent they conflict with another
11 provision of this chapter.

12 (f) Not later than November 1 of each year that a county
13 operates under a plan, the county shall submit a report to the
14 supreme court that details the county's compliance with the plan.
15 The county shall submit additional information regarding the plan
16 or its implementation on request of the supreme court or its
17 designee.

18 (g) A failure to follow a procedure governed by a plan is not
19 a ground for appeal.

20 (h) The public shall be granted reasonable access to the
21 jury administration process.

22 SECTION 5. Section 62.102, Government Code, is amended to
23 read as follows:

24 Sec. 62.102. GENERAL QUALIFICATIONS FOR JURY SERVICE. A
25 person is disqualified to serve as a petit juror unless the person:

26 (1) is at least 18 years of age;

27 (2) is a citizen of this state and of the county in

1 which the person is to serve as a juror;

2 (3) is qualified under the constitution and laws to
3 vote in the county in which the person is to serve as a juror;

4 (4) is of sound mind and good moral character;

5 (5) is able to read and write;

6 (6) has not served as a petit juror for six days during
7 the preceding three months in the county court or during the
8 preceding six months in the district court;

9 (7) has not been convicted of [~~misdemeanor theft or~~] a
10 felony; and

11 (8) is not under indictment or other legal accusation
12 for [~~misdemeanor theft or~~] a felony.

13 SECTION 6. Section 62.106(a), Government Code, is amended
14 to read as follows:

15 (a) A person qualified to serve as a petit juror may
16 establish an exemption from jury service if the person:

17 (1) is over 70 years of age;

18 (2) has legal custody of a child younger than 12 [~~10~~]
19 years of age and the person's service on the jury requires leaving
20 the child without adequate supervision;

21 (3) is a student of a [~~public or private~~] secondary
22 school that is in session on a date that jury selection or the trial
23 takes place;

24 (4) is a person enrolled and in actual attendance at an
25 institution of higher education;

26 (5) is an officer or an employee of the senate, the
27 house of representatives, or any department, commission, board,

1 office, or other agency in the legislative branch of state
2 government;

3 (6) ~~[is summoned for service in a county with a~~
4 ~~population of at least 200,000, unless that county uses a jury plan~~
5 ~~under Section 62.011 and the period authorized under Section~~
6 ~~62.011(b)(5) exceeds two years, and the person has served as a petit~~
7 ~~juror in the county during the 24-month period preceding the date~~
8 ~~the person is to appear for jury service;~~

9 ~~[(7)]~~ is the primary caretaker of a person who is an
10 invalid unable to care for himself;

11 ~~[(8) except as provided by Subsection (b), is summoned~~
12 ~~for service in a county with a population of at least 250,000 and~~
13 ~~the person has served as a petit juror in the county during the~~
14 ~~three-year period preceding the date the person is to appear for~~
15 ~~jury service;]~~ or

16 (7) ~~[(9)]~~ is a member of the United States military
17 forces serving on active duty and deployed to a location away from
18 the person's home station and out of the person's county of
19 residence.

20 SECTION 7. Section 62.107(b), Government Code, is amended
21 to read as follows:

22 (b) A person may also claim an exemption from jury service
23 under Section 62.106 by filing with the sheriff, tax
24 assessor-collector, or district or county clerk of the county of
25 his residence a sworn statement that sets forth the ground of and
26 claims the exemption. The name of a person who claims his exemption
27 by filing the sworn statement may not be placed in the master jury

1 list [~~wheel~~] for the ensuing year.

2 SECTION 8. Section 62.108(d), Government Code, is amended
3 to read as follows:

4 (d) The name of a person on the register of persons
5 permanently exempt from jury service may not be placed in the master
6 jury list [~~wheel~~] or otherwise used in preparing the record of names
7 from which a jury is selected.

8 SECTION 9. Section 62.109(d), Government Code, is amended
9 to read as follows:

10 (d) A person listed on the register may not be summoned for
11 jury service during the period for which the person is exempt. The
12 name of a person listed on the register may not be placed in the
13 master jury list [~~wheel~~] or otherwise used in preparing the record
14 of names from which a jury list is selected during the period for
15 which the person is exempt.

16 SECTION 10. Sections 62.302(a) and (c), Government Code,
17 are amended to read as follows:

18 (a) The county judge or a judge of a county court at law may
19 order the drawing of names from the master jury list [~~wheel~~] if the
20 judge considers the number of prospective jurors already drawn to
21 be insufficient or if an interchangeable general jury panel is not
22 drawn as provided by a county jury administration plan under
23 Section 62.022 [~~Section 62.016, 62.017, or 62.0175~~].

24 (c) The county judge and a judge of a county court at law
25 concurrently have the same power to determine and remedy a
26 deficiency in the number of prospective jurors as the district
27 judge designated to control a general jury panel as provided by a

1 county jury administration plan under Section 62.022 [~~Section~~
2 ~~62.016, 62.017, or 62.0175~~]. Except as otherwise provided by this
3 section, the applicable general provisions in Subchapter A that
4 govern the drawing of names of prospective jurors by the district
5 judge govern the drawing of names under this section.

6 SECTION 11. Section 101.061, Government Code, is amended to
7 read as follows:

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

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

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

18 (3) 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 (4) appellate judicial system filing fees for:

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 (5) additional filing fees:

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

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

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

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

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

22 (D) on the filing of any civil action or
23 proceeding requiring a filing fee, including an appeal, and on the
24 filing of any counterclaim, cross-action, intervention,
25 interpleader, or third-party action requiring a filing fee, to fund
26 civil legal services for the indigent:

27 (i) for family law cases and proceedings as

1 defined by Section 25.0002, Government Code (Sec. 133.152, Local
2 Government Code) . . . \$5; or

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

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

8 (A) for a suit with 10 or fewer plaintiffs (Sec.
9 51.317, Government Code) . . . \$50;

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

12 (C) for a suit with at least 26 but not more than
13 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

14 (D) for a suit with at least 101 but not more than
15 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

16 (E) for a suit with at least 501 but not more than
17 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

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

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

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

27 (9) for records management and preservation (Sec.

- 1 51.317, Government Code) . . . \$10;
- 2 (10) for issuing a subpoena, including one copy (Sec.
3 51.318, Government Code) . . . \$8;
- 4 (11) for issuing a citation, commission for
5 deposition, writ of execution, order of sale, writ of execution and
6 order of sale, writ of injunction, writ of garnishment, writ of
7 attachment, or writ of sequestration not provided for in Section
8 51.317, or any other writ or process not otherwise provided for,
9 including one copy if required by law (Sec. 51.318, Government
10 Code) . . . \$8;
- 11 (12) for searching files or records to locate a cause
12 when the docket number is not provided (Sec. 51.318, Government
13 Code) . . . \$5;
- 14 (13) for searching files or records to ascertain the
15 existence of an instrument or record in the district clerk's office
16 (Sec. 51.318, Government Code) . . . \$5;
- 17 (14) for abstracting a judgment (Sec. 51.318,
18 Government Code) . . . \$8;
- 19 (15) for approving a bond (Sec. 51.318, Government
20 Code) . . . \$4;
- 21 (16) for a certified copy of a record, judgment,
22 order, pleading, or paper on file or of record in the district
23 clerk's office, including certificate and seal, for each page or
24 part of a page (Sec. 51.318, Government Code) . . . \$1;
- 25 (17) for a noncertified copy, for each page or part of
26 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;
- 27 (18) jury fee (Sec. 51.604, Government Code) . . . \$60

1 [~~\$30~~];

2 (19) for filing a report of divorce or annulment (Sec.
3 194.002, Health and Safety Code) . . . \$1;

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

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

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

14 (22-a) a child support service fee in Nueces County if
15 ordered by the commissioners court and assessed by the court (Sec.
16 152.1844, Human Resources Code) . . . not to exceed \$5 a month
17 payable annually in advance;

18 (22-b) a service fee to be paid by a person ordered by
19 a district court to pay child or spousal support:

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

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

26 (C) in Montague County (Sec. 152.1752, Human
27 Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50

1 cents if fee is ordered to be paid semimonthly or weekly;

2 (22-c) attorney's fees as an additional cost in
3 Montague County on a finding of contempt of court for failure to pay
4 child or spousal support if the contempt action is initiated by the
5 probation department (Sec. 152.1752, Human Resources Code) . . .
6 \$15;

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

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

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

15 (26) court costs on citation for contempt of court in
16 Orange County for failure to comply with a child support order or
17 order providing for possession of or access to a child (Sec.
18 152.1873, Human Resources Code) . . . amount determined by district
19 clerk;

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

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

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

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

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

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

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

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

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

25 (36) court fees and costs, if ordered by the court, for
26 a suit filed by an inmate in which an affidavit or unsworn
27 declaration of inability to pay costs is filed by the inmate (Sec.

1 14.006, Civil Practice and Remedies Code) . . . the lesser of:

2 (A) 20 percent of the preceding six months'
3 deposits to the inmate's trust account administered by the Texas
4 Department of Criminal Justice under Section 501.014, Government
5 Code; or

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

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

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

15 (B) the total amount of court fees and costs that
16 remain unpaid;

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

21 (A) expenses of service of process;

22 (B) postage; and

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

26 (39) fee for performing a service:

27 (A) related to the matter of the estate of a

1 deceased person (Sec. 51.319, Government Code) . . . the same fee
2 allowed the county clerk for those services;

3 (B) related to the matter of a minor (Sec.
4 51.319, Government Code) . . . the same fee allowed the county
5 clerk for the service;

6 (C) of serving process by certified or registered
7 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
8 constable is authorized to charge for the service under Section
9 118.131, Local Government Code; and

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

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

17 (41) security deposit on filing, by any person other
18 than the personal representative of an estate, an application,
19 complaint, or opposition in relation to the estate, if required by
20 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
21 proceeding;

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

27 (43) fee for filing an additional petition for review

1 of an appraisal review board order relating to certain regulated
2 property running through or operating in more than one county after
3 the first petition for review relating to the same property is filed
4 for a tax year (Sec. 42.221, Tax Code) . . . \$5.

5 SECTION 12. Section 101.081, Government Code, is amended to
6 read as follows:

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

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

14 (2) appellate judicial system filing fees:

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

17 (B) Second Court of Appeals District (Sec.
18 22.2031, Government Code) . . . not more than \$5;

19 (C) Fourth Court of Appeals District (Sec.
20 22.2051, Government Code) . . . not more than \$5;

21 (D) Fifth Court of Appeals District (Sec.
22 22.2061, Government Code) . . . not more than \$5; and

23 (E) Thirteenth Court of Appeals District (Sec.
24 22.2141, Government Code) . . . not more than \$5;

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

27 (4) a court reporter fee when testimony is taken in a

1 county court at law in McLennan County (Sec. 25.1572, Government
2 Code) . . . \$3;

3 (5) a stenographer fee, if a record or part of a record
4 is made:

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

7 (B) in a county court at law in Nolan County (Sec.
8 25.1792, Government Code) . . . \$25;

9 (6) jury fee (Sec. 51.604, Government Code) . . . \$60
10 [~~\$22~~];

11 (7) an additional filing fee:

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

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

19 (C) for filing any civil action or proceeding
20 requiring a filing fee, including an appeal, and on the filing of
21 any counterclaim, cross-action, intervention, interpleader, or
22 third-party action requiring a filing fee, to fund civil legal
23 services for the indigent (Sec. 133.153, Local Government
24 Code) . . . \$5;

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

27 (9) fee for judge's services on an application for

1 court-ordered mental health services (Sec. 574.031, Health and
2 Safety Code) . . . not to exceed \$ 50;

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

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

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

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

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

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

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

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

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

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

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

27 (14) probate court actions (Sec. 118.052, Local

1 Government Code):

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

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

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

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

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

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

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

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

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

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

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

27 (iv) filing annual or final account of

1 estate (Sec. 118.052, Local Government Code) . . . \$25;

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

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

7 (vii) filing a document not listed under
8 this paragraph after the filing of an order approving the inventory
9 and appraisement or after the 120th day after the date of the
10 initial filing of the action, whichever occurs first (Secs. 118.052
11 and 191.007, Local Government Code), if more than 25 pages . . .
12 \$25;

13 (C) adverse probate action (Secs. 118.052 and
14 118.057, Local Government Code) . . . \$40; and

15 (D) claim against estate (Secs. 118.052 and
16 118.058, Local Government Code) . . . \$2;

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

18 (A) issuing document (Secs. 118.052 and 118.059,
19 Local Government Code):

20 (i) original document and one copy (Sec.
21 118.052, Local Government Code) . . . \$4; and

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

24 (B) certified papers (Secs. 118.052 and 118.060,
25 Local Government Code):

26 (i) for the clerk's certificate (Sec.
27 118.052, Local Government Code) . . . \$5; and

1 (ii) a fee per page or part of a page (Sec.
2 118.052, Local Government Code) . . . \$1;

3 (C) noncertified papers, for each page or part of
4 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
5 \$1;

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

9 (E) safekeeping of wills (Secs. 118.052 and
10 118.062, Local Government Code) . . . \$5;

11 (F) mail service of process (Secs. 118.052 and
12 118.063, Local Government Code) . . . same as sheriff; and

13 (G) records management and preservation fee
14 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
15 . . . \$5;

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

19 (17) additional filing fee for filing documents not
20 subject to certain filing fees to fund the courthouse security
21 fund, if authorized by the county commissioners court (Sec.
22 291.008, Local Government Code) . . . \$1;

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

27 (19) court cost in civil cases other than suits for

1 delinquent taxes to fund the county law library fund, if authorized
2 by the county commissioners court (Sec. 323.023, Local Government
3 Code) . . . not to exceed \$35;

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

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

9 (22) fee for county attorney in a suit regarding a
10 railroad company's failure to keep roadbed and right-of-way in
11 proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . .
12 \$10;

13 (23) court fees and costs, if ordered by the court, for
14 a suit filed by an inmate in which an affidavit or unsworn
15 declaration of inability to pay costs is filed by the inmate (Sec.
16 14.006, Civil Practice and Remedies Code) . . . the lesser of:

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

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

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

27 (A) 10 percent of that month's deposit to the

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

3 (B) the total amount of court fees and costs that
4 remain unpaid;

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

9 (A) expenses of service of process;

10 (B) postage; and

11 (C) transportation, housing, or medical care
12 incurred in connection with the appearance of the inmate in the
13 court for any proceeding;

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

16 (A) in Bexar County Courts at Law:

17 (i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12
18 (Sec. 25.0172, Government Code) . . . taxed in the same manner as
19 the fee is taxed in district court; and

20 (ii) No. 2 (Sec. 25.0172, Government Code)
21 . . . \$3;

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

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

1 (27) a stenographer's fee as costs in each civil,
2 criminal, and probate case in which a record is made by the official
3 court reporter in a statutory county court in Nolan County (Sec.
4 25.1792, Government Code) . . . \$25;

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

9 (29) in Nueces County, in matters of concurrent
10 jurisdiction with the district court, with certain exceptions, fees
11 (Sec. 25.1802, Government Code) . . . equal to those in district
12 court cases;

13 (30) security deposit on filing, by any person other
14 than the personal representative of an estate, an application,
15 complaint, or opposition in relation to the estate, if required by
16 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
17 proceeding;

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

23 (32) for a hearing or proceeding under the Texas
24 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
25 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .
26 reasonable compensation to the following persons appointed under
27 the Texas Mental Health Code:

- 1 (A) attorneys;
- 2 (B) physicians;
- 3 (C) language interpreters;
- 4 (D) sign interpreters; and
- 5 (E) masters;

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

- 9 (A) attorney's fees;
- 10 (B) physician examination fees;
- 11 (C) expense of transportation to a mental health
12 facility or to a federal agency not to exceed \$50 if transporting
13 within the same county and not to exceed the reasonable cost of
14 transportation if transporting between counties;
- 15 (D) costs and salary supplements authorized
16 under Section 574.031, Health and Safety Code; and
- 17 (E) prosecutors' fees authorized under Section
18 574.031, Health and Safety Code;

19 (34) expenses of transporting certain patients from
20 the county of treatment to a hearing in the county in which the
21 proceedings originated (Sec. 574.008, Health and Safety Code) . . .
22 actual expenses unless certain arrangements are made to hold the
23 hearing in the county in which the patient is receiving services;

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

1 (36) fee for judge's services for holding a hearing on
2 an application for court-ordered mental health services (Sec.
3 574.031, Health and Safety Code) . . . as assessed by the judge, not
4 to exceed \$50;

5 (37) expenses to reimburse judge for holding a hearing
6 in a hospital or location other than the county courthouse (Sec.
7 574.031, Health and Safety Code) . . . reasonable and necessary
8 expenses as certified;

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

14 (39) a fee not otherwise listed in this section that is
15 required to be collected under Section 25.0008, Government Code
16 (Sec. 25.0008, Government Code), in a county other than Brazos,
17 Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore,
18 Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as
19 prescribed by law relating to county judges' fees.

20 SECTION 13. Section 101.101, Government Code, is amended to
21 read as follows:

22 Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The
23 clerk of a statutory probate court shall collect fees and costs as
24 follows:

25 (1) court cost in certain civil cases to establish and
26 maintain an alternative dispute resolution system, if authorized by
27 the county commissioners court (Sec. 152.004, Civil Practice and

1 Remedies Code) . . . not to exceed \$10;

2 (2) appellate judicial system filing fees:

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

5 (B) Second Court of Appeals District (Sec.
6 22.2031, Government Code) . . . not more than \$5;

7 (C) Fourth Court of Appeals District (Sec.
8 22.2051, Government Code) . . . not more than \$5;

9 (D) Fifth Court of Appeals District (Sec.
10 22.2061, Government Code) . . . not more than \$5; and

11 (E) Thirteenth Court of Appeals District (Sec.
12 22.2141, Government Code) . . . not more than \$5;

13 (3) additional filing fees as follows:

14 (A) for certain cases to be used for
15 court-related purposes for support of the judiciary, if authorized
16 by the county commissioners court (Sec. 51.704, Government Code)
17 . . . \$40;

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

21 (C) for filing any civil action or proceeding
22 requiring a filing fee, including an appeal, and on the filing of
23 any counterclaim, cross-action, intervention, interpleader, or
24 third-party action requiring a filing fee to fund civil legal
25 services for the indigent (Sec. 133.153, Local Government Code)
26 . . . \$5;

27 (4) for filing an application for registration of

1 death (Sec. 193.007, Health and Safety Code) . . . \$1;

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

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

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

11 (8) probate court actions (Sec. 118.052, Local
12 Government Code):

13 (A) probate original action (Secs. 118.052 and
14 118.055, Local Government Code):

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

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

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

23 (iv) declarations of heirship (Sec.
24 118.052, Local Government Code) . . . \$40;

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

27 (vi) additional, special fee (Secs. 118.052

1 and 118.064, Local Government Code) . . . \$5;

2 (B) services in pending probate action (Secs.
3 118.052 and 118.056, Local Government Code):

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

7 (ii) approving and recording bond (Sec.
8 118.052, Local Government Code) . . . \$3;

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

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

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

15 (vi) filing annual or final report of
16 guardian of a person (Sec. 118.052, Local Government Code) . . .
17 \$10; and

18 (vii) filing a document not listed under
19 this paragraph after the filing of an order approving the inventory
20 and appraisement or after the 120th day after the date of the
21 initial filing of the action, whichever occurs first (Secs. 118.052
22 and 191.007, Local Government Code), if more than 25 pages . . .
23 \$25;

24 (C) adverse probate action (Secs. 118.052 and
25 118.057, Local Government Code) . . . \$40; and

26 (D) claim against estate (Secs. 118.052 and
27 118.058, Local Government Code) . . . \$2;

- 1 (9) other fees (Sec. 118.052, Local Government Code):
- 2 (A) issuing document (Secs. 118.052 and 118.059,
- 3 Local Government Code):
- 4 (i) original document and one copy (Sec.
- 5 118.052, Local Government Code) . . . \$4; and
- 6 (ii) each additional set of an original and
- 7 one copy (Sec. 118.052, Local Government Code) . . . \$4;
- 8 (B) certified papers (Secs. 118.052 and 118.060,
- 9 Local Government Code):
- 10 (i) for the clerk's certificate (Sec.
- 11 118.052, Local Government Code) . . . \$5; and
- 12 (ii) a fee per page or part of a page (Sec.
- 13 118.052, Local Government Code) . . . \$1;
- 14 (C) noncertified papers, for each page or part of
- 15 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
- 16 \$1;
- 17 (D) letters testamentary, letter of
- 18 guardianship, letter of administration, or abstract of judgment
- 19 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;
- 20 (E) safekeeping of wills (Secs. 118.052 and
- 21 118.062, Local Government Code) . . . \$5;
- 22 (F) mail service of process (Secs. 118.052 and
- 23 118.063, Local Government Code) . . . same as sheriff; and
- 24 (G) records management and preservation fee
- 25 (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;
- 26 (10) fee for deposit of a will with the county clerk
- 27 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

1 (11) court costs for each special commissioner in an
2 eminent domain proceeding (Sec. 21.047, Property Code) . . . as
3 taxed by the court, \$10 or more;

4 (12) jury fee for civil case (Sec. 51.604, Government
5 Code) . . . \$60 [~~\$22~~];

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

10 (14) the expense of preserving the record as a court
11 cost, if imposed on a party by the referring court or associate
12 judge (Sec. 54.612, Government Code) . . . actual cost;

13 (15) security deposit on filing, by any person other
14 than the personal representative of an estate, an application,
15 complaint, or opposition in relation to the estate, if required by
16 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
17 proceeding;

18 (16) security deposit on filing, by any person other
19 than the guardian, attorney ad litem, or guardian ad litem, an
20 application, complaint, or opposition in relation to a guardianship
21 matter, if required by the clerk (Sec. 622, Texas Probate Code)
22 . . . probable cost of the guardianship proceeding;

23 (17) for a hearing or proceeding under the Texas
24 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
25 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .
26 reasonable compensation to the following persons appointed under
27 the Texas Mental Health Code:

- 1 (A) attorneys;
- 2 (B) physicians;
- 3 (C) language interpreters;
- 4 (D) sign interpreters; and
- 5 (E) masters;

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

- 9 (A) attorney's fees;
- 10 (B) physician examination fees;
- 11 (C) expense of transportation to a mental health
12 facility or to a federal agency not to exceed \$50 if transporting
13 within the same county and not to exceed the reasonable cost of
14 transportation if transporting between counties;
- 15 (D) costs and salary supplements authorized
16 under Section 574.031, Health and Safety Code; and
- 17 (E) prosecutors' fees authorized under Section
18 574.031, Health and Safety Code;

19 (19) expenses of transporting certain patients from
20 the county of treatment to a hearing in the county in which the
21 proceedings originated (Sec. 574.008, Health and Safety Code) . . .
22 actual expenses unless certain arrangements are made to hold the
23 hearing in the county in which the patient is receiving services;

24 (20) expenses for expert witness testimony for an
25 indigent patient (Sec. 574.010, Health and Safety Code) . . . if
26 authorized by the court as reimbursement to the attorney ad litem,
27 court-approved expenses;

1 (21) fee for judge's services for holding a hearing on
2 an application for court-ordered mental health services (Sec.
3 574.031, Health and Safety Code) . . . as assessed by the judge, not
4 to exceed \$50;

5 (22) expenses to reimburse judge for holding a hearing
6 in a hospital or location other than the county courthouse (Sec.
7 574.031, Health and Safety Code) . . . reasonable and necessary
8 expenses as certified;

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

14 (24) a fee not otherwise listed in this section that is
15 required to be collected under Section 25.0029, Government Code
16 (Sec. 25.0029, Government Code) . . . as prescribed by law relating
17 to county judges' fees.

18 SECTION 14. Section 101.121, Government Code, is amended to
19 read as follows:

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

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

25 (2) court cost in certain civil cases to establish and
26 maintain an alternative dispute resolution system, if authorized by
27 the county commissioners court (Sec. 152.004, Civil Practice and

- 1 Remedies Code) . . . not to exceed \$10;
- 2 (3) appellate judicial system filing fees:
- 3 (A) First or Fourteenth Court of Appeals District
- 4 (Sec. 22.2021, Government Code) . . . not more than \$5;
- 5 (B) Second Court of Appeals District (Sec.
- 6 22.2031, Government Code) . . . not more than \$5;
- 7 (C) Fourth Court of Appeals District (Sec.
- 8 22.2051, Government Code) . . . not more than \$5;
- 9 (D) Fifth Court of Appeals District (Sec.
- 10 22.2061, Government Code) . . . not more than \$5; and
- 11 (E) Thirteenth Court of Appeals District (Sec.
- 12 22.2141, Government Code) . . . not more than \$5;
- 13 (4) a jury fee (Sec. 51.604, Government Code) . . .
- 14 \$60 [~~\$22~~];
- 15 (5) a filing fee in each civil case filed to be used
- 16 for court-related purposes for the support of the judiciary (Sec.
- 17 51.703, Government Code) . . . \$40;
- 18 (6) for filing an application for registration of
- 19 death (Sec. 193.007, Health and Safety Code) . . . \$1;
- 20 (7) 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 (8) 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 (9) additional filing fee to fund contingency fund for
- 27 liability insurance, if authorized by the county commissioners

1 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

2 (10) civil court actions (Sec. 118.052, Local
3 Government Code):

4 (A) filing of original action (Secs. 118.052 and
5 118.053, Local Government Code):

6 (i) garnishment after judgment (Sec.
7 118.052, Local Government Code) . . . \$15; and

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

10 (B) filing of action other than original (Secs.
11 118.052 and 118.054, Local Government Code) . . . \$30; and

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

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

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

18 (11) probate court actions (Sec. 118.052, Local
19 Government Code):

20 (A) probate original action (Secs. 118.052 and
21 118.055, Local Government Code):

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

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

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

3 (iv) declarations of heirship (Sec.
4 118.052, Local Government Code) . . . \$40;

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

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

9 (B) services in pending probate action (Secs.
10 118.052 and 118.056, Local Government Code):

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

14 (ii) approving and recording bond (Sec.
15 118.052, Local Government Code) . . . \$3;

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

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

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

22 (vi) filing annual or final report of
23 guardian of a person (Sec. 118.052, Local Government Code) . . .
24 \$10; and

25 (vii) filing a document not listed under
26 this paragraph after the filing of an order approving the inventory
27 and appraisement or after the 120th day after the date of the

1 initial filing of the action, whichever occurs first (Secs. 118.052
2 and 191.007, Local Government Code), if more than 25 pages . . .
3 \$25;

4 (C) adverse probate action (Secs. 118.052 and
5 118.057, Local Government Code) . . . \$40; and

6 (D) claim against estate (Secs. 118.052 and
7 118.058, Local Government Code) . . . \$2;

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

9 (A) issuing document (Secs. 118.052 and 118.059,
10 Local Government Code):

11 (i) original document and one copy (Sec.
12 118.052, Local Government Code) . . . \$4; and

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

15 (B) certified papers (Secs. 118.052 and 118.060,
16 Local Government Code):

17 (i) for the clerk's certificate (Sec.
18 118.052, Local Government Code) . . . \$5; and

19 (ii) a fee per page or part of a page (Sec.
20 118.052, Local Government Code) . . . \$1;

21 (C) noncertified papers, for each page or part of
22 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
23 \$1;

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

27 (E) safekeeping of wills (Secs. 118.052 and

1 118.062, Local Government Code) . . . \$5;

2 (F) mail service of process (Secs. 118.052 and
3 118.063, Local Government Code) . . . same as sheriff; and

4 (G) records management and preservation fee
5 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
6 . . . \$5;

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

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

13 (15) additional filing fee for filing documents not
14 subject to certain filing fees to fund the courthouse security
15 fund, if authorized by the county commissioners court (Sec.
16 291.008, Local Government Code) . . . \$1;

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

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

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

27 (19) fee for county attorney in a suit regarding a

1 railroad company's failure to keep roadbed and right-of-way in
2 proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . .
3 \$10;

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

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

13 (22) court fees and costs, if ordered by the court, for
14 a suit filed by an inmate in which an affidavit or unsworn
15 declaration of inability to pay costs is filed by the inmate (Sec.
16 14.006, Civil Practice and Remedies Code) . . . the lesser of:

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

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

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

27 (A) 10 percent of that month's deposit to the

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

3 (B) the total amount of court fees and costs that
4 remain unpaid;

5 (24) the following costs not otherwise charged to the
6 inmate under Section 14.006, Civil Practice and Remedies Code, if
7 the inmate has previously filed an action dismissed as malicious or
8 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

9 (A) expenses of service of process;

10 (B) postage; and

11 (C) transportation, housing, or medical care
12 incurred in connection with the appearance of the inmate in the
13 court for any proceeding;

14 (25) security deposit on filing, by any person other
15 than the personal representative of an estate, an application,
16 complaint, or opposition in relation to the estate, if required by
17 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
18 proceeding;

19 (26) security deposit on filing, by any person other
20 than the guardian, attorney ad litem, or guardian ad litem, an
21 application, complaint, or opposition in relation to a guardianship
22 matter, if required by the clerk (Sec. 622, Texas Probate Code)
23 . . . probable cost of the guardianship proceeding;

24 (27) for a hearing or proceeding under the Texas
25 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
26 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .
27 reasonable compensation to the following persons appointed under

1 the Texas Mental Health Code:

- 2 (A) attorneys;
- 3 (B) physicians;
- 4 (C) language interpreters;
- 5 (D) sign interpreters; and
- 6 (E) masters;

7 (28) for a hearing or proceeding under the Texas
8 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
9 costs (Sec. 571.018, Health and Safety Code):

- 10 (A) attorney's fees;
- 11 (B) physician examination fees;
- 12 (C) expense of transportation to a mental health
13 facility or to a federal agency not to exceed \$50 if transporting
14 within the same county and not to exceed the reasonable cost of
15 transportation if transporting between counties;
- 16 (D) costs and salary supplements authorized
17 under Section 574.031, Health and Safety Code; and
- 18 (E) prosecutors' fees authorized under Section
19 574.031, Health and Safety Code;

20 (29) expenses of transporting certain patients from
21 the county of treatment to a hearing in the county in which the
22 proceedings originated (Sec. 574.008, Health and Safety Code) . . .
23 actual expenses unless certain arrangements are made to hold the
24 hearing in the county in which the patient is receiving services;

25 (30) expenses for expert witness testimony for an
26 indigent patient (Sec. 574.010, Health and Safety Code) . . . if
27 authorized by the court as reimbursement to the attorney ad litem,

1 court-approved expenses;

2 (31) fee for judge's services for holding a hearing on
3 an application for court-ordered mental health services (Sec.
4 574.031, Health and Safety Code) . . . as assessed by the judge, not
5 to exceed \$50;

6 (32) expenses to reimburse judge for holding a hearing
7 in a hospital or location other than the county courthouse (Sec.
8 574.031, Health and Safety Code) . . . reasonable and necessary
9 expenses as certified; and

10 (33) fee for services of a prosecuting attorney,
11 including costs incurred for preparation of documents related to a
12 hearing on an application for court-ordered mental health services
13 (Sec. 574.031, Health and Safety Code) . . . as assessed by the
14 judge, not to exceed \$50.

15 SECTION 15. Section 102.101, Government Code, as amended by
16 Chapters 240 and 949, Acts of the 79th Legislature, Regular
17 Session, 2005, is reenacted and amended to read as follows:

18 Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN
19 JUSTICE COURT. A clerk of a justice court shall collect fees and
20 costs on conviction of a defendant as follows:

21 (1) a jury fee (Art. 102.004, Code of Criminal
22 Procedure) . . . \$10 [~~\$3~~];

23 (2) [~~a fee for withdrawing request for jury less than~~
24 ~~24 hours before time of trial (Art. 102.004, Code of Criminal~~
25 ~~Procedure) . . . \$3,~~

26 [~~3~~] a jury fee for two or more defendants tried
27 jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury

1 fee of \$10 [~~\$3~~];

2 (3) [~~(4)~~] a security fee on a misdemeanor offense
3 (Art. 102.017, Code of Criminal Procedure) . . . \$3;

4 (4) [~~(5)~~] a fee for technology fund on a misdemeanor
5 offense (Art. 102.0173, Code of Criminal Procedure). . . not to
6 exceed \$4;

7 (5) [~~(6)~~] a court cost on conviction in Comal County
8 (Sec. 152.0522, Human Resources Code) . . . \$1.50; and

9 (6) [~~(7)~~] a juvenile case manager fee (Art. 102.0174,
10 Code of Criminal Procedure) . . . \$5.

11 SECTION 16. Section 102.121, Government Code, is amended to
12 read as follows:

13 Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN
14 MUNICIPAL COURT. The clerk of a municipal court shall collect fees
15 and costs on conviction of a defendant as follows:

16 (1) a jury fee (Art. 102.004, Code of Criminal
17 Procedure) . . . \$10 [~~\$3~~];

18 (2) [~~a fee for withdrawing request for jury less than~~
19 ~~24 hours before time of trial (Art. 102.004, Code of Criminal~~
20 ~~Procedure) . . . \$3,~~

21 [~~(3)~~] a jury fee for two or more defendants tried
22 jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury
23 fee of \$10 [~~\$3~~];

24 (3) [~~(4)~~] a security fee on a misdemeanor offense
25 (Art. 102.017, Code of Criminal Procedure). . . \$3;

26 (4) [~~(5)~~] a fee for technology fund on a misdemeanor
27 offense (Art. 102.0172, Code of Criminal Procedure) . . . not to

1 exceed \$4; and

2 (5) [~~6~~] a juvenile case manager fee (Art. 102.0174,
3 Code of Criminal Procedure) . . . \$5.

4 SECTION 17. Article 19.16, Code of Criminal Procedure, is
5 amended to read as follows:

6 Art. 19.16. ABSENT JUROR FINED. A juror legally summoned,
7 failing to attend without a reasonable excuse, may, by order of the
8 court entered on the record, be fined not less than \$100 [~~ten~~
9 ~~dollars~~] nor more than \$1,000 [~~one hundred dollars~~].

10 SECTION 18. Article 19.25, Code of Criminal Procedure, is
11 amended to read as follows:

12 Art. 19.25. EXCUSES FROM SERVICE. Any person summoned who
13 does not possess the requisite qualifications shall be excused by
14 the court from serving. The following qualified persons may be
15 excused from grand jury service:

16 (1) a person older than 70 years;

17 (2) a person responsible for the care of a child
18 younger than 14 [~~18~~] years;

19 (3) a student of a public or private secondary school;

20 (4) a person enrolled and in actual attendance at an
21 institution of higher education; and

22 (5) any other person that the court determines has a
23 reasonable excuse from service.

24 SECTION 19. Article 35.01, Code of Criminal Procedure, is
25 amended to read as follows:

26 Art. 35.01. JURORS CALLED. When a case is called for trial
27 and the parties have announced ready for trial, the names of those

1 summoned as jurors in the case shall be called. Those not present
2 may be fined not less than \$100 nor more than \$1,000 [~~exceeding~~
3 ~~fifty dollars~~]. An attachment may issue on request of either party
4 for any absent summoned juror, to have him brought forthwith before
5 the court. A person who is summoned but not present, may upon an
6 appearance, before the jury is qualified, be tried as to his
7 qualifications and impaneled as a juror unless challenged, but no
8 cause shall be unreasonably delayed on account of his absence.

9 SECTION 20. Articles 102.004(a) and (b), Code of Criminal
10 Procedure, are amended to read as follows:

11 (a) A defendant convicted by a jury in a trial before a
12 justice or municipal court shall pay a jury fee of \$10 [~~\$3~~]. [~~A~~
13 ~~defendant in a justice or municipal court who requests a trial by~~
14 ~~jury and who withdraws the request not earlier than 24 hours before~~
15 ~~the time of trial shall pay a jury fee of \$3, if the defendant is~~
16 ~~convicted of the offense or final disposition of the defendant's~~
17 ~~case is deferred.] A defendant convicted by a jury in a county
18 court, a county court at law, or a district court shall pay a jury
19 fee of \$20. A jury fee is nonrefundable.~~

20 (b) If two or more defendants are tried jointly in a justice
21 or municipal court, only one jury fee of \$10 [~~\$3~~] may be imposed
22 under this article. If the defendants sever and are tried
23 separately, each defendant convicted shall pay a jury fee. A jury
24 fee is nonrefundable.

25 SECTION 21. (a) Sections 62.002, 62.003, 62.004, 62.005,
26 62.006, 62.007, 62.008, 62.009, 62.010, 62.011, 62.0111, 62.012,
27 62.013, 62.014, 62.0145, 62.0146, 62.015, 62.016, 62.017, 62.0175,

1 62.018, 62.021, and 62.111, Government Code, are repealed.

2 (b) Section 62.0142, Government Code, as added by Chapter
3 559, Acts of the 79th Legislature, Regular Session, 2005, is
4 repealed.

5 (c) Section 62.0142, Government Code, as added by Chapter
6 1360, Acts of the 79th Legislature, Regular Session, 2005, is
7 repealed.

8 (d) Articles 35.03, 35.04, 35.05, 35.11, and 35.12, Code of
9 Criminal Procedure, are repealed.

10 SECTION 22. This Act takes effect September 1, 2007.