

By: Gattis

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

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

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

(c) A plan authorized by this section must:

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

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

(3) designate the district clerk as the officer in charge of jury administration and define the officer's duties;

1           (4) ensure that the pool of jurors available for all  
2 courts is selected randomly; and

3           (5) require the documentation of any alteration made  
4 by the county to a list of persons available for assignment to a  
5 jury list.

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

7           (1) the timing and frequency of the issuance of juror  
8 summonses;

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

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

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

13          (5) the process by which panels are formed and  
14 assigned to courts;

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

17          (7) the identity and number of persons responsible  
18 for juror orientation;

19          (8) the procedure for juror orientation;

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

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

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

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

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

4           (14) how the Internet may be used for juror  
5 communications and rescheduling;

6           (15) special procedures for death-qualified capital  
7 cases;

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

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

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

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

21           (g) A failure to follow a procedure governed by a plan is not  
22 error or subject to appeal.

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

25           SECTION 2. Section 51.604(a), Government Code, is amended  
26 to read as follows:

27           (a) The district clerk shall collect a \$60 [~~\$30~~] jury fee

1 for each civil case in which a person applies for a jury trial. The  
2 clerk of a county court or statutory county court shall collect a  
3 \$60 [~~\$22~~] jury fee for each civil case in which a person applies for  
4 a jury trial. The clerk shall note the payment of the fee on the  
5 court's docket. A jury fee is nonrefundable.

6 SECTION 3. Section 62.102, Government Code, is amended to  
7 read as follows:

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

- 10 (1) is at least 18 years of age;
- 11 (2) is a citizen of this state and of the county in  
12 which the person is to serve as a juror;
- 13 (3) is qualified under the constitution and laws to  
14 vote in the county in which the person is to serve as a juror;
- 15 (4) is of sound mind and good moral character;
- 16 (5) is able to read and write;
- 17 (6) has not served as a petit juror for six days during  
18 the preceding three months in the county court or during the  
19 preceding six months in the district court;
- 20 (7) has not been convicted of [~~misdemeanor theft or~~] a  
21 felony; and
- 22 (8) is not under indictment or other legal accusation  
23 for [~~misdemeanor theft or~~] a felony.

24 SECTION 4. Section 62.106(a), Government Code, is amended  
25 to read as follows:

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

1 (1) is over 70 years of age;

2 (2) has legal custody of a child younger than 14 [~~10~~]  
3 years of age and the person's service on the jury requires leaving  
4 the child without adequate supervision;

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

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

10 (5) [~~is an officer or an employee of the senate, the~~  
11 ~~house of representatives, or any department, commission, board,~~  
12 ~~office, or other agency in the legislative branch of state~~  
13 ~~government,~~

14 [~~(6) is summoned for service in a county with a~~  
15 ~~population of at least 200,000, unless that county uses a jury plan~~  
16 ~~under Section 62.011 and the period authorized under Section~~  
17 ~~62.011(b)(5) exceeds two years, and the person has served as a petit~~  
18 ~~juror in the county during the 24-month period preceding the date~~  
19 ~~the person is to appear for jury service,~~

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

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

27 (6) [~~(9)~~] is a member of the United States military

1 forces serving on active duty and deployed to a location away from  
2 the person's home station and out of the person's county of  
3 residence.

4 SECTION 5. Section 101.061, Government Code, is amended to  
5 read as follows:

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

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

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

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

20 (4) appellate judicial system filing fees for:

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

23 (B) Second Court of Appeals District (Sec.  
24 22.2031, Government Code) . . . not more than \$5;

25 (C) Fourth Court of Appeals District (Sec.  
26 22.2051, Government Code) . . . not more than \$5;

27 (D) Fifth Court of Appeals District (Sec.

1 22.2061, Government Code) . . . not more than \$5; and

2 (E) Thirteenth Court of Appeals District (Sec.  
3 22.2141, Government Code) . . . not more than \$5;

4 (5) additional filing fees:

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

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

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

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

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

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

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

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

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

6 (A) for a suit with 10 or fewer plaintiffs (Sec.  
7 51.317, Government Code) . . . \$50;

8 (B) for a suit with at least 11 but not more than  
9 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

10 (C) for a suit with at least 26 but not more than  
11 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

12 (D) for a suit with at least 101 but not more than  
13 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

14 (E) for a suit with at least 501 but not more than  
15 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

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

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

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

25 (9) for records management and preservation (Sec.  
26 51.317, Government Code) . . . \$10;

27 (10) for issuing a subpoena, including one copy (Sec.



1 51.318, Government Code) . . . \$8;

2 (11) for issuing a citation, commission for  
3 deposition, writ of execution, order of sale, writ of execution and  
4 order of sale, writ of injunction, writ of garnishment, writ of  
5 attachment, or writ of sequestration not provided for in Section  
6 51.317, or any other writ or process not otherwise provided for,  
7 including one copy if required by law (Sec. 51.318, Government  
8 Code) . . . \$8;

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

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

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

17 (15) for approving a bond (Sec. 51.318, Government  
18 Code) . . . \$4;

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

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

25 (18) jury fee (Sec. 51.604, Government Code) . . . \$60  
26 [~~\$30~~];

27 (19) for filing a report of divorce or annulment (Sec.

1 194.002, Health and Safety Code) . . . \$1;

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

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

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

12 (22-a) a child support service fee in Nueces County if  
13 ordered by the commissioners court and assessed by the court (Sec.  
14 152.1844, Human Resources Code) . . . not to exceed \$5 a month  
15 payable annually in advance;

16 (22-b) a service fee to be paid by a person ordered by  
17 a district court to pay child or spousal support:

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

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

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

27 (22-c) attorney's fees as an additional cost in

1 Montague County on a finding of contempt of court for failure to pay  
2 child or spousal support if the contempt action is initiated by the  
3 probation department (Sec. 152.1752, Human Resources Code) . . .  
4 \$15;

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

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

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

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

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

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

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

26 (30) additional filing fee for filing documents not  
27 subject to certain filing fees to fund the courthouse security

1 fund, if authorized by the county commissioners court (Sec.  
2 291.008, Local Government Code) . . . \$1;

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

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

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

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

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

23 (36) 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 (37) 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 (38) 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 (39) fee for performing a service:

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

1 (B) related to the matter of a minor (Sec.  
2 51.319, Government Code) . . . the same fee allowed the county  
3 clerk for the service;

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

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

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

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

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

25 (43) fee for filing an additional petition for review  
26 of an appraisal review board order relating to certain regulated  
27 property running through or operating in more than one county after

1 the first petition for review relating to the same property is filed  
2 for a tax year (Sec. 42.221, Tax Code) . . . \$5.

3 SECTION 6. Section 101.081, Government Code, is amended to  
4 read as follows:

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

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

12 (2) appellate judicial system filing fees:

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

15 (B) Second Court of Appeals District (Sec.  
16 22.2031, Government Code) . . . not more than \$5;

17 (C) Fourth Court of Appeals District (Sec.  
18 22.2051, Government Code) . . . not more than \$5;

19 (D) Fifth Court of Appeals District (Sec.  
20 22.2061, Government Code) . . . not more than \$5; and

21 (E) Thirteenth Court of Appeals District (Sec.  
22 22.2141, Government Code) . . . not more than \$5;

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

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

1           (5) a stenographer fee, if a record or part of a record  
2 is made:

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

5           (B) in a county court at law in Nolan County (Sec.  
6 25.1792, Government Code) . . . \$25;

7           (6) jury fee (Sec. 51.604, Government Code) . . . \$60  
8 [~~\$22~~];

9           (7) an additional filing fee:

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

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

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

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

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



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

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

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

9           (13) civil court actions (Sec. 118.052, Local  
10 Government Code):

11           (A) filing of original action (Secs. 118.052 and  
12 118.053, Local Government Code):

13           (i) garnishment after judgment (Sec.  
14 118.052, Local Government Code) . . . \$15; and

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

17           (B) filing of action other than original (Secs.  
18 118.052 and 118.054, Local Government Code) . . . \$30; and

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

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

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

25           (14) probate court actions (Sec. 118.052, Local  
26 Government Code):

27           (A) probate original action (Secs. 118.052 and

1 118.055, Local Government Code):

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

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

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

10 (iv) declarations of heirship (Sec.  
11 118.052, Local Government Code) . . . \$40;

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

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

16 (B) services in pending probate action (Secs.  
17 118.052 and 118.056, Local Government Code):

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

21 (ii) approving and recording bond (Sec.  
22 118.052, Local Government Code) . . . \$3;

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

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

27 (v) filing application for sale of real or

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

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

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

11 (C) adverse probate action (Secs. 118.052 and  
12 118.057, Local Government Code) . . . \$40; and

13 (D) claim against estate (Secs. 118.052 and  
14 118.058, Local Government Code) . . . \$2;

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

16 (A) issuing document (Secs. 118.052 and 118.059,  
17 Local Government Code):

18 (i) original document and one copy (Sec.  
19 118.052, Local Government Code) . . . \$4; and

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

22 (B) certified papers (Secs. 118.052 and 118.060,  
23 Local Government Code):

24 (i) for the clerk's certificate (Sec.  
25 118.052, Local Government Code) . . . \$5; and

26 (ii) a fee per page or part of a page (Sec.  
27 118.052, Local Government Code) . . . \$1;

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

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

7 (E) safekeeping of wills (Secs. 118.052 and  
8 118.062, Local Government Code) . . . \$5;

9 (F) mail service of process (Secs. 118.052 and  
10 118.063, Local Government Code) . . . same as sheriff; and

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

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

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

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

25 (19) court cost in civil cases other than suits for  
26 delinquent taxes to fund the county law library fund, if authorized  
27 by the county commissioners court (Sec. 323.023, Local Government

1 Code) . . . not to exceed \$35;

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

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

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

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

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

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

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

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

1 (B) the total amount of court fees and costs that  
2 remain unpaid;

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

7 (A) expenses of service of process;

8 (B) postage; and

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

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

14 (A) in Bexar County Courts at Law:

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

18 (ii) No. 2 (Sec. 25.0172, Government Code)  
19 . . . \$3;

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

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

26 (27) a stenographer's fee as costs in each civil,  
27 criminal, and probate case in which a record is made by the official

1 court reporter in a statutory county court in Nolan County (Sec.  
2 25.1792, Government Code) . . . \$25;

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

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

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

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

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

26 (A) attorneys;

27 (B) physicians;

1 (C) language interpreters;

2 (D) sign interpreters; and

3 (E) masters;

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

7 (A) attorney's fees;

8 (B) physician examination fees;

9 (C) expense of transportation to a mental health  
10 facility or to a federal agency not to exceed \$50 if transporting  
11 within the same county and not to exceed the reasonable cost of  
12 transportation if transporting between counties;

13 (D) costs and salary supplements authorized  
14 under Section 574.031, Health and Safety Code; and

15 (E) prosecutors' fees authorized under Section  
16 574.031, Health and Safety Code;

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

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

26 (36) fee for judge's services for holding a hearing on  
27 an application for court-ordered mental health services (Sec.



1 574.031, Health and Safety Code) . . . as assessed by the judge, not  
2 to exceed \$50;

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

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

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

18 SECTION 7. Section 101.101, Government Code, is amended to  
19 read as follows:

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

23 (1) 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 (2) appellate judicial system filing fees:

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 (3) additional filing fees as follows:

12 (A) for certain cases to be used for  
13 court-related purposes for support of the judiciary, if authorized  
14 by the county commissioners court (Sec. 51.704, Government Code)  
15 . . . \$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 Code)  
24 . . . \$5;

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

27 (5) 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 (6) 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 (7) additional filing fee to fund contingency fund for  
7 liability insurance, if authorized by the county commissioners  
8 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

9 (8) probate court actions (Sec. 118.052, Local  
10 Government Code):

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

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

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

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

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

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

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

27 (B) services in pending probate action (Secs.

1 118.052 and 118.056, Local Government Code):

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

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

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

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

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

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

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

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

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

26 (9) other fees (Sec. 118.052, Local Government Code):

27 (A) issuing document (Secs. 118.052 and 118.059,

1 Local Government Code):

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

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

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

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

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

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

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

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

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

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

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

26 (11) court costs for each special commissioner in an  
27 eminent domain proceeding (Sec. 21.047, Property Code) . . . as

1 taxed by the court, \$10 or more;

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

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

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

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

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

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

26 (A) attorneys;

27 (B) physicians;

1 (C) language interpreters;

2 (D) sign interpreters; and

3 (E) masters;

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

7 (A) attorney's fees;

8 (B) physician examination fees;

9 (C) expense of transportation to a mental health  
10 facility or to a federal agency not to exceed \$50 if transporting  
11 within the same county and not to exceed the reasonable cost of  
12 transportation if transporting between counties;

13 (D) costs and salary supplements authorized  
14 under Section 574.031, Health and Safety Code; and

15 (E) prosecutors' fees authorized under Section  
16 574.031, Health and Safety Code;

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

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

26 (21) fee for judge's services for holding a hearing on  
27 an application for court-ordered mental health services (Sec.

1 574.031, Health and Safety Code) . . . as assessed by the judge, not  
2 to exceed \$50;

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

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

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

16 SECTION 8. Section 101.121, Government Code, is amended to  
17 read as follows:

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

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

23 (2) 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 (3) appellate judicial system filing fees:



- 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                  (4) a jury fee (Sec. 51.604, Government Code) . . .  
12 \$60 [~~\$22~~];
- 13                  (5) a filing fee in each civil case filed to be used  
14 for court-related purposes for the support of the judiciary (Sec.  
15 51.703, Government Code) . . . \$40;
- 16                  (6) for filing an application for registration of  
17 death (Sec. 193.007, Health and Safety Code) . . . \$1;
- 18                  (7) fee for judge's services on an application for  
19 court-ordered mental health services (Sec. 574.031, Health and  
20 Safety Code) . . . not to exceed \$50;
- 21                  (8) fee for prosecutor's services on an application  
22 for court-ordered mental health services (Sec. 574.031, Health and  
23 Safety Code) . . . not to exceed \$50;
- 24                  (9) additional filing fee to fund contingency fund for  
25 liability insurance, if authorized by the county commissioners  
26 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;
- 27                  (10) civil court actions (Sec. 118.052, Local

1 Government Code):

2 (A) filing of original action (Secs. 118.052 and  
3 118.053, Local Government Code):

4 (i) garnishment after judgment (Sec.  
5 118.052, Local Government Code) . . . \$15; and

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

8 (B) filing of action other than original (Secs.  
9 118.052 and 118.054, Local Government Code) . . . \$30; and

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

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

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

16 (11) probate court actions (Sec. 118.052, Local  
17 Government Code):

18 (A) probate original action (Secs. 118.052 and  
19 118.055, Local Government Code):

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

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

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

1 (iv) declarations of heirship (Sec.  
2 118.052, Local Government Code) . . . \$40;

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

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

7 (B) services in pending probate action (Secs.  
8 118.052 and 118.056, Local Government Code):

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

12 (ii) approving and recording bond (Sec.  
13 118.052, Local Government Code) . . . \$3;

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

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

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

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

23 (vii) filing a document not listed under  
24 this paragraph after the filing of an order approving the inventory  
25 and appraisalment or after the 120th day after the date of the  
26 initial filing of the action, whichever occurs first (Secs. 118.052  
27 and 191.007, Local Government Code), if more than 25 pages . . .

1 \$25;

2 (C) adverse probate action (Secs. 118.052 and  
3 118.057, Local Government Code) . . . \$40; and

4 (D) claim against estate (Secs. 118.052 and  
5 118.058, Local Government Code) . . . \$2;

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

7 (A) issuing document (Secs. 118.052 and 118.059,  
8 Local Government Code):

9 (i) original document and one copy (Sec.  
10 118.052, Local Government Code) . . . \$4; and

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

13 (B) certified papers (Secs. 118.052 and 118.060,  
14 Local Government Code):

15 (i) for the clerk's certificate (Sec.  
16 118.052, Local Government Code) . . . \$5; and

17 (ii) a fee per page or part of a page (Sec.  
18 118.052, Local Government Code) . . . \$1;

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

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

25 (E) safekeeping of wills (Secs. 118.052 and  
26 118.062, Local Government Code) . . . \$5;

27 (F) mail service of process (Secs. 118.052 and

1 118.063, Local Government Code) . . . same as sheriff; and

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

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

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

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

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

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

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

25 (19) fee for county attorney in a suit regarding a  
26 railroad company's failure to keep roadbed and right-of-way in  
27 proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . .

1 \$10;

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

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

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

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

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

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

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

1 (B) the total amount of court fees and costs that  
2 remain unpaid;

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

7 (A) expenses of service of process;

8 (B) postage; and

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

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

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

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

27 (A) attorneys;

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

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

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

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

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

27 (31) fee for judge's services for holding a hearing on



1 an application for court-ordered mental health services (Sec.  
2 574.031, Health and Safety Code) . . . as assessed by the judge, not  
3 to exceed \$50;

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

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

13 SECTION 9. Section 102.101, Government Code, as amended by  
14 Chapters 240 and 949, Acts of the 79th Legislature, Regular  
15 Session, 2005, is reenacted and amended to read as follows:

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

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

21 (2) [~~a fee for withdrawing request for jury less than~~  
22 ~~24 hours before time of trial (Art. 102.004, Code of Criminal~~  
23 ~~Procedure) . . . \$3,~~

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

27 (3) [~~(4)~~] a security fee on a misdemeanor offense

1 (Art. 102.017, Code of Criminal Procedure) . . . \$3;

2 (4) [~~(5)~~] a fee for technology fund on a misdemeanor  
3 offense (Art. 102.0173, Code of Criminal Procedure). . . not to  
4 exceed \$4;

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

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

9 SECTION 10. Section 102.121, Government Code, is amended to  
10 read as follows:

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

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

16 (2) [~~a fee for withdrawing request for jury less than~~  
17 ~~24 hours before time of trial (Art. 102.004, Code of Criminal~~  
18 ~~Procedure) . . . \$3,~~

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

22 (3) [~~(4)~~] a security fee on a misdemeanor offense  
23 (Art. 102.017, Code of Criminal Procedure). . . \$3;

24 (4) [~~(5)~~] a fee for technology fund on a misdemeanor  
25 offense (Art. 102.0172, Code of Criminal Procedure) . . . not to  
26 exceed \$4; and

27 (5) [~~(6)~~] a juvenile case manager fee (Art. 102.0174,

1 Code of Criminal Procedure) . . . \$5.

2 SECTION 11. Article 19.16, Code of Criminal Procedure, is  
3 amended to read as follows:

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

8 SECTION 12. Article 19.25, Code of Criminal Procedure, is  
9 amended to read as follows:

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

14 (1) a person older than 70 years;

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

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

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

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

22 SECTION 13. Article 35.01, Code of Criminal Procedure, is  
23 amended to read as follows:

24 Art. 35.01. JURORS CALLED. When a case is called for trial  
25 and the parties have announced ready for trial, the names of those  
26 summoned as jurors in the case shall be called. Those not present  
27 may be fined not less than \$100 nor more than \$1,000 [~~exceeding~~

1 ~~fifty dollars]~~. An attachment may issue on request of either party  
2 for any absent summoned juror, to have him brought forthwith before  
3 the court. A person who is summoned but not present, may upon an  
4 appearance, before the jury is qualified, be tried as to his  
5 qualifications and impaneled as a juror unless challenged, but no  
6 cause shall be unreasonably delayed on account of his absence.

7 SECTION 14. Articles 102.004(a) and (b), Code of Criminal  
8 Procedure, are amended to read as follows:

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

16 court, a county court at law, or a district court shall pay a jury  
17 fee of \$20. A jury fee is nonrefundable.

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

23 SECTION 15. (a) Sections 62.001, 62.002, 62.003, 62.004,  
24 62.005, 62.006, 62.007, 62.008, 62.009, 62.010, 62.011, 62.0111,  
25 62.012, 62.0125, 62.013, 62.0131, 62.0132, 62.014, 62.0145,  
26 62.0146, 62.015, 62.016, 62.017, 62.0175, 62.018, 62.021, and  
27 62.111, Government Code, are repealed.

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

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

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

9           SECTION 16. This Act takes effect September 1, 2007.