

By: Watson

S.B. No. 1182

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the imposition of an additional filing fee in certain  
3 proceedings for the support of the Supreme Court of Texas.

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

5 SECTION 1. Subchapter A, Chapter 51, Government Code, is  
6 amended by adding Section 51.0051 to read as follows:

7 Sec. 51.0051. ADDITIONAL FEES. (a) In addition to other  
8 fees authorized or required by law, the clerk of the supreme court  
9 shall collect an additional fee on the filing of any application or  
10 proceeding otherwise requiring a filing fee, including an appeal.  
11 The additional fee is set by order or rule of the supreme court in an  
12 amount necessary to defray costs and expenses incurred in the  
13 operation of the court, not to exceed \$50.

14 (b) The clerk shall collect fees imposed under this section  
15 in the same manner as other fees, fines, or costs are collected in  
16 the proceeding and shall send the fees imposed under this section to  
17 the comptroller not later than the last day of the month following  
18 each calendar quarter. The comptroller shall deposit the fees  
19 received to the credit of the judicial fund.

20 (c) The comptroller shall establish a supreme court support  
21 account in the judicial fund. Fees received under this section may  
22 be appropriated only to the supreme court support account, and the  
23 comptroller shall allocate to the account amounts as designated in  
24 the General Appropriations Act from the judicial fund that were

1 deposited under this section.

2 (d) The supreme court shall administer the funds deposited  
3 under this section and appropriated to the supreme court support  
4 account. The chief justice may make disbursements from the account  
5 for court-related purposes to defray costs and expenses incurred in  
6 the operation of the supreme court.

7 (e) The supreme court shall file an accounting with the  
8 Legislative Budget Board not later than November 1 following each  
9 state fiscal year showing disbursements made from the supreme court  
10 support account during the previous state fiscal year and the  
11 purpose of each disbursement. The expenditures are subject to  
12 audit by the comptroller and the state auditor.

13 SECTION 2. Subchapter C, Chapter 51, Government Code, is  
14 amended by adding Section 51.208 to read as follows:

15 Sec. 51.208. ADDITIONAL FEES. (a) The clerk of a court of  
16 appeals shall collect an additional fee on the filing of any case  
17 appealed to and filed in the court of appeals that otherwise  
18 requires a filing fee. The additional fee is in an amount equal to  
19 the amount of the additional fee set by order or rule of the supreme  
20 court and imposed under Section 51.0051.

21 (b) The clerk shall collect fees imposed under this section  
22 in the same manner as other fees, fines, or costs are collected in  
23 the proceeding and shall send the fees imposed under this section to  
24 the comptroller not later than the last day of the month following  
25 each calendar quarter. The comptroller shall deposit the fees  
26 received to the credit of the judicial fund.

27 (c) Fees received under this section may be appropriated

1 only to the supreme court support account established under Section  
2 51.0051. The comptroller shall allocate to the account amounts as  
3 designated in the General Appropriations Act from the judicial fund  
4 that were deposited under this section.

5 (d) The supreme court shall administer the funds deposited  
6 under this section and appropriated to the supreme court support  
7 account in the manner provided by Section 51.0051.

8 SECTION 3. Subchapter B, Chapter 101, Government Code, is  
9 amended by adding Section 101.022 to read as follows:

10 Sec. 101.022. ADDITIONAL SUPREME COURT FEES AND COSTS. The  
11 clerk of the supreme court shall collect a supreme court support  
12 account filing fee in an amount set by the supreme court, not to  
13 exceed \$50, under Section 51.0051.

14 SECTION 4. Subchapter C, Chapter 101, Government Code, is  
15 amended by adding Section 101.042 to read as follows:

16 Sec. 101.042. ADDITIONAL COURT OF APPEALS FEES AND COSTS.  
17 The clerk of a court of appeals shall collect a filing fee under  
18 Section 51.208 in the amount of the supreme court support account  
19 filing fee set by the supreme court, not to exceed \$50, under  
20 Section 51.0051.

21 SECTION 5. Sections 51.0051 and 51.208, Government Code, as  
22 added by this Act, apply only to an action or proceeding filed on or  
23 after the effective date of this Act. An action or proceeding filed  
24 before the effective date of this Act is governed by the law in  
25 effect at the time the action or proceeding was filed, and the  
26 former law is continued in effect for that purpose.

27 SECTION 6. This Act takes effect September 1, 2007.