

1-1 By: Watson S.B. No. 1182
1-2 (In the Senate - Filed March 6, 2007; March 14, 2007, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 2, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 2, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1182 By: Watson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the imposition of an additional filing fee in certain
1-11 proceedings for the support of the Supreme Court of Texas.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 51, Government Code, is
1-14 amended by adding Section 51.0051 to read as follows:

1-15 Sec. 51.0051. ADDITIONAL FEES. (a) In addition to other
1-16 fees authorized or required by law, the clerk of the supreme court
1-17 shall collect an additional fee on the filing of any application or
1-18 proceeding otherwise requiring a filing fee, including an appeal.
1-19 The additional fee is set by order or rule of the supreme court in an
1-20 amount necessary to defray costs and expenses incurred in the
1-21 operation of the court, not to exceed \$50.

1-22 (b) The clerk shall collect fees imposed under this section
1-23 in the same manner as other fees, fines, or costs are collected in
1-24 the proceeding and shall send the fees imposed under this section to
1-25 the comptroller not later than the last day of the month following
1-26 each calendar quarter. The comptroller shall deposit the fees
1-27 received to the credit of the judicial fund.

1-28 (c) The comptroller shall establish a supreme court support
1-29 account in the judicial fund. Fees received under this section may
1-30 be appropriated only to the supreme court support account, and the
1-31 comptroller shall allocate to the account amounts as designated in
1-32 the General Appropriations Act from the judicial fund that were
1-33 deposited under this section.

1-34 (d) The supreme court shall administer the funds deposited
1-35 under this section and appropriated to the supreme court support
1-36 account. The chief justice may make disbursements from the account
1-37 for court-related purposes to defray costs and expenses incurred in
1-38 the operation of the supreme court.

1-39 (e) The supreme court shall file an accounting with the
1-40 Legislative Budget Board not later than November 1 following each
1-41 state fiscal year showing disbursements made from the supreme court
1-42 support account during the previous state fiscal year and the
1-43 purpose of each disbursement. The expenditures are subject to
1-44 audit by the comptroller and the state auditor.

1-45 SECTION 2. Subchapter C, Chapter 51, Government Code, is
1-46 amended by adding Section 51.208 to read as follows:

1-47 Sec. 51.208. ADDITIONAL FEES. (a) The clerk of a court of
1-48 appeals shall collect an additional fee on the filing of any case
1-49 appealed to and filed in the court of appeals that otherwise
1-50 requires a filing fee. The additional fee is in an amount equal to
1-51 the amount of the additional fee set by order or rule of the supreme
1-52 court and imposed under Section 51.0051.

1-53 (b) The clerk shall collect fees imposed under this section
1-54 in the same manner as other fees, fines, or costs are collected in
1-55 the proceeding and shall send the fees imposed under this section to
1-56 the comptroller not later than the last day of the month following
1-57 each calendar quarter. The comptroller shall deposit the fees
1-58 received to the credit of the judicial fund.

1-59 (c) Fees received under this section may be appropriated
1-60 only to the supreme court support account established under Section
1-61 51.0051. The comptroller shall allocate to the account amounts as
1-62 designated in the General Appropriations Act from the judicial fund
1-63 that were deposited under this section.

2-1 (d) The supreme court shall administer the funds deposited
2-2 under this section and appropriated to the supreme court support
2-3 account in the manner provided by Section 51.0051.

2-4 SECTION 3. Subchapter B, Chapter 101, Government Code, is
2-5 amended by adding Section 101.022 to read as follows:

2-6 Sec. 101.022. ADDITIONAL SUPREME COURT FEES AND COSTS. The
2-7 clerk of the supreme court shall collect a supreme court support
2-8 account filing fee in an amount set by the supreme court, not to
2-9 exceed \$50, under Section 51.0051.

2-10 SECTION 4. Subchapter C, Chapter 101, Government Code, is
2-11 amended by adding Section 101.042 to read as follows:

2-12 Sec. 101.042. ADDITIONAL COURT OF APPEALS FEES AND COSTS.
2-13 The clerk of a court of appeals shall collect a filing fee under
2-14 Section 51.208 in the amount of the supreme court support account
2-15 filing fee set by the supreme court, not to exceed \$50, under
2-16 Section 51.0051.

2-17 SECTION 5. Sections 51.0051 and 51.208, Government Code, as
2-18 added by this Act, apply only to an action or proceeding filed on or
2-19 after the effective date of this Act. An action or proceeding filed
2-20 before the effective date of this Act is governed by the law in
2-21 effect at the time the action or proceeding was filed, and the
2-22 former law is continued in effect for that purpose.

2-23 SECTION 6. This Act takes effect September 1, 2007.

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