

## **BILL ANALYSIS**

H.B. 1926  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current statute, nine of the 14 courts of appeals have appellate judicial funds that were created to assist in the administrative costs of the appellate court. The account is funded by a small fee on each civil suit filed in the county courts, statutory county courts, probate courts, and district courts. The chief justice of each of the courts of appeals has the statutory authority to administer the fund. The Seventh Court of Appeals does not currently have the authority to collect this fee.

H.B. 1926 requires the commissioners court of each county in the Seventh Court of Appeals to establish an appellate judicial system and to set a \$5 fee for every civil suit filed in certain courts in the county to fund the system.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1926 amends the Government Code to require the commissioners court of each county in the Seventh Court of Appeals District, by order entered in its minutes, to establish an appellate judicial system to assist the court of appeals for the county in the disposition of appeals filed with the court of appeals from the county courts, statutory county courts, probate courts, and district courts, and to defray costs and expenses incurred by the county.

H.B. 1926 requires the commissioners court, in order to fund the system, to set a court costs fee of \$5 for each civil suit filed in a county court, statutory county court, probate court, or district court in the county, and establishes that the court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes. The bill requires the court costs fee to be taxed, collected, and paid as other court costs in a suit; requires the clerk of the court to collect the court costs fee and pay it to the county officer who performs the county treasurer's functions; and requires that officer to deposit the fee in a separate appellate judicial system fund for the court of appeals district. The bill prohibits the fund from being used for any other purpose and establishes that the chief justice of the court of appeals has sole discretion as to the use of the fund. The bill requires the commissioners court to monthly order the funds collected to be forwarded to the court of appeals for expenditures by the court of appeals for its appellate judicial system. The bill requires the commissioners court to vest management of the system in the chief justice of the court of appeals.

### **EFFECTIVE DATE**

September 1, 2009.