

By: McClendon

H.B. No. 144

A BILL TO BE ENTITLED

AN ACT

relating to an additional filing fee for civil cases filed in Bexar County.

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

SECTION 1. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.706 to read as follows:

Sec. 51.706. ADDITIONAL FILING FEE FOR CIVIL CASES IN BEXAR COUNTY. (a) This section applies only to district courts, statutory probate courts, and county courts at law in Bexar County.

(b) Except as otherwise provided by this section and in addition to all other fees authorized or required by other law, the clerk of a court shall collect a filing fee of not more than \$15 in each civil case filed in the court to be used for the construction, renovation, or improvement of the facilities that house the Bexar County civil and criminal courts. The fee does not apply to a suit affecting the parent-child relationship for the adoption of a child or the termination of parental rights.

(c) Court fees due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) The clerk at least monthly shall send the fees collected under this section to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer. The treasurer or other official shall deposit the fees

1 in a special account in the county treasury dedicated to the
2 construction, renovation, or improvement of the facilities that
3 house the Bexar County civil and criminal courts.

4 (e) This section applies only to the collection of fees for
5 a 12-month period beginning October 1, if the commissioners court:

6 (1) adopts a resolution authorizing a fee of not more
7 than \$15;

8 (2) adopts a resolution requiring the county to spend
9 one dollar for the construction, renovation, or improvement of the
10 court facilities for each dollar spent from the special account
11 dedicated to that purpose; and

12 (3) files the resolutions with the county treasurer or
13 with any other official who discharges the duties commonly assigned
14 to the county treasurer not later than September 1 immediately
15 preceding the first 12-month period during which the fees are to be
16 collected.

17 (f) A resolution adopted under Subsection (e) continues
18 from year to year until October 1, 2024, allowing the county to
19 collect fees in accordance with this section until the resolution
20 is rescinded.

21 (g) The commissioners court may rescind a resolution
22 adopted under Subsection (e) by adopting a resolution rescinding
23 the resolution and submitting the rescission resolution to the
24 county treasurer or to any other official who discharges the duties
25 commonly assigned to the county treasurer not later than September
26 1 preceding the beginning of the first day of the county fiscal
27 year. The commissioners court may adopt another resolution in the

1 manner provided by Subsection (e) after rescinding a previous
2 resolution adopted under that subsection.

3 (h) A fee established under a particular resolution is
4 abolished on the earlier of:

5 (1) the date a resolution adopted under Subsection (e)
6 is rescinded as provided by Subsection (g); or

7 (2) October 1, 2024.

8 (i) The county may make the expenditure required under
9 Subsection (e)(2) at any time, regardless of when the expenditure
10 from the special account occurs.

11 SECTION 2. Subchapter D, Chapter 101, Government Code, is
12 amended by adding Section 101.06111 to read as follows:

13 Sec. 101.06111. ADDITIONAL DISTRICT COURT FEES: GOVERNMENT
14 CODE. The clerk of a district court in Bexar County shall collect
15 an additional filing fee not to exceed \$15 under Section 51.706,
16 Government Code, in certain civil cases to fund the improvement of
17 court facilities, if authorized by the county commissioners court.

18 SECTION 3. Subchapter E, Chapter 101, Government Code, is
19 amended by adding Section 101.08111 to read as follows:

20 Sec. 101.08111. ADDITIONAL STATUTORY COUNTY COURT FEES:
21 GOVERNMENT CODE. The clerk of a statutory county court in Bexar
22 County shall collect an additional filing fee not to exceed \$15
23 under Section 51.706, Government Code, in certain civil cases to
24 fund the improvement of court facilities, if authorized by the
25 county commissioners court.

26 SECTION 4. Subchapter F, Chapter 101, Government Code, is
27 amended by adding Section 101.10111 to read as follows:

1 Sec. 101.10111. ADDITIONAL STATUTORY PROBATE COURT FEES:
2 GOVERNMENT CODE. The clerk of a statutory probate court in Bexar
3 County shall collect an additional filing fee not to exceed \$15
4 under Section 51.706, Government Code, in certain civil cases to
5 fund the improvement of court facilities, if authorized by the
6 county commissioners court.

7 SECTION 5. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.