

1-1 By: McClendon (Senate Sponsor - Wentworth) H.B. No. 144
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 4, 2009, read first time and referred to Committee on
1-4 Jurisprudence; May 14, 2009, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 14, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to an additional filing fee for civil cases filed in Bexar
1-9 County.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter H, Chapter 51, Government Code, is
1-12 amended by adding Section 51.706 to read as follows:

1-13 Sec. 51.706. ADDITIONAL FILING FEE FOR CIVIL CASES IN BEXAR
1-14 COUNTY. (a) This section applies only to district courts,
1-15 statutory probate courts, and county courts at law in Bexar County.

1-16 (b) Except as otherwise provided by this section and in
1-17 addition to all other fees authorized or required by other law, the
1-18 clerk of a court shall collect a filing fee of not more than \$15 in
1-19 each civil case filed in the court to be used for the construction,
1-20 renovation, or improvement of the facilities that house the Bexar
1-21 County civil and criminal courts. The fee does not apply to a suit
1-22 affecting the parent-child relationship for the adoption of a child
1-23 or the termination of parental rights.

1-24 (c) Court fees due under this section shall be collected in
1-25 the same manner as other fees, fines, or costs are collected in the
1-26 case.

1-27 (d) The clerk at least monthly shall send the fees collected
1-28 under this section to the county treasurer or to any other official
1-29 who discharges the duties commonly assigned to the county
1-30 treasurer. The treasurer or other official shall deposit the fees
1-31 in a special account in the county treasury dedicated to the
1-32 construction, renovation, or improvement of the facilities that
1-33 house the Bexar County civil and criminal courts.

1-34 (e) This section applies only to the collection of fees for
1-35 a 12-month period beginning October 1, if the commissioners court:

1-36 (1) adopts a resolution authorizing a fee of not more
1-37 than \$15;

1-38 (2) adopts a resolution requiring the county to spend
1-39 one dollar for the construction, renovation, or improvement of the
1-40 court facilities for each dollar spent from the special account
1-41 dedicated to that purpose; and

1-42 (3) files the resolutions with the county treasurer or
1-43 with any other official who discharges the duties commonly assigned
1-44 to the county treasurer not later than September 1 immediately
1-45 preceding the first 12-month period during which the fees are to be
1-46 collected.

1-47 (f) A resolution adopted under Subsection (e) continues
1-48 from year to year until October 1, 2024, allowing the county to
1-49 collect fees in accordance with this section until the resolution
1-50 is rescinded.

1-51 (g) The commissioners court may rescind a resolution
1-52 adopted under Subsection (e) by adopting a resolution rescinding
1-53 the resolution and submitting the rescission resolution to the
1-54 county treasurer or to any other official who discharges the duties
1-55 commonly assigned to the county treasurer not later than September
1-56 1 preceding the beginning of the first day of the county fiscal
1-57 year. The commissioners court may adopt another resolution in the
1-58 manner provided by Subsection (e) after rescinding a previous
1-59 resolution adopted under that subsection.

1-60 (h) A fee established under a particular resolution is
1-61 abolished on the earlier of:

1-62 (1) the date a resolution adopted under Subsection (e)
1-63 is rescinded as provided by Subsection (g); or

1-64 (2) October 1, 2024.

