

By: Eiland

H.B. No. 1860

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an additional filing fee for civil cases filed in
3 certain courts.

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

5 SECTION 1. Subchapter H, Chapter 51, Government Code, is
6 amended by adding Section 51.708 to read as follows:

7 Sec. 51.708. ADDITIONAL FILING FEE FOR CIVIL CASES IN
8 CERTAIN COURTS. (a) In addition to all other fees authorized or
9 required by other law, the clerk of a county court, statutory county
10 court, or district court shall collect a filing fee of not more than
11 \$10 in each civil case filed in the court to be used for court record
12 preservation for the courts in the county.

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

16 (c) The clerk at least monthly shall send the fees collected
17 under this section to the county treasurer or to any other official
18 who discharges the duties commonly assigned to the county
19 treasurer. The treasurer or other official shall deposit the fees
20 in a court record preservation account in the county treasury. The
21 money in the account may be used only to digitize court records and
22 preserve the records from natural disasters.

23 (d) The court record preservation account shall be
24 administered by or under the direction of the commissioners court

1 of the county.

2 SECTION 2. Subchapter D, Chapter 101, Government Code, is
3 amended by adding Section 101.06117 to read as follows:

4 Sec. 101.06117. ADDITIONAL DISTRICT COURT FEES: GOVERNMENT
5 CODE. The clerk of a district court shall collect an additional
6 filing fee not to exceed \$10 under Section 51.708, Government Code,
7 in certain civil cases to fund the preservation of court records.

8 SECTION 3. Subchapter E, Chapter 101, Government Code, is
9 amended by adding Section 101.08115 to read as follows:

10 Sec. 101.08115. ADDITIONAL STATUTORY COUNTY COURT FEES:
11 GOVERNMENT CODE. The clerk of a statutory county court shall
12 collect an additional filing fee not to exceed \$10 under Section
13 51.708, Government Code, in certain civil cases to fund the
14 preservation of court records.

15 SECTION 4. Subchapter G, Chapter 101, Government Code, is
16 amended by adding Section 101.12124 to read as follows:

17 Sec. 101.12124. ADDITIONAL COUNTY COURT FEES: GOVERNMENT
18 CODE. The clerk of a county court shall collect an additional
19 filing fee not to exceed \$10 under Section 51.708, Government Code,
20 in certain civil cases to fund the preservation of court records.

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