

By: Hughes

H.B. No. 3637

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to filing fees in civil actions and proceedings, to fees  
3 charged on conviction in certain courts, to the preservation of  
4 court records, to money paid into the registry of a court in certain  
5 counties, and to the appointment of counsel in certain suits.

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

7 SECTION 1. Subchapter A, Chapter 102, Code of Criminal  
8 Procedure, is amended by adding Article 102.0169 to read as  
9 follows:

10 Art. 102.0169. COURT COSTS; COUNTY AND DISTRICT COURT  
11 TECHNOLOGY FUND. (a) A defendant convicted of a criminal offense in  
12 a county court, statutory county court, or district court shall pay  
13 a \$4 county and district court technology fee as a cost of court.

14 (b) In this article, a person is considered convicted if:

15 (1) a sentence is imposed on the person;

16 (2) the person receives community supervision,  
17 including deferred adjudication; or

18 (3) the court defers final disposition of the person's  
19 case.

20 (c) The clerks of the courts described by Subsection (a)  
21 shall collect the costs and pay them to the county treasurer or to  
22 any other official who discharges the duties commonly delegated to  
23 the county treasurer, as appropriate, for deposit in a fund to be  
24 known as the county and district court technology fund.

1        (d) A fund designated by this article may be used only to  
2 finance:

3            (1) the cost of continuing education and training for  
4 county court, statutory county court, or district court judges and  
5 clerks regarding technological enhancements for those courts; and

6            (2) the purchase and maintenance of technological  
7 enhancements for a county court, statutory county court, or  
8 district court, including:

9                    (A) computer systems;

10                   (B) computer networks;

11                   (C) computer hardware;

12                   (D) computer software;

13                   (E) imaging systems;

14                   (F) electronic kiosks; and

15                   (G) docket management systems.

16        (e) The county and district court technology fund shall be  
17 administered by or under the direction of the commissioners court  
18 of the county.

19        SECTION 2. Section 117.111, Local Government Code, is  
20 amended to read as follows:

21        Sec. 117.111. SUBCHAPTER APPLICABLE TO COUNTY WITH  
22 POPULATION OF 1.3 [~~2.4~~] MILLION OR MORE. This subchapter applies  
23 only to a county with a population of 1.3 [~~2.4~~] million or more.

24        SECTION 3. The heading to Subchapter E, Chapter 117, Local  
25 Government Code, is amended to read as follows:

26        SUBCHAPTER E. SPECIAL PROVISIONS APPLYING TO FUNDS PAID INTO COURT  
27        REGISTRY IN COUNTY WITH POPULATION OF MORE THAN 1.3 [~~2.4~~] MILLION

1 SECTION 4. Section 133.152(a), Local Government Code, is  
2 amended to read as follows:

3 (a) In addition to other fees collected under Section  
4 133.151(a) or otherwise authorized or required by law, the clerk of  
5 a district court shall collect the following fees on the filing of  
6 any civil action or proceeding requiring a filing fee, including an  
7 appeal, and on the filing of any counterclaim, cross-action,  
8 intervention, interpleader, or third-party action requiring a  
9 filing fee:

10 (1) \$5 in family law cases and proceedings as defined  
11 by Section 25.0002, Government Code; and

12 (2) \$10 in any case other than a case described by  
13 Subdivision (1).

14 SECTION 5. Section 133.153(a), Local Government Code, is  
15 amended to read as follows:

16 (a) In addition to other fees authorized or required by law,  
17 the clerk of a court other than a district court, the courts of  
18 appeals, or the supreme court shall collect the following fees on  
19 the filing of any civil action or proceeding requiring a filing fee,  
20 including an appeal, and on the filing of any counterclaim,  
21 cross-action, intervention, interpleader, or third-party action  
22 requiring a filing fee:

23 (1) \$10 [~~\$5~~] for statutory and constitutional county  
24 courts; and

25 (2) \$6 [~~\$2~~] for justice of the peace courts.

26 SECTION 6. Subchapter A, Chapter 25, Government Code, is  
27 amended by adding Section 25.0020 to read as follows:

1       Sec. 25.0020. APPOINTMENT OF COUNSEL IN CERTAIN APPEALS.

2       (a) On a written application of any party to an eviction suit, the  
3       county court or county court at law in which an appeal of the suit is  
4       filed may appoint any qualified attorney who is willing to provide  
5       pro bono services in the matter or counsel from a list provided by a  
6       pro bono legal services program of counsel willing to be appointed  
7       to handle appeals under this section to attend to the cause of a  
8       party who:

9               (1) was in possession of the residence at the time the  
10       eviction suit was filed in the justice court; and

11               (2) has perfected the appeal on a pauper's affidavit  
12       approved in accordance with Rule 749a, Texas Rules of Civil  
13       Procedure.

14       (b) The appointed counsel shall represent the individual in  
15       the proceedings of the suit in the county court or county court at  
16       law. At the conclusion of those proceedings, the appointment  
17       terminates.

18       (c) The court may terminate representation appointed under  
19       this section for cause.

20       (d) Appointed counsel may not receive attorney's fees  
21       unless the recovery of attorney's fees is provided for by contract,  
22       statute, common law, court rules, or other regulations. The county  
23       is not responsible for payment of attorney's fees to appointed  
24       counsel.

25       (e) The court shall provide for a method of service of  
26       written notice on the parties to an eviction suit of the right to  
27       request an appointment of counsel on perfection of appeal on

1 approval of a pauper's affidavit.

2 SECTION 7. Subchapter A, Chapter 26, Government Code, is  
3 amended by adding Section 26.010 to read as follows:

4 Sec. 26.010. APPOINTMENT OF COUNSEL IN CERTAIN APPEALS.

5 (a) On a written application of any party to an eviction suit, the  
6 county court or county court at law in which an appeal of the suit is  
7 filed may appoint any qualified attorney who is willing to provide  
8 pro bono services in the matter or counsel from a list provided by a  
9 pro bono legal services program of counsel willing to be appointed  
10 to handle appeals under this section to attend to the cause of a  
11 party who:

12 (1) was in possession of the residence at the time the  
13 eviction suit was filed in the justice court; and

14 (2) has perfected the appeal on a pauper's affidavit  
15 approved in accordance with Rule 749a, Texas Rules of Civil  
16 Procedure.

17 (b) The appointed counsel shall represent the individual in  
18 the proceedings of the suit in the county court or county court at  
19 law. At the conclusion of those proceedings, the appointment  
20 terminates.

21 (c) The court may terminate representation appointed under  
22 this section for cause.

23 (d) Appointed counsel may not receive attorney's fees  
24 unless the recovery of attorney's fees is provided for by contract,  
25 statute, common law, court rules, or other regulations. The county  
26 is not responsible for payment of attorney's fees to appointed  
27 counsel.

1       (e) The court shall provide for a method of service of  
2 written notice on the parties to an eviction suit of the right to  
3 request an appointment of counsel on perfection of appeal on  
4 approval of a pauper's affidavit.

5       SECTION 8. 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  
25 of the county.

26       SECTION 9. Subchapter D, Chapter 101, Government Code, is  
27 amended by adding Section 101.06117 to read as follows:

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

5       SECTION 10. Subchapter E, Chapter 101, Government Code, is  
6 amended by adding Section 101.08115 to read as follows:

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

12       SECTION 11. (a) Section 101.0814, Government Code, is  
13 amended to conform to the amendments made to Section 101.081,  
14 Government Code, by Chapter 399 (S.B. 819), Acts of the 80th  
15 Legislature, Regular Session, 2007, and to conform to the  
16 amendments made to Section 101.083, Government Code, by Chapter  
17 1301 (S.B. 600), Acts of the 80th Legislature, Regular Session,  
18 2007, and is further amended to read as follows:

19       Sec. 101.0814. STATUTORY COUNTY COURT FEES AND COSTS: LOCAL  
20 GOVERNMENT CODE. The clerk of a statutory county court shall  
21 collect fees and costs under the Local Government Code as follows:

22               (1) additional filing fee to fund contingency fund for  
23 liability insurance, if authorized by the county commissioners  
24 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

25               (2) civil court actions (Sec. 118.052, Local  
26 Government Code):

27                       (A) filing of original action (Secs. 118.052 and

1 118.053, Local Government Code):  
2 (i) garnishment after judgment (Sec.  
3 118.052, Local Government Code) . . . \$15; and  
4 (ii) all others (Sec. 118.052, Local  
5 Government Code) . . . \$40;  
6 (B) filing of action other than original (Secs.  
7 118.052 and 118.054, Local Government Code) . . . \$30; and  
8 (C) services rendered after judgment in original  
9 action (Secs. 118.052 and 118.0545, Local Government Code):  
10 (i) abstract of judgment (Sec. 118.052,  
11 Local Government Code) . . . \$5; and  
12 (ii) execution, order of sale, writ, or  
13 other process (Sec. 118.052, Local Government Code) . . . \$5;  
14 (3) probate court actions (Sec. 118.052, Local  
15 Government Code):  
16 (A) probate original action (Secs. 118.052 and  
17 118.055, Local Government Code):  
18 (i) probate of a will with independent  
19 executor, administration with will attached, administration of an  
20 estate, guardianship or receivership of an estate, or muniment of  
21 title (Sec. 118.052, Local Government Code) . . . \$40;  
22 (ii) community survivors (Sec. 118.052,  
23 Local Government Code) . . . \$40;  
24 (iii) small estates (Sec. 118.052, Local  
25 Government Code) . . . \$40;  
26 (iv) declarations of heirship (Sec.  
27 118.052, Local Government Code) . . . \$40;

1 (v) mental health or chemical dependency  
2 services (Sec. 118.052, Local Government Code) . . . \$40; and  
3 (vi) additional, special fee (Secs. 118.052  
4 and 118.064, Local Government Code) . . . \$5;  
5 (B) services in pending probate action (Secs.  
6 118.052 and 118.056, Local Government Code):  
7 (i) filing an inventory and appraisement  
8 ~~(Secs. [after the 120th day after the date of the initial filing of~~  
9 ~~the action (Sec.] 118.052 and 118.056(d), Local Government Code)~~  
10 . . . \$25;  
11 (ii) approving and recording bond (Sec.  
12 118.052, Local Government Code) . . . \$3;  
13 (iii) administering oath (Sec. 118.052,  
14 Local Government Code) . . . \$2;  
15 (iv) filing annual or final account of  
16 estate (Sec. 118.052, Local Government Code) . . . \$25;  
17 (v) filing application for sale of real or  
18 personal property (Sec. 118.052, Local Government Code) . . . \$25;  
19 (vi) filing annual or final report of  
20 guardian of a person (Sec. 118.052, Local Government Code) . . .  
21 \$10; and  
22 (vii) filing a document not listed under  
23 this paragraph after the filing of an order approving the inventory  
24 and appraisement or after the 120th day after the date of the  
25 initial filing of the action, whichever occurs first (Secs. 118.052  
26 and 191.007, Local Government Code), if more than 25 pages . . .  
27 \$25;

1           (C) adverse probate action (Secs. 118.052 and  
2 118.057, Local Government Code) . . . \$40; and  
3           (D) claim against estate (Secs. 118.052 and  
4 118.058, Local Government Code) . . . \$2;  
5           (4) other fees (Sec. 118.052, Local Government Code):  
6           (A) issuing document (Secs. 118.052 and 118.059,  
7 Local Government Code):  
8           (i) original document and one copy (Sec.  
9 118.052, Local Government Code) . . . \$4; and  
10           (ii) each additional set of an original and  
11 one copy (Sec. 118.052, Local Government Code) . . . \$4;  
12           (B) certified papers (Secs. 118.052 and 118.060,  
13 Local Government Code):  
14           (i) for the clerk's certificate (Sec.  
15 118.052, Local Government Code) . . . \$5; and  
16           (ii) a fee per page or part of a page (Sec.  
17 118.052, Local Government Code) . . . \$1;  
18           (C) noncertified papers, for each page or part of  
19 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .  
20 \$1;  
21           (D) letters testamentary, letter of  
22 guardianship, letter of administration, or abstract of judgment  
23 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;  
24           (E) safekeeping of wills (Secs. 118.052 and  
25 118.062, Local Government Code) . . . \$5;  
26           (F) mail service of process (Secs. 118.052 and  
27 118.063, Local Government Code) . . . same as sheriff; and

1 (G) records management and preservation fee  
2 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)  
3 . . . \$5;

4 (5) additional filing fee for filing any civil action  
5 or proceeding requiring a filing fee, including an appeal, and on  
6 the filing of any counterclaim, cross-action, intervention,  
7 interpleader, or third-party action requiring a filing fee, to fund  
8 civil legal services for the indigent (Sec. 133.153, Local  
9 Government Code) . . . \$10 [~~\$5~~];

10 (6) on the filing of a civil suit, an additional filing  
11 fee to be used for court-related purposes for the support of the  
12 judiciary (Sec. 133.154, Local Government Code) . . . \$42 [~~\$37~~];

13 (7) additional filing fee to fund the courthouse  
14 security fund, if authorized by the county commissioners court  
15 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

16 (8) additional filing fee for filing documents not  
17 subject to certain filing fees to fund the courthouse security  
18 fund, if authorized by the county commissioners court (Sec.  
19 291.008, Local Government Code) . . . \$1;

20 (9) additional filing fee to fund the courthouse  
21 security fund in Webb County, if authorized by the county  
22 commissioners court (Sec. 291.009, Local Government Code) . . . not  
23 to exceed \$20; and

24 (10) court cost in civil cases other than suits for  
25 delinquent taxes to fund the county law library fund, if authorized  
26 by the county commissioners court (Sec. 323.023, Local Government  
27 Code) . . . not to exceed \$35.

1 (b) Section 101.083, Government Code, is repealed.

2 SECTION 12. Section 101.1013, Government Code, is amended  
3 to conform to the amendments made to Section 101.101, Government  
4 Code, by Chapter 399 (S.B. 819), Acts of the 80th Legislature,  
5 Regular Session, 2007, and is further amended to read as follows:

6 Sec. 101.1013. STATUTORY PROBATE COURT FEES AND COSTS:  
7 LOCAL GOVERNMENT CODE. The clerk of a statutory probate court shall  
8 collect fees and costs under the Local Government Code as follows:

9 (1) additional filing fee for filing any civil action  
10 or proceeding requiring a filing fee, including an appeal, and on  
11 the filing of any counterclaim, cross-action, intervention,  
12 interpleader, or third-party action requiring a filing fee to fund  
13 civil legal services for the indigent (Sec. 133.153, Local  
14 Government Code). . . \$10 [~~\$5~~];

15 (2) additional filing fee to fund contingency fund for  
16 liability insurance, if authorized by the county commissioners  
17 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

18 (3) probate court actions (Sec. 118.052, Local  
19 Government Code):

20 (A) probate original action (Secs. 118.052 and  
21 118.055, Local Government Code):

22 (i) probate of a will with independent  
23 executor, administration with will attached, administration of an  
24 estate, guardianship or receivership of an estate, or muniment of  
25 title (Sec. 118.052, Local Government Code) . . . \$40;

26 (ii) community survivors (Sec. 118.052,  
27 Local Government Code) . . . \$40;

- 1 (iii) small estates (Sec. 118.052, Local  
2 Government Code) . . . \$40;
- 3 (iv) declarations of heirship (Sec.  
4 118.052, Local Government Code) . . . \$40;
- 5 (v) mental health or chemical dependency  
6 services (Sec. 118.052, Local Government Code) . . . \$40; and
- 7 (vi) additional, special fee (Secs. 118.052  
8 and 118.064, Local Government Code) . . . \$5;
- 9 (B) services in pending probate action (Secs.  
10 118.052 and 118.056, Local Government Code):
- 11 (i) filing an inventory and appraisalment  
12 (Secs. [after the 120th day after the date of the initial filing of  
13 the action (Sec.] 118.052 and 118.056(d), Local Government Code)  
14 . . . \$25;
- 15 (ii) approving and recording bond (Sec.  
16 118.052, Local Government Code) . . . \$3;
- 17 (iii) administering oath (Sec. 118.052,  
18 Local Government Code) . . . \$2;
- 19 (iv) filing annual or final account of  
20 estate (Sec. 118.052, Local Government Code). . . \$25;
- 21 (v) filing application for sale of real or  
22 personal property (Sec. 118.052, Local Government Code) . . . \$25;
- 23 (vi) filing annual or final report of  
24 guardian of a person (Sec. 118.052, Local Government Code) . . .  
25 \$10; and
- 26 (vii) filing a document not listed under  
27 this paragraph after the filing of an order approving the inventory

1 and appraisement or after the 120th day after the date of the  
2 initial filing of the action, whichever occurs first (Secs. 118.052  
3 and 191.007, Local Government Code), if more than 25 pages . . .  
4 \$25;

5 (C) adverse probate action (Secs. 118.052 and  
6 118.057, Local Government Code) . . . \$40; and

7 (D) claim against estate (Secs. 118.052 and  
8 118.058, Local Government Code) . . . \$2;

9 (4) other fees (Sec. 118.052, Local Government Code):

10 (A) issuing document (Secs. 118.052 and 118.059,  
11 Local Government Code):

12 (i) original document and one copy (Sec.  
13 118.052, Local Government Code) . . . \$4; and

14 (ii) each additional set of an original and  
15 one copy (Sec. 118.052, Local Government Code) . . . \$4;

16 (B) certified papers (Secs. 118.052 and 118.060,  
17 Local Government Code):

18 (i) for the clerk's certificate (Sec.  
19 118.052, Local Government Code) . . . \$5; and

20 (ii) a fee per page or part of a page (Sec.  
21 118.052, Local Government Code) . . . \$1;

22 (C) noncertified papers, for each page or part of  
23 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .  
24 \$1;

25 (D) letters testamentary, letter of  
26 guardianship, letter of administration, or abstract of judgment  
27 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

1 (E) safekeeping of wills (Secs. 118.052 and  
2 118.062, Local Government Code) . . . \$5;

3 (F) mail service of process (Secs. 118.052 and  
4 118.063, Local Government Code) . . . same as sheriff; and

5 (G) records management and preservation fee  
6 (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5; and

7 (5) court cost in civil cases other than suits for  
8 delinquent taxes to fund the county law library fund, if authorized  
9 by the county commissioners court (Sec. 323.023, Local Government  
10 Code) . . . not to exceed \$35.

11 SECTION 13. Subchapter G, Chapter 101, Government Code, is  
12 amended by adding Section 101.12124 to read as follows:

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

17 SECTION 14. (a) Section 101.1214, Government Code, is  
18 amended to conform to the amendments made to Section 101.121,  
19 Government Code, by Chapter 399 (S.B. 819), Acts of the 80th  
20 Legislature, Regular Session, 2007, and to conform to the  
21 amendments made to Section 101.123, Government Code, by Chapter  
22 1301 (S.B. 600), Acts of the 80th Legislature, Regular Session,  
23 2007, and is further amended to read as follows:

24 Sec. 101.1214. COUNTY COURT FEES AND COSTS: LOCAL  
25 GOVERNMENT CODE. The clerk of a county court shall collect the  
26 following fees and costs under the Local Government Code:

27 (1) additional filing fee to fund contingency fund for

1 liability insurance, if authorized by the county commissioners  
2 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

3 (2) civil court actions (Sec. 118.052, Local  
4 Government Code):

5 (A) filing of original action (Secs. 118.052 and  
6 118.053, Local Government Code):

7 (i) garnishment after judgment (Sec.  
8 118.052, Local Government Code) . . . \$15; and

9 (ii) all others (Sec. 118.052, Local  
10 Government Code) . . . \$40;

11 (B) filing of action other than original (Secs.  
12 118.052 and 118.054, Local Government Code) . . . \$30; and

13 (C) services rendered after judgment in original  
14 action (Secs. 118.052 and 118.0545, Local Government Code):

15 (i) abstract of judgment (Sec. 118.052,  
16 Local Government Code) . . . \$5; and

17 (ii) execution, order of sale, writ, or  
18 other process (Sec. 118.052, Local Government Code) . . . \$5;

19 (3) probate court actions (Sec. 118.052, Local  
20 Government Code):

21 (A) probate original action (Secs. 118.052 and  
22 118.055, Local Government Code):

23 (i) probate of a will with independent  
24 executor, administration with will attached, administration of an  
25 estate, guardianship or receivership of an estate, or muniment of  
26 title (Sec. 118.052, Local Government Code) . . . \$40;

27 (ii) community survivors (Sec. 118.052,

- 1 Local Government Code) . . . \$40;
- 2 (iii) small estates (Sec. 118.052, Local  
3 Government Code) . . . \$40;
- 4 (iv) declarations of heirship (Sec.  
5 118.052, Local Government Code) . . . \$40;
- 6 (v) mental health or chemical dependency  
7 services (Sec. 118.052, Local Government Code) . . . \$40; and
- 8 (vi) additional, special fee (Secs. 118.052  
9 and 118.064, Local Government Code) . . . \$5;
- 10 (B) services in pending probate action (Secs.  
11 118.052 and 118.056, Local Government Code):
- 12 (i) filing an inventory and appraisalment  
13 ~~(Secs. [after the 120th day after the date of the initial filing of~~  
14 ~~the action (Sec.] 118.052 and 118.056(d), Local Government Code)~~  
15 . . . \$25;
- 16 (ii) approving and recording bond (Sec.  
17 118.052, Local Government Code) . . . \$3;
- 18 (iii) administering oath (Sec. 118.052,  
19 Local Government Code) . . . \$2;
- 20 (iv) filing annual or final account of  
21 estate (Sec. 118.052, Local Government Code) . . . \$25;
- 22 (v) filing application for sale of real or  
23 personal property (Sec. 118.052, Local Government Code) . . . \$25;
- 24 (vi) filing annual or final report of  
25 guardian of a person (Sec. 118.052, Local Government Code) . . .  
26 \$10; and
- 27 (vii) filing a document not listed under

1 this paragraph after the filing of an order approving the inventory  
2 and appraisement or after the 120th day after the date of the  
3 initial filing of the action, whichever occurs first (Secs. 118.052  
4 and 191.007, Local Government Code), if more than 25 pages . . .  
5 \$25;

6 (C) adverse probate action (Secs. 118.052 and  
7 118.057, Local Government Code) . . . \$40; and

8 (D) claim against estate (Secs. 118.052 and  
9 118.058, Local Government Code) . . . \$2;

10 (4) other fees (Sec. 118.052, Local Government Code):

11 (A) issuing document (Secs. 118.052 and 118.059,  
12 Local Government Code):

13 (i) original document and one copy (Sec.  
14 118.052, Local Government Code) . . . \$4; and

15 (ii) each additional set of an original and  
16 one copy (Sec. 118.052, Local Government Code) . . . \$4;

17 (B) certified papers (Secs. 118.052 and 118.060,  
18 Local Government Code):

19 (i) for the clerk's certificate (Sec.  
20 118.052, Local Government Code) . . . \$5; and

21 (ii) a fee per page or part of a page (Sec.  
22 118.052, Local Government Code) . . . \$1;

23 (C) noncertified papers, for each page or part of  
24 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .  
25 \$1;

26 (D) letters testamentary, letter of  
27 guardianship, letter of administration, or abstract of judgment

- 1 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;
- 2 (E) safekeeping of wills (Secs. 118.052 and  
3 118.062, Local Government Code) . . . \$5;
- 4 (F) mail service of process (Secs. 118.052 and  
5 118.063, Local Government Code) . . . same as sheriff; and
- 6 (G) records management and preservation fee  
7 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)  
8 . . . \$5;
- 9 (5) deposit on filing petition requesting permission  
10 to create a municipal civic center authority (Sec. 281.013, Local  
11 Government Code) . . . \$200;
- 12 (6) additional filing fee to fund the courthouse  
13 security fund, if authorized by the county commissioners court  
14 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;
- 15 (7) additional filing fee for filing documents not  
16 subject to certain filing fees to fund the courthouse security  
17 fund, if authorized by the county commissioners court (Sec.  
18 291.008, Local Government Code) . . . \$1;
- 19 (8) additional filing fee to fund the courthouse  
20 security fund in Webb County, if authorized by the county  
21 commissioners court (Sec. 291.009, Local Government Code) . . . not  
22 to exceed \$20;
- 23 (9) court cost in civil cases other than suits for  
24 delinquent taxes to fund the county law library fund, if authorized  
25 by the county commissioners court (Sec. 323.023, Local Government  
26 Code) . . . not to exceed \$35;
- 27 (10) additional filing fee for filing any civil action

1 or proceeding requiring a filing fee, including an appeal, and on  
2 the filing of any counterclaim, cross-action, intervention,  
3 interpleader, or third-party action requiring a filing fee, to fund  
4 civil legal services for the indigent (Sec. 133.153, Local  
5 Government Code) . . . \$10 [~~\$5~~]; and

6 (11) on the filing of a civil suit an additional filing  
7 fee to be used for court-related purposes for the support of the  
8 judiciary (Sec. 133.154, Local Government Code) . . . \$42 [~~\$37~~].

9 (b) Section 101.123, Government Code, is repealed.

10 SECTION 15. Section 101.141(b), Government Code, as amended  
11 by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular  
12 Session, 2007, is amended to conform to the amendments made to  
13 Section 101.141(a), Government Code, by Chapter 1046 (H.B. 2094),  
14 Acts of the 80th Legislature, Regular Session, 2007, and is further  
15 amended to read as follows:

16 (b) A clerk of a justice court shall collect fees and costs  
17 under other laws as follows:

18 (1) the cost of a special program that a court may  
19 order a child to attend after a finding that the child committed an  
20 offense, if ordered by the court (Art. 45.057, Code of Criminal  
21 Procedure) . . . costs of the program not to exceed \$100;

22 (2) additional filing fees:

23 (A) to fund Dallas County civil court facilities  
24 (Sec. 51.705, Government Code) . . . not more than \$15; and

25 (B) for filing any civil action or proceeding  
26 requiring a filing fee, including an appeal, and on the filing of  
27 any counterclaim, cross-action, intervention, interpleader, or

1 third-party action requiring a filing fee, to fund civil legal  
2 services for the indigent (Sec. 133.153, Local Government Code)  
3 . . . \$6 [~~\$2~~];

4 (3) for filing a suit in Comal County (Sec. 152.0522,  
5 Human Resources Code) . . . \$1.50; and

6 (4) fee for hearing on probable cause for removal of a  
7 vehicle and placement in a storage facility if assessed by the court  
8 (Sec. 2308.457, Occupations [~~685.008, Transportation~~] Code) . . .  
9 \$20.

10 SECTION 16. (a) Section 102.041, Government Code, as  
11 amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature,  
12 Regular Session, 2007, is amended to conform to the amendments made  
13 by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular  
14 Session, 2007, to Section 102.041, Government Code, and is further  
15 amended to read as follows:

16 Sec. 102.041. ADDITIONAL COURT COSTS ON CONVICTION IN  
17 DISTRICT COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a district  
18 court shall collect fees and costs under the Code of Criminal  
19 Procedure on conviction of a defendant as follows:

20 (1) a jury fee (Art. 102.004, Code of Criminal  
21 Procedure) . . . \$20;

22 (2) a fee for clerk of the court services (Art.  
23 102.005, Code of Criminal Procedure) . . . \$40;

24 (3) a records management and preservation services fee  
25 (Art. 102.005, Code of Criminal Procedure) . . . \$25;

26 (4) a county and district court technology fee (Art.  
27 102.0169, Code of Criminal Procedure) . . . \$4;

1           (5) a security fee on a felony offense (Art. 102.017,  
2 Code of Criminal Procedure) . . . \$5;

3           (6) [~~(5)~~] a security fee on a misdemeanor offense  
4 (Art. 102.017, Code of Criminal Procedure) . . . \$3; and

5           (7) [~~(6)~~] a juvenile delinquency prevention and  
6 graffiti eradication fee (Art. 102.0171, Code of Criminal  
7 Procedure) . . . \$50 [~~\$5~~].

8           (b) Section 102.041, Government Code, as amended by Chapter  
9 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session,  
10 2007, is repealed. Section 102.041, Government Code, as amended by  
11 Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular  
12 Session, 2007, to reorganize and renumber that section, continues  
13 in effect as further amended by this section.

14           SECTION 17. (a) Section 102.061, Government Code, as  
15 reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th  
16 Legislature, Regular Session, 2007, is amended to conform to the  
17 amendments made to Section 102.061, Government Code, by Chapter  
18 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session,  
19 2007, and is further amended to read as follows:

20           Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN  
21 STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a  
22 statutory county court shall collect fees and costs under the Code  
23 of Criminal Procedure on conviction of a defendant as follows:

24           (1) a jury fee (Art. 102.004, Code of Criminal  
25 Procedure) . . . \$20;

26           (2) a fee for services of the clerk of the court (Art.  
27 102.005, Code of Criminal Procedure) . . . \$40;

1           (3) a records management and preservation services fee  
2 (Art. 102.005, Code of Criminal Procedure) . . . \$25;

3           (4) a county and district court technology fee (Art.  
4 102.0169, Code of Criminal Procedure) . . . \$4;

5           (5) a security fee on a misdemeanor offense (Art.  
6 102.017, Code of Criminal Procedure) . . . \$3;

7           (6) [~~5~~] a juvenile delinquency prevention and  
8 graffiti eradication fee (Art. 102.0171, Code of Criminal  
9 Procedure) . . . \$50 [~~5~~]; and

10          (7) [~~6~~] a juvenile case manager fee (Art. 102.0174,  
11 Code of Criminal Procedure) . . . not to exceed \$5.

12          (b) Section 102.061, Government Code, as amended by Chapter  
13 1053, Acts of the 80th Legislature, Regular Session, 2007, is  
14 repealed. Section 102.061, Government Code, as reenacted and  
15 amended by Chapter 921, Acts of the 80th Legislature, Regular  
16 Session, 2007, to reorganize and renumber that section, continues  
17 in effect as further amended by this section.

18          SECTION 18. (a) Section 102.081, Government Code, as  
19 amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature,  
20 Regular Session, 2007, is amended to conform to the amendments made  
21 to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151),  
22 Acts of the 80th Legislature, Regular Session, 2007, and is further  
23 amended to read as follows:

24          Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN  
25 COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county  
26 court shall collect fees and costs under the Code of Criminal  
27 Procedure on conviction of a defendant as follows:

1           (1) a jury fee (Art. 102.004, Code of Criminal  
2 Procedure) . . . \$20;

3           (2) a fee for clerk of the court services (Art.  
4 102.005, Code of Criminal Procedure) . . . \$40;

5           (3) a records management and preservation services fee  
6 (Art. 102.005, Code of Criminal Procedure) . . . \$25;

7           (4) a county and district court technology fee (Art.  
8 102.0169, Code of Criminal Procedure) . . . \$4;

9           (5) a security fee on a misdemeanor offense (Art.  
10 102.017, Code of Criminal Procedure) . . . \$3;

11           (6) [~~(5)~~] a juvenile delinquency prevention and  
12 graffiti eradication fee (Art. 102.0171, Code of Criminal  
13 Procedure) . . . \$50 [~~\$5~~]; and

14           (7) [~~(6)~~] a juvenile case manager fee (Art. 102.0174,  
15 Code of Criminal Procedure) . . . not to exceed \$5.

16           (b) Section 102.081, Government Code, as amended by Chapter  
17 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session,  
18 2007, is repealed. Section 102.081, Government Code, as amended by  
19 Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular  
20 Session, 2007, to reorganize and renumber that section, continues  
21 in effect as further amended by this section.

22           SECTION 19. The change in law made by this Act in adding  
23 Sections 25.0020 and 26.010, Government Code, applies only to an  
24 eviction suit filed on or after the effective date of this Act. A  
25 suit filed before the effective date of this Act is governed by the  
26 law in effect immediately before that date, and that law is  
27 continued in effect for that purpose.

1           SECTION 20. The change in law made by this Act applies only  
2 to a cost on conviction for an offense committed on or after the  
3 effective date of this Act. A cost on conviction for an offense  
4 committed before the effective date of this Act is covered by the  
5 law in effect when the offense was committed, and the former law is  
6 continued in effect for that purpose. For purposes of this section,  
7 an offense was committed before the effective date of this Act if  
8 any element of the offense occurred before that date.

9           SECTION 21. The changes in law made by this Act apply only  
10 to a fee that becomes payable on or after the effective date of this  
11 Act. A fee that becomes payable before the effective date of this  
12 Act is governed by the law in effect when the fee became payable,  
13 and the former law is continued in effect for that purpose.

14           SECTION 22. This Act takes effect September 1, 2009.