

1-1 By: Eltife S.B. No. 659
1-2 (In the Senate - Filed February 3, 2009; February 23, 2009,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 19, 2009, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; March 19, 2009, sent to printer.)

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

1-8 relating to the creation of an appellate judicial system for the
1-9 Twelfth Court of Appeals District.

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

1-11 SECTION 1. Subchapter C, Chapter 22, Government Code, is
1-12 amended by adding Section 22.2131 to read as follows:

1-13 Sec. 22.2131. APPELLATE JUDICIAL SYSTEM. (a) The
1-14 commissioners court of each county in the Twelfth Court of Appeals
1-15 District, by order entered in its minutes, shall establish an
1-16 appellate judicial system to assist the court of appeals for the
1-17 county in the processing of appeals filed with the court of appeals
1-18 from the county courts, statutory county courts, probate courts,
1-19 and district courts.

1-20 (b) To fund the system, the commissioners court shall set a
1-21 court costs fee of \$5 for each civil suit filed in county court,
1-22 statutory county court, probate court, or district court in the
1-23 county.

1-24 (c) The court costs fee does not apply to a suit filed by any
1-25 governmental entity or to a suit for delinquent taxes.

1-26 (d) The court costs fee shall be taxed, collected, and paid
1-27 as other court costs in a suit. The clerk of the court shall collect
1-28 the court costs fee set under this section and pay it to the county
1-29 officer who performs the county treasurer's functions. That
1-30 officer shall deposit the fee in a separate appellate judicial
1-31 system fund. The commissioners court shall administer the fund to
1-32 establish and maintain a fund system to assist the Twelfth Court of
1-33 Appeals District and any other court of appeals district that has an
1-34 appellate judicial system in the county. The fund may not be used
1-35 for any other purpose.

1-36 (e) The commissioners court shall monthly order the funds
1-37 collected under this section to be forwarded in equal amounts to
1-38 each clerk of a court of appeals that has an appellate judicial
1-39 system in the county for expenditures by the court of appeals for
1-40 its judicial system.

1-41 (f) The commissioners court shall vest management of the
1-42 system in the chief justice of the court of appeals.

1-43 SECTION 2. Subchapter D, Chapter 101, Government Code, is
1-44 amended by adding Section 101.06114 to read as follows:

1-45 Sec. 101.06114. ADDITIONAL DISTRICT COURT FEES: GOVERNMENT
1-46 CODE. The clerk of a district court in the Twelfth Court of Appeals
1-47 District shall collect an appellate judicial system filing fee of
1-48 \$5 under Section 22.2131, Government Code.

1-49 SECTION 3. Subchapter E, Chapter 101, Government Code, is
1-50 amended by adding Section 101.08113 to read as follows:

1-51 Sec. 101.08113. ADDITIONAL STATUTORY COUNTY COURT FEES:
1-52 GOVERNMENT CODE. The clerk of a statutory county court in the
1-53 Twelfth Court of Appeals District shall collect an appellate
1-54 judicial system filing fee of \$5 under Section 22.2131, Government
1-55 Code.

1-56 SECTION 4. Subchapter F, Chapter 101, Government Code, is
1-57 amended by adding Section 101.10113 to read as follows:

1-58 Sec. 101.10113. ADDITIONAL STATUTORY PROBATE COURT FEES:
1-59 GOVERNMENT CODE. The clerk of a statutory probate court in the
1-60 Twelfth Court of Appeals District shall collect an appellate
1-61 judicial system filing fee of \$5 under Section 22.2131, Government
1-62 Code.

1-63 SECTION 5. Subchapter G, Chapter 101, Government Code, is
1-64 amended by adding Section 101.12122 to read as follows:

2-1 Sec. 101.12122. ADDITIONAL COUNTY COURT FEES: GOVERNMENT
2-2 CODE. The clerk of a county court in a county in the Twelfth Court
2-3 of Appeals District shall collect an appellate judicial system
2-4 filing fee of \$5 under Section 22.2131, Government Code.

2-5 SECTION 6. This Act takes effect September 1, 2009.

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