

## **BILL ANALYSIS**

H.B. 1614  
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Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

One of the main duties of the process server review board is to consider applications for the certification and recertification of process servers in Texas. Despite the fact that the state incurs costs in considering these applications, applicants do not pay an application fee when applying for certification or recertification. The assessment of an application fee would be appropriate. The goal of H.B. 1614 is to remedy the situation by providing for fees for process server certification and renewal of certification.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1614 amends the Government Code to authorize the process server review board established by supreme court order to recommend to the supreme court the fees to be charged for process server certification and renewal of certification. The bill requires the supreme court to approve the fees recommended by the process server review board before the fees may be collected. The bill requires the Office of Court Administration to prorate the fee for certification if a certification is issued or renewed for a term that is less than the certification period provided by supreme court rule so that the process server pays only that portion of the fee that is allocable to the period during which the certification is valid. The bill requires the process server to pay the entire certification renewal fee on renewal of the certification on the new expiration date. The bill authorizes the Office of Court Administration to collect the fees recommended by the process server review board and approved by the supreme court. The bill requires fees collected under the bill to be sent to the comptroller of public accounts for deposit to the credit of the general revenue fund. The bill makes the fees recommended and approved by the bill applicable to each person who holds a process server certification on the effective date of the bill, and each person who applies for process server certification on or after the effective date of the bill.

### **EFFECTIVE DATE**

September 1, 2011.