

1-1 By: Woolley (Senate Sponsor - Gallegos) H.B. No. 627
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 May 4, 2011, read first time and referred to Committee on
1-4 Jurisprudence; May 12, 2011, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; May 12, 2011, sent to printer.)

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

1-8 relating to a fee collected by a district clerk for certain
1-9 certified copies.

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

1-11 SECTION 1. Section 51.318(b), Government Code, is amended
1-12 to read as follows:

1-13 (b) The fees are:

1-14 (1) for issuing a subpoena, including one copy . . . \$8

1-15 (2) for issuing a citation, commission for deposition,
1-16 writ of execution, order of sale, writ of execution and order of
1-17 sale, writ of injunction, writ of garnishment, writ of attachment,
1-18 or writ of sequestration not provided for in Section 51.317, or any
1-19 other writ or process not otherwise provided for, including one
1-20 copy if required by law . . . \$8

1-21 (3) for searching files or records to locate a cause
1-22 when the docket number is not provided . . . \$5

1-23 (4) for searching files or records to ascertain the
1-24 existence of an instrument or record in the district clerk's
1-25 office . . . \$5

1-26 (5) for abstracting a judgment . . . \$8

1-27 (6) for approving a bond . . . \$4

1-28 (7) for a certified copy of a record, judgment, order,
1-29 pleading, or paper on file or of record in the district clerk's
1-30 office, including certificate and seal, for each page or part of a
1-31 page . . . not to exceed \$1

1-32 (8) for a noncertified copy, for each page or part of a
1-33 page . . . not to exceed \$1.

1-34 SECTION 2. Section 101.0611, Government Code, is amended to
1-35 read as follows:

1-36 Sec. 101.0611. DISTRICT COURT FEES AND COSTS: GOVERNMENT
1-37 CODE. The clerk of a district court shall collect fees and costs
1-38 under the Government Code as follows:

1-39 (1) appellate judicial system filing fees for:

1-40 (A) First or Fourteenth Court of Appeals District
1-41 (Sec. 22.2021, Government Code) . . . not more than \$5;

1-42 (B) Second Court of Appeals District (Sec.
1-43 22.2031, Government Code) . . . not more than \$5;

1-44 (C) Third Court of Appeals District (Sec.
1-45 22.2041, Government Code) . . . \$5;

1-46 (D) Fourth Court of Appeals District (Sec.
1-47 22.2051, Government Code) . . . not more than \$5;

1-48 (E) Fifth Court of Appeals District (Sec.
1-49 22.2061, Government Code) . . . not more than \$5;

1-50 (F) Ninth Court of Appeals District (Sec.
1-51 22.2101, Government Code) . . . \$5;

1-52 (G) Eleventh Court of Appeals District (Sec.
1-53 22.2121, Government Code) . . . \$5; and

1-54 (H) Thirteenth Court of Appeals District (Sec.
1-55 22.2141, Government Code) . . . not more than \$5;

1-56 (2) when administering a case for the Rockwall County
1-57 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
1-58 court costs as if the case had been filed in district court;

1-59 (3) additional filing fees:

1-60 (A) for each suit filed for insurance contingency
1-61 fund, if authorized by the county commissioners court (Sec. 51.302,
1-62 Government Code) . . . not to exceed \$5;

1-63 (B) to fund the improvement of Dallas County
1-64 civil court facilities, if authorized by the county commissioners

2-1 court (Sec. 51.705, Government Code) . . . not more than \$15; and
 2-2 (C) to fund the improvement of Hays County court
 2-3 facilities, if authorized by the county commissioners court (Sec.
 2-4 51.707, Government Code) . . . not more than \$15;
 2-5 (4) for filing a suit, including an appeal from an
 2-6 inferior court:
 2-7 (A) for a suit with 10 or fewer plaintiffs (Sec.
 2-8 51.317, Government Code) . . . \$50;
 2-9 (B) for a suit with at least 11 but not more than
 2-10 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;
 2-11 (C) for a suit with at least 26 but not more than
 2-12 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;
 2-13 (D) for a suit with at least 101 but not more than
 2-14 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;
 2-15 (E) for a suit with at least 501 but not more than
 2-16 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or
 2-17 (F) for a suit with more than 1,000 plaintiffs
 2-18 (Sec. 51.317, Government Code) . . . \$200;
 2-19 (5) for filing a cross-action, counterclaim,
 2-20 intervention, contempt action, motion for new trial, or third-party
 2-21 petition (Sec. 51.317, Government Code) . . . \$15;
 2-22 (6) for issuing a citation or other writ or process not
 2-23 otherwise provided for, including one copy, when requested at the
 2-24 time a suit or action is filed (Sec. 51.317, Government Code) . . .
 2-25 \$8;
 2-26 (7) for records management and preservation (Sec.
 2-27 51.317, Government Code) . . . \$10;
 2-28 (8) for issuing a subpoena, including one copy (Sec.
 2-29 51.318, Government Code) . . . \$8;
 2-30 (9) for issuing a citation, commission for deposition,
 2-31 writ of execution, order of sale, writ of execution and order of
 2-32 sale, writ of injunction, writ of garnishment, writ of attachment,
 2-33 or writ of sequestration not provided for in Section 51.317, or any
 2-34 other writ or process not otherwise provided for, including one
 2-35 copy if required by law (Sec. 51.318, Government Code) . . . \$8;
 2-36 (10) for searching files or records to locate a cause
 2-37 when the docket number is not provided (Sec. 51.318, Government
 2-38 Code) . . . \$5;
 2-39 (11) for searching files or records to ascertain the
 2-40 existence of an instrument or record in the district clerk's office
 2-41 (Sec. 51.318, Government Code) . . . \$5;
 2-42 (12) for abstracting a judgment (Sec. 51.318,
 2-43 Government Code) . . . \$8;
 2-44 (13) for approving a bond (Sec. 51.318, Government
 2-45 Code) . . . \$4;
 2-46 (14) for a certified copy of a record, judgment,
 2-47 order, pleading, or paper on file or of record in the district
 2-48 clerk's office, including certificate and seal, for each page or
 2-49 part of a page (Sec. 51.318, Government Code) . . . not to exceed
 2-50 \$1;
 2-51 (15) for a noncertified copy, for each page or part of
 2-52 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;
 2-53 (16) fee for performing a service:
 2-54 (A) related to the matter of the estate of a
 2-55 deceased person (Sec. 51.319, Government Code) . . . the same fee
 2-56 allowed the county clerk for those services;
 2-57 (B) related to the matter of a minor (Sec.
 2-58 51.319, Government Code) . . . the same fee allowed the county
 2-59 clerk for the service;
 2-60 (C) of serving process by certified or registered
 2-61 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
 2-62 constable is authorized to charge for the service under Section
 2-63 118.131, Local Government Code; and
 2-64 (D) prescribed or authorized by law but for which
 2-65 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;
 2-66 (17) jury fee (Sec. 51.604, Government Code) . . .
 2-67 \$30;
 2-68 (18) additional filing fee for family protection on
 2-69 filing a suit for dissolution of a marriage under Chapter 6, Family

3-1 Code (Sec. 51.961, Government Code) . . . not to exceed \$15;
3-2 (19) at a hearing held by an associate judge in Dallas
3-3 County, a court cost to preserve the record, in the absence of a
3-4 court reporter, by other means (Sec. 54.509, Government Code) . . .
3-5 as assessed by the referring court or associate judge; and
3-6 (20) at a hearing held by an associate judge in Duval
3-7 County, a court cost to preserve the record (Sec. 54.1151,
3-8 Government Code) . . . as imposed by the referring court or
3-9 associate judge.

3-10 SECTION 3. Section 51.318(b), Government Code, as amended
3-11 by this Act, applies only to a request for a certified copy of a
3-12 record, judgment, order, pleading, or paper on file or of record in
3-13 the district clerk's office, including certificate and seal, made
3-14 on or after the effective date of this Act. A request made before
3-15 the effective date of this Act is covered by the law in effect when
3-16 the request was made, and the former law is continued in effect for
3-17 that purpose.

3-18 SECTION 4. This Act takes effect immediately if it receives
3-19 a vote of two-thirds of all the members elected to each house, as
3-20 provided by Section 39, Article III, Texas Constitution. If this
3-21 Act does not receive the vote necessary for immediate effect, this
3-22 Act takes effect September 1, 2011.

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