

By: Gallego, Lewis, Quintanilla

H.B. No. 713

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an appellate judicial system for the Eighth Court of Appeals District.

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

SECTION 1. Subchapter C, Chapter 22, Government Code, is amended by adding Section 22.2091 to read as follows:

Sec. 22.2091. APPELLATE JUDICIAL SYSTEM. (a) The commissioners court of each county in the Eighth Court of Appeals District, by order entered in its minutes, shall establish an appellate judicial system to assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county courts, statutory county courts, statutory probate courts, and district courts.

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

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

(d) The court costs fee shall be taxed, collected, and paid as other court costs in a suit. The clerk of the court shall collect the court costs fee set under this section and pay it to the county officer who performs the county treasurer's functions. That officer shall deposit the fee in a separate appellate judicial

1 system fund for the court of appeals district. The fund may not be
2 used for any other purpose. The chief justice of the court of
3 appeals has sole discretion as to the use of the fund.

4 (e) The commissioners court shall monthly order the funds
5 collected under this section to be forwarded to the court of appeals
6 for expenditure by the court of appeals for its appellate judicial
7 system.

8 (f) The commissioners court shall vest management of the
9 system in the chief justice of the court of appeals.

10 SECTION 2. Subchapter D, Chapter 101, Government Code, is
11 amended by adding Section 101.06119 to read as follows:

12 Sec. 101.06119. ADDITIONAL DISTRICT COURT FEES: GOVERNMENT
13 CODE. The clerk of a district court in the Eighth Court of Appeals
14 District shall collect an appellate judicial system filing fee of
15 \$5 under Section 22.2091, Government Code.

16 SECTION 3. Subchapter E, Chapter 101, Government Code, is
17 amended by adding Section 101.08116 to read as follows:

18 Sec. 101.08116. ADDITIONAL STATUTORY COUNTY COURT FEES:
19 GOVERNMENT CODE. The clerk of a statutory county court in the
20 Eighth Court of Appeals District shall collect an appellate
21 judicial system filing fee of \$5 under Section 22.2091, Government
22 Code.

23 SECTION 4. Subchapter F, Chapter 101, Government Code, is
24 amended by adding Section 101.10115 to read as follows:

25 Sec. 101.10115. ADDITIONAL STATUTORY PROBATE COURT FEES:
26 GOVERNMENT CODE. The clerk of a statutory probate court in the
27 Eighth Court of Appeals District shall collect an appellate

1 judicial system filing fee of \$5 under Section 22.2091, Government
2 Code.

3 SECTION 5. Subchapter G, Chapter 101, Government Code, is
4 amended by adding Section 101.12125 to read as follows:

5 Sec. 101.12125. ADDITIONAL COUNTY COURT FEES: GOVERNMENT
6 CODE. The clerk of a county court in a county in the Eighth Court of
7 Appeals District shall collect an appellate judicial system filing
8 fee of \$5 under Section 22.2091, Government Code.

9 SECTION 6. This Act takes effect September 1, 2011.