

1-1 By: Gooden, Pitts, Jackson H.B. No. 1614
1-2 (Senate Sponsor - Deuell)
1-3 (In the Senate - Received from the House April 19, 2011;
1-4 April 26, 2011, read first time and referred to Committee on
1-5 Jurisprudence; May 12, 2011, reported favorably by the following
1-6 vote: Yeas 7, Nays 0; May 12, 2011, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to fees for process server certification.

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

1-11 SECTION 1. Subchapter A, Chapter 51, Government Code, is
1-12 amended by adding Section 51.008 to read as follows:

1-13 Sec. 51.008. FEES FOR PROCESS SERVER CERTIFICATION.

1-14 (a) The process server review board established by supreme court
1-15 order may recommend to the supreme court the fees to be charged for
1-16 process server certification and renewal of certification. The
1-17 supreme court must approve the fees recommended by the process
1-18 server review board before the fees may be collected.

1-19 (b) If a certification is issued or renewed for a term that
1-20 is less than the certification period provided by supreme court
1-21 rule, the fee for the certification shall be prorated so that the
1-22 process server pays only that portion of the fee that is allocable
1-23 to the period during which the certification is valid. On renewal
1-24 of the certification on the new expiration date, the process server
1-25 must pay the entire certification renewal fee.

1-26 (c) The Office of Court Administration of the Texas Judicial
1-27 System may collect the fees recommended by the process server
1-28 review board and approved by the supreme court. Fees collected
1-29 under this section shall be sent to the comptroller for deposit to
1-30 the credit of the general revenue fund and may be appropriated only
1-31 to the office for purposes of this section.

1-32 SECTION 2. (a) The fees recommended and approved under
1-33 Section 51.008, Government Code, as added by this Act, apply to:

1-34 (1) each person who holds a process server
1-35 certification on the effective date of this Act; and

1-36 (2) each person who applies for process server
1-37 certification on or after the effective date of this Act.

1-38 (b) The Office of Court Administration of the Texas Judicial
1-39 System shall prorate the process server certification fee so that a
1-40 person who holds a process server certification on the effective
1-41 date of this Act pays only that portion of the fee that is allocable
1-42 to the period during which the certification is valid. On renewal
1-43 of the certification on the new expiration date, the entire
1-44 certification renewal fee is payable.

1-45 SECTION 3. This Act takes effect September 1, 2011.

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