

By: Hartnett

H.B. No. 2028

A BILL TO BE ENTITLED

AN ACT

relating to an additional fee for filing civil cases in certain Rockwall County courts.

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

SECTION 1. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.709 to read as follows:

Sec. 51.709. ADDITIONAL FILING FEE FOR CIVIL CASES IN ROCKWALL COUNTY. (a) This section applies only to district courts, statutory probate courts, county courts at law, and justice courts in Rockwall County.

(b) Except as otherwise provided by this section and in addition to all other fees authorized or required by other law, the clerk of a court shall collect a filing fee of not more than \$15 in each civil case filed in the court to be used for the construction, renovation, or improvement of the facilities that house the courts collecting the fee.

(c) Court fees due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) The clerk shall send the fees collected under this section to the county treasurer at least as frequently as monthly. The treasurer shall deposit the fees in a special account in the county treasury dedicated to the construction, renovation, or improvement of the facilities that house the courts collecting the

1 fee.

2 (e) This section applies only to fees for a 12-month period
3 beginning July 1, if the commissioners court:

4 (1) adopts a resolution authorizing a fee of not more
5 than \$15; and

6 (2) files the resolution with the county treasurer not
7 later than June 1 immediately preceding the first 12-month period
8 during which the fees are to be collected.

9 (f) A resolution adopted under Subsection (e) continues
10 from year to year until July 1, 2025, allowing the county to collect
11 fees under the terms of this section until the resolution is
12 rescinded.

13 (g) The commissioners court may rescind the resolution
14 adopted under Subsection (e) by adopting a resolution rescinding
15 the resolution and submitting the rescission resolution to the county
16 treasurer not later than June 1 preceding the beginning of the first
17 day of the county fiscal year. The commissioners court may adopt an
18 additional resolution in the manner provided by Subsection (e)
19 after rescinding a previous resolution under that subsection.

20 (h) A fee established under a particular resolution is
21 abolished on the earlier of:

22 (1) the date a resolution adopted under Subsection (e)
23 is rescinded as provided by Subsection (g); or

24 (2) July 1, 2025.

25 SECTION 2. Subchapter D, Chapter 101, Government Code, is
26 amended by adding Section 101.06120 to read as follows:

27 Sec. 101.06120. ADDITIONAL DISTRICT COURT FEES FOR COURT

1 FACILITIES: GOVERNMENT CODE. The clerk of a district court in
2 Rockwall County shall collect an additional filing fee of not more
3 than \$15 under Section 51.709, Government Code, in civil cases to
4 fund the construction, renovation, or improvement of court
5 facilities, if authorized by the county commissioners court.

6 SECTION 3. Subchapter E, Chapter 101, Government Code, is
7 amended by adding Section 101.08119 to read as follows:

8 Sec. 101.08119. ADDITIONAL STATUTORY COUNTY COURT FEES FOR
9 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county
10 court in Rockwall County shall collect an additional filing fee of
11 not more than \$15 under Section 51.709, Government Code, in civil
12 cases to fund the construction, renovation, or improvement of court
13 facilities, if authorized by the county commissioners court.

14 SECTION 4. Subchapter F, Chapter 101, Government Code, is
15 amended by adding Section 101.10118 to read as follows:

16 Sec. 101.10118. ADDITIONAL STATUTORY PROBATE COURT FEES FOR
17 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory
18 probate court in Rockwall County shall collect an additional filing
19 fee of not more than \$15 under Section 51.709, Government Code, in
20 civil cases to fund the construction, renovation, or improvement of
21 court facilities, if authorized by the county commissioners court.

22 SECTION 5. Subchapter H, Chapter 101, Government Code, is
23 amended by adding Section 101.142 to read as follows:

24 Sec. 101.142. ADDITIONAL JUSTICE COURT FEE FOR COURT
25 FACILITIES COLLECTED BY CLERK. The clerk of a justice court in
26 Rockwall County shall collect an additional filing fee of not more
27 than \$15 under Section 51.709, Government Code, in civil cases to

1 fund the construction, renovation, or improvement of court
2 facilities, if authorized by the county commissioners court.

3 SECTION 6. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2011.