

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 ROCKWALL COUNTY CIVIL COURTS. (a) In this section, "Rockwall County civil court" means a district court, including a family district court, a probate court, a county court at law, or a justice court in Rockwall County. The term does not include a small claims court.

(b) In addition to all other fees authorized or required by other law, the clerk of a Rockwall County civil 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 Rockwall County civil courts.

(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 Rockwall County civil

1 courts.

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 no more
5 than \$15;

6 (2) files the resolutions with the county treasurer
7 not later than June 1 immediately preceding the first 12-month
8 period 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12 rescinded.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 a 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 occurs.

26 SECTION 2. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

H.B. No. 2028

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2011.