

By: Otto

H.B. No. 3662

A BILL TO BE ENTITLED

AN ACT

relating to fees for process server certification.

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

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

Sec. 51.008. FEES FOR PROCESS SERVER CERTIFICATION. (a)

The process server review board established by supreme court order may recommend to the supreme court the fees to be charged for process server certification and renewal of certification. The supreme court must approve the fees recommended by the process server review board before the fees may be collected.

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

(c) The Office of Court Administration of the Texas Judicial System may collect the fees recommended by the process server review board and approved by the supreme court. Fees collected under this section shall be sent to the comptroller for deposit to the credit of the general revenue fund.

(d) Fees collected under this section may be appropriated to

1 the Office of Court Administration of the Texas Judicial System for
2 the support of regulatory programs for process servers and
3 guardians.

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

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

8 (2) each person who applies for process server
9 certification on or after the effective date of this Act.

10 (b) The Office of Court Administration of the Texas Judicial
11 System shall prorate the process server certification fee so that a
12 person who holds a process server certification on the effective
13 date of this Act pays only that portion of the fee that is allocable
14 to the period during which the certification is valid. On renewal
15 of the certification on the new expiration date, the entire
16 certification renewal fee is payable.

17 SECTION 3. This Act takes effect September 1, 2011.