

By: Uresti

S.B. No. 1267

A BILL TO BE ENTITLED

AN ACT

relating to applications for appeal filed with an appellate court.

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

SECTION 1. Section 51.005(b), Government Code, is amended to read as follows:

(b) The fees are:

(1) application for petition for review [~~writ of error~~] \$ 50

(2) additional fee if application for petition for review [~~writ of error~~] is granted. \$ 75

(3) motion for leave to file petition for writ of mandamus, prohibition, injunction, and other similar proceedings originating in the supreme court \$ 50

(4) additional fee if a motion under Subdivision (3) is granted. \$ 75

(5) certified question from a federal court of appeals to the supreme court \$ 75

(6) case appealed to the supreme court from the district court by direct appeal. \$100

(7) any other proceeding filed in the supreme court \$ 75.

SECTION 2. Section 51.207(a), Government Code, is amended to read as follows:

(a) The clerk of a court of appeals shall collect the fees

1 described in Subsection (b) in a civil case before the court for the
2 following services:

3 (1) filing records, applications, motions, briefs,
4 and other necessary and proper papers;

5 (2) docketing and making docket and minute book
6 entries;

7 (3) issuing notices, citations, processes, and
8 mandates;

9 (4) preparing transcripts on application for petition
10 for review [~~writ of error~~] to the supreme court; and

11 (5) performing other necessary clerical duties.

12 SECTION 3. Section 101.021, Government Code, is amended to
13 read as follows:

14 Sec. 101.021. SUPREME COURT FEES AND COSTS: GOVERNMENT
15 CODE. The clerk of the supreme court shall collect fees and costs
16 as follows:

17 (1) application for petition for review [~~writ of~~
18 ~~error~~] (Sec. 51.005, Government Code) . . . \$50;

19 (2) additional fee if application for petition for
20 review [~~writ of error~~] is granted (Sec. 51.005, Government Code)
21 . . . \$75;

22 (3) motion for leave to file petition for writ of
23 mandamus, prohibition, injunction, and other similar proceedings
24 originating in the supreme court (Sec. 51.005, Government Code)
25 . . . \$50;

26 (4) additional fee if a motion under Subdivision (3)
27 is granted (Sec. 51.005, Government Code) . . . \$75;

1 (5) certified question from a federal court of appeals
2 to the supreme court (Sec. 51.005, Government Code) . . . \$75;

3 (6) case appealed to the supreme court from the
4 district court by direct appeal (Sec. 51.005, Government Code)
5 . . . \$100;

6 (7) any other proceeding filed in the supreme court
7 (Sec. 51.005, Government Code) . . . \$75;

8 (8) administering an oath and giving a sealed
9 certificate of the oath (Sec. 51.005, Government Code) . . . \$5;

10 (9) making certain copies, including certificate and
11 seal (Sec. 51.005, Government Code) . . . \$5, or \$0.50 per page if
12 more than 10 pages;

13 (10) any official service performed by the clerk for
14 which a fee is not otherwise provided (Sec. 51.005, Government
15 Code) . . . reasonable amount set by order or rule of supreme court;

16 (10-a) supreme court support account filing fee (Sec.
17 51.0051, Government Code) . . . amount set by the supreme court,
18 not to exceed \$50;

19 (11) issuance of attorney's license or certificate
20 (Sec. 51.006, Government Code) . . . \$10; and

21 (12) additional filing fee to fund civil legal
22 services for the indigent (Sec. 51.941, Government Code) . . . \$25.

23 SECTION 4. This Act takes effect September 1, 2011.