

BILL ANALYSIS

C.S.H.B. 410
By: King, Phil
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Over time, legislation has been enacted to create an appellate judicial system for most of Texas' appellate courts, but not the Second Court of Appeals. Interested parties assert that, since the population of the Second Court of Appeals District has more than doubled in the past two decades, increasing the case load and expenses of the appellate district, this court also would benefit from an appellate judicial system. C.S.H.B. 410 seeks to establish an appellate judicial system for the Second Court of Appeals District to assist the appellate court in processing appeals.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 410 amends the Government Code to require, rather than authorize, the commissioners court of each county in the Second Court of Appeals District, by order entered in its minutes, to establish an appellate judicial system to assist the court of appeals for the county in the processing of appeals filed with the court of appeals and defray costs and expenses incurred in the operation of the court of appeals. The bill requires, rather than authorizes, the commissioners court to set a court costs fee to fund the appellate judicial system and sets, rather than caps, the amount of the fee at \$5 for each civil suit filed in county court, statutory county court, statutory probate court, or district court in the county. The bill expands the exemption from the court costs fee to apply to a suit filed by any governmental entity, rather than only a suit filed by the county.

C.S.H.B. 410 requires such a fee to be deposited in a separate appellate judicial system fund for the court of appeals district and removes the requirement for the commissioners court to establish and maintain the fund in which the fee is to be deposited. The bill requires the collected funds to be forwarded monthly, rather than annually, to the court of appeals for expenditure by the court. The bill makes the chief justice of the court of appeals responsible for management of the appellate judicial system funds forwarded to the court and grants the chief justice sole discretion as to the use of the funds, with the condition that the funds must be used for purposes consistent with the purposes of the appellate judicial system. The bill removes the commissioners court's authority to assist the court of appeals in the administration and management of the system and to contract with any private or public corporation or a combination of those corporations.

C.S.H.B. 410 exempts the imposition or change in the amount of a fee assessed under the bill's provisions from statutory provisions relating to the identification, publication, and implementation of new or amended court costs and fees following each regular legislative session.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 410 may differ from the original in nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantive differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 22.2031, Government Code, is amended.

SECTION 1. Same as introduced version.

SECTION 2. (a) Section 101.0611, Government Code, is amended to conform to Chapter 3 (H.B. 79), Acts of the 82nd Legislature, 1st Called Session, 2011, and is further amended to read as follows:

SECTION 2. Section 101.0611, Government Code, is amended to read as follows:

Sec. 101.0611. DISTRICT COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a district court shall collect fees and costs under the Government Code as follows:

Sec. 101.0611. DISTRICT COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a district court shall collect fees and costs under the Government Code as follows:

- (1) appellate judicial system filing fees for:
 - (A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;
 - (B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . ~~not more than~~ \$5;
 - (C) Third Court of Appeals District (Sec. 22.2041, Government Code) . . . \$5;
 - (D) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;
 - (E) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5;
 - (E-1) Sixth Court of Appeals District (Sec. 22.2071, Government Code) . . . \$5;
 - (E-2) Seventh Court of Appeals District (Sec. 22.2081, Government Code) . . . \$5;
 - ~~(E-3) Eighth Court of Appeals District (Sec. 22.2091, Government Code) . . . \$5;~~
 - (F) Ninth Court of Appeals District (Sec. 22.2101, Government Code) . . . \$5;
 - (G) Eleventh Court of Appeals District (Sec. 22.2121, Government Code) . . . \$5;
 - (G-1) Twelfth Court of Appeals District (Sec. 22.2131, Government Code) . . . \$5;
- and
- (H) Thirteenth Court of Appeals District

- (1) appellate judicial system filing fees for:
 - (A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;
 - (B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . ~~not more than~~ \$5;
 - (C) Third Court of Appeals District (Sec. 22.2041, Government Code) . . . \$5;
 - (D) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;
 - (E) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5;
 - (E-1) Sixth Court of Appeals District (Sec. 22.2071, Government Code) . . . \$5;
 - (E-2) Seventh Court of Appeals District (Sec. 22.2081, Government Code) . . . \$5;
 - (F) Ninth Court of Appeals District (Sec. 22.2101, Government Code) . . . \$5;
 - (G) Eleventh Court of Appeals District (Sec. 22.2121, Government Code) . . . \$5;
 - (G-1) Twelfth Court of Appeals District (Sec. 22.2131, Government Code) . . . \$5;
- and
- (H) Thirteenth Court of Appeals District

(Sec. 22.2141, Government Code) . . . not more than \$5;

(2) when administering a case for the Rockwall County Court at Law (Sec. 25.2012, Government Code) . . . civil fees and court costs as if the case had been filed in district court;

(3) additional filing fees:

(A) for each suit filed for insurance contingency fund, if authorized by the county commissioners court (Sec. 51.302, Government Code) . . . not to exceed \$5;

(B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15;

(B-1) to fund the improvement of Bexar County court facilities, if authorized by the county commissioners court (Sec. 51.706, Government Code) . . . not more than \$15;

(C) to fund the improvement of Hays County court facilities, if authorized by the county commissioners court (Sec. 51.707, Government Code) . . . not more than \$15; and

(D) to fund the preservation of court records (Sec. 51.708, Government Code) . . . not more than \$10;

(4) for filing a suit, including an appeal from an inferior court:

(A) for a suit with 10 or fewer plaintiffs (Sec. 51.317, Government Code) . . . \$50;

(B) for a suit with at least 11 but not more than 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

(C) for a suit with at least 26 but not more than 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

(D) for a suit with at least 101 but not more than 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

(E) for a suit with at least 501 but not more than 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

(F) for a suit with more than 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$200;

(5) for filing a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition (Sec. 51.317, Government Code) . . . \$15;

(6) for issuing a citation or other writ or process not otherwise provided for, including one copy, when requested at the

(Sec. 22.2141, Government Code) . . . not more than \$5;

(2) when administering a case for the Rockwall County Court at Law (Sec. 25.2012, Government Code) . . . civil fees and court costs as if the case had been filed in district court;

(3) additional filing fees:

(A) for each suit filed for insurance contingency fund, if authorized by the county commissioners court (Sec. 51.302, Government Code) . . . not to exceed \$5;

(B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15;

(B-1) to fund the improvement of Bexar County court facilities, if authorized by the county commissioners court (Sec. 51.706, Government Code) . . . not more than \$15;

(C) to fund the improvement of Hays County court facilities, if authorized by the county commissioners court (Sec. 51.707, Government Code) . . . not more than \$15; and

(D) to fund the preservation of court records (Sec. 51.708, Government Code) . . . not more than \$10;

(4) for filing a suit, including an appeal from an inferior court:

(A) for a suit with 10 or fewer plaintiffs (Sec. 51.317, Government Code) . . . \$50;

(B) for a suit with at least 11 but not more than 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

(C) for a suit with at least 26 but not more than 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

(D) for a suit with at least 101 but not more than 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

(E) for a suit with at least 501 but not more than 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

(F) for a suit with more than 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$200;

(5) for filing a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition (Sec. 51.317, Government Code) . . . \$15;

(6) for issuing a citation or other writ or process not otherwise provided for, including one copy, when requested at the

time a suit or action is filed (Sec. 51.317, Government Code) . . . \$8;

(7) for records management and preservation (Sec. 51.317, Government Code) . . . \$10;

(7-a) for district court records archiving, if adopted by the county commissioners court (Sec. 51.317(b)(5), Government Code) . . . not more than \$5;

(8) for issuing a subpoena, including one copy (Sec. 51.318, Government Code) . . . \$8;

(9) for issuing a citation, commission for deposition, writ of execution, order of sale, writ of execution and order of sale, writ of injunction, writ of garnishment, writ of attachment, or writ of sequestration not provided for in Section 51.317, or any other writ or process not otherwise provided for, including one copy if required by law (Sec. 51.318, Government Code) . . . \$8;

(10) for searching files or records to locate a cause when the docket number is not provided (Sec. 51.318, Government Code) . . . \$5;

(11) for searching files or records to ascertain the existence of an instrument or record in the district clerk's office (Sec. 51.318, Government Code) . . . \$5;

(12) for abstracting a judgment (Sec. 51.318, Government Code) . . . \$8;

(13) for approving a bond (Sec. 51.318, Government Code) . . . \$4;

(14) for a certified copy of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal, for each page or part of a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

(15) for a noncertified copy, for each page or part of a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

(16) fee for performing a service:

(A) related to the matter of the estate of a deceased person (Sec. 51.319, Government Code) . . . the same fee allowed the county clerk for those services;

(B) related to the matter of a minor (Sec. 51.319, Government Code) . . . the same fee allowed the county clerk for the service;

(C) of serving process by certified or registered mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or constable is authorized to charge for the service under Section 118.131, Local Government Code;

time a suit or action is filed (Sec. 51.317, Government Code) . . . \$8;

(7) for records management and preservation (Sec. 51.317, Government Code) . . . \$10;

(7-a) for district court records archiving, if adopted by the county commissioners court (Sec. 51.317(b)(5), Government Code) . . . not more than \$5;

(8) for issuing a subpoena, including one copy (Sec. 51.318, Government Code) . . . \$8;

(9) for issuing a citation, commission for deposition, writ of execution, order of sale, writ of execution and order of sale, writ of injunction, writ of garnishment, writ of attachment, or writ of sequestration not provided for in Section 51.317, or any other writ or process not otherwise provided for, including one copy if required by law (Sec. 51.318, Government Code) . . . \$8;

(10) for searching files or records to locate a cause when the docket number is not provided (Sec. 51.318, Government Code) . . . \$5;

(11) for searching files or records to ascertain the existence of an instrument or record in the district clerk's office (Sec. 51.318, Government Code) . . . \$5;

(12) for abstracting a judgment (Sec. 51.318, Government Code) . . . \$8;

(13) for approving a bond (Sec. 51.318, Government Code) . . . \$4;

(14) for a certified copy of a record, judgment, order, pleading, or paper on file or of record in the district clerk's office, including certificate and seal, for each page or part of a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

(15) for a noncertified copy, for each page or part of a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

(16) fee for performing a service:

(A) related to the matter of the estate of a deceased person (Sec. 51.319, Government Code) . . . the same fee allowed the county clerk for those services;

(B) related to the matter of a minor (Sec. 51.319, Government Code) . . . the same fee allowed the county clerk for the service;

(C) of serving process by certified or registered mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or constable is authorized to charge for the service under Section 118.131, Local Government Code;

and

(D) prescribed or authorized by law but for which no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

(17) jury fee (Sec. 51.604, Government Code) . . . \$30;

(18) additional filing fee for family protection on filing a suit for dissolution of a marriage under Chapter 6, Family Code (Sec. 51.961, Government Code) . . . not to exceed \$15; and

(19) at a hearing held by an associate judge appointed under Subchapter B, Chapter 54A, Government Code ~~in Dallas County~~, a court cost to preserve the record, in the absence of a court reporter, by any ~~other~~ means approved by the associate judge (Sec. 54A.110 ~~[54.509]~~, Government Code) . . . as assessed by the referring court or associate judge; and

~~[(20) at a hearing held by an associate judge in Duval County, a court cost to preserve the record (Sec. 54.1151, Government Code) . . . as imposed by the referring court or associate judge].~~

SECTION 2. (b) Section 101.06119, Government Code, is repealed.

SECTION 3. (a) Section 101.0811, Government Code, is amended to conform to Chapter 3 (H.B. 79), Acts of the 82nd Legislature, 1st Called Session, 2011, and is further amended to read as follows:

Sec. 101.0811. STATUTORY COUNTY COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a statutory county court shall collect fees and costs under the Government Code as follows:

(1) appellate judicial system filing fees:

(A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . ~~not more than~~ \$5;

(C) Third Court of Appeals District (Sec. 22.2041, Government Code) . . . \$5;

(D) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(E) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more

and

(D) prescribed or authorized by law but for which no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

(17) jury fee (Sec. 51.604, Government Code) . . . \$30;

(18) additional filing fee for family protection on filing a suit for dissolution of a marriage under Chapter 6, Family Code (Sec. 51.961, Government Code) . . . not to exceed \$15;

(19) at a hearing held by an associate judge in Dallas County, a court cost to preserve the record, in the absence of a court reporter, by other means (Sec. 54.509, Government Code) . . . as assessed by the referring court or associate judge; and

(20) at a hearing held by an associate judge in Duval County, a court cost to preserve the record (Sec. 54.1151, Government Code) . . . as imposed by the referring court or associate judge.

No equivalent provision.

SECTION 3. Section 101.0811, Government Code, is amended to read as follows:

Sec. 101.0811. STATUTORY COUNTY COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a statutory county court shall collect fees and costs under the Government Code as follows:

(1) appellate judicial system filing fees:

(A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;

(B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . ~~not more than~~ \$5;

(C) Third Court of Appeals District (Sec. 22.2041, Government Code) . . . \$5;

(D) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;

(E) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more

than \$5;
(E-1) Sixth Court of Appeals District (Sec. 22.2071, Government Code) . . . \$5;
(E-2) Seventh Court of Appeals District (Sec. 22.2081, Government Code) . . . \$5;
(E-3) Eighth Court of Appeals District (Sec. 22.2091, Government Code) . . . \$5;
(F) Ninth Court of Appeals District (Sec. 22.2101, Government Code) . . . \$5;
(G) Eleventh Court of Appeals District (Sec. 22.2121, Government Code) . . . \$5;
(G-1) Twelfth Court of Appeals District (Sec. 22.2131, Government Code) . . . \$5;
and
(H) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;
(2) an official court reporter fee, County Court at Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;
(3) in Brazoria County, in matters of concurrent jurisdiction with the district court, fees (Sec. 25.0222, Government Code) . . . as prescribed by law for district judges according to the nature of the matter;
(4) a court reporter fee when testimony is taken in a county court at law in McLennan County (Sec. 25.1572, Government Code) . . . \$3;
(5) a stenographer fee, if a record or part of a record is made:
(A) in a county court at law in Hidalgo County (Sec. 25.1102, Government Code) . . . \$20; and
(B) in a county court at law in Nolan County (Sec. 25.1792, Government Code) . . . \$25;
(6) jury fee (Sec. 51.604, Government Code) . . . \$22;
(7) an additional filing fee:
(A) for each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.702, Government Code) . . . \$40;
(B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15;
(B-1) to fund the improvement of Bexar County court facilities, if authorized by the county commissioners court (Sec. 51.706, Government Code) . . . not more than \$15;
(C) to fund the improvement of Hays County court facilities, if authorized by the

than \$5;
(E-1) Sixth Court of Appeals District (Sec. 22.2071, Government Code) . . . \$5;
(E-2) Seventh Court of Appeals District (Sec. 22.2081, Government Code) . . . \$5;
(F) Ninth Court of Appeals District (Sec. 22.2101, Government Code) . . . \$5;
(G) Eleventh Court of Appeals District (Sec. 22.2121, Government Code) . . . \$5;
(G-1) Twelfth Court of Appeals District (Sec. 22.2131, Government Code) . . . \$5;
and
(H) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;
(2) an official court reporter fee, County Court at Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;
(3) in Brazoria County, in matters of concurrent jurisdiction with the district court, fees (Sec. 25.0222, Government Code) . . . as prescribed by law for district judges according to the nature of the matter;
(4) a court reporter fee when testimony is taken in a county court at law in McLennan County (Sec. 25.1572, Government Code) . . . \$3;
(5) a stenographer fee, if a record or part of a record is made:
(A) in a county court at law in Hidalgo County (Sec. 25.1102, Government Code) . . . \$20; and
(B) in a county court at law in Nolan County (Sec. 25.1792, Government Code) . . . \$25;
(6) jury fee (Sec. 51.604, Government Code) . . . \$22;
(7) an additional filing fee:
(A) for each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.702, Government Code) . . . \$40;
(B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15;
(B-1) to fund the improvement of Bexar County court facilities, if authorized by the county commissioners court (Sec. 51.706, Government Code) . . . not more than \$15;
(C) to fund the improvement of Hays County court facilities, if authorized by the

county commissioners court (Sec. 51.707, Government Code) . . . not more than \$15; and

(D) to fund the preservation of court records (Sec. 51.708, Government Code) . . . not more than \$10;

(8) the official court reporter's fee taxed as costs in civil actions in a statutory county court:

(A) in Bexar County Courts at Law Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 (Sec. 25.0172, Government Code) . . . taxed in the same manner as the fee is taxed in district court;

(B) in Galveston County (Sec. 25.0862, Government Code) . . . taxed in the same manner as the fee is taxed in civil cases in the district courts; and

(C) in Parker County (Sec. 25.1862, Government Code) . . . taxed in the same manner as the fee is taxed in civil cases in the district courts;

(9) a stenographer's fee as costs in each civil, criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County (Sec. 25.1792, Government Code) . . . \$25;

(10) in Nueces County, in matters of concurrent jurisdiction with the district court, with certain exceptions, fees (Sec. 25.1802, Government Code) . . . equal to those in district court cases; ~~and~~

(11) a fee not otherwise listed in this subchapter that is required to be collected under Section 25.0008, Government Code, in a county other than Brazos, Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore, Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as prescribed by law relating to county judges' fees; and

(12) at a hearing held by an associate judge appointed under Subchapter B, Chapter 54A, Government Code, a court cost to preserve the record, in the absence of a court reporter, by any means approved by the associate judge (Sec. 54A.110, Government Code) . . . as assessed by the referring court or associate judge.

SECTION 3. (b) Section 101.08116, Government Code, is repealed.

SECTION 4. (a) Section 101.1011, Government Code, is **amended to conform**

county commissioners court (Sec. 51.707, Government Code) . . . not more than \$15; and

(D) to fund the preservation of court records (Sec. 51.708, Government Code) . . . not more than \$10;

(8) the official court reporter's fee taxed as costs in civil actions in a statutory county court:

(A) in Bexar County Courts at Law Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 (Sec. 25.0172, Government Code) . . . taxed in the same manner as the fee is taxed in district court;

(B) in Galveston County (Sec. 25.0862, Government Code) . . . taxed in the same manner as the fee is taxed in civil cases in the district courts; and

(C) in Parker County (Sec. 25.1862, Government Code) . . . taxed in the same manner as the fee is taxed in civil cases in the district courts;

(9) a stenographer's fee as costs in each civil, criminal, and probate case in which a record is made by the official court reporter in a statutory county court in Nolan County (Sec. 25.1792, Government Code) . . . \$25;

(10) in Nueces County, in matters of concurrent jurisdiction with the district court, with certain exceptions, fees (Sec. 25.1802, Government Code) . . . equal to those in district court cases; and

(11) a fee not otherwise listed in this subchapter that is required to be collected under Section 25.0008, Government Code, in a county other than Brazos, Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore, Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as prescribed by law relating to county judges' fees.

No equivalent provision.

SECTION 4. Section 101.1011, Government Code, is amended to read as

to Chapter 3 (H.B. 79), Acts of the 82nd Legislature, 1st Called Session, 2011, and is further amended to read as follows:

Sec. 101.1011. STATUTORY PROBATE COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a statutory probate court shall collect fees and costs under the Government Code as follows:

- (1) appellate judicial system filing fees:
 - (A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;
 - (B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . ~~not more than~~ \$5;
 - (C) Third Court of Appeals District (Sec. 22.2041, Government Code) . . . \$5;
 - (D) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;
 - (E) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5;
 - (E-1) Sixth Court of Appeals District (Sec. 22.2071, Government Code) . . . \$5;
 - (E-2) Seventh Court of Appeals District (Sec. 22.2081, Government Code) . . . \$5;
 - ~~(E-3) Eighth Court of Appeals District (Sec. 22.2091, Government Code) . . . \$5;~~
 - (F) Ninth Court of Appeals District (Sec. 22.2101, Government Code) . . . \$5;
 - (G) Eleventh Court of Appeals District (Sec. 22.2121, Government Code) . . . \$5;
 - (G-1) Twelfth Court of Appeals District (Sec. 22.2131, Government Code) . . . \$5;and
- (H) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;
- (2) additional filing fees as follows:
 - (A) for certain cases to be used for court-related purposes for support of the judiciary (Sec. 51.704, Government Code) . . . \$40;
 - (B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15;
 - (B-1) to fund the improvement of Bexar County court facilities, if authorized by the county commissioners court (Sec. 51.706, Government Code) . . . not more than \$15;and

follows:

Sec. 101.1011. STATUTORY PROBATE COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a statutory probate court shall collect fees and costs under the Government Code as follows:

- (1) appellate judicial system filing fees:
 - (A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;
 - (B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . ~~not more than~~ \$5;
 - (C) Third Court of Appeals District (Sec. 22.2041, Government Code) . . . \$5;
 - (D) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;
 - (E) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5;
 - (E-1) Sixth Court of Appeals District (Sec. 22.2071, Government Code) . . . \$5;
 - (E-2) Seventh Court of Appeals District (Sec. 22.2081, Government Code) . . . \$5;
 - (F) Ninth Court of Appeals District (Sec. 22.2101, Government Code) . . . \$5;
 - (G) Eleventh Court of Appeals District (Sec. 22.2121, Government Code) . . . \$5;
 - (G-1) Twelfth Court of Appeals District (Sec. 22.2131, Government Code) . . . \$5;
- and
- (H) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;
- (2) additional filing fees as follows:
 - (A) for certain cases to be used for court-related purposes for support of the judiciary (Sec. 51.704, Government Code) . . . \$40;
 - (B) to fund the improvement of Dallas County civil court facilities, if authorized by the county commissioners court (Sec. 51.705, Government Code) . . . not more than \$15;
 - (B-1) to fund the improvement of Bexar County court facilities, if authorized by the county commissioners court (Sec. 51.706, Government Code) . . . not more than \$15;and

- (C) to fund the improvement of Hays County court facilities, if authorized by the county commissioners court (Sec. 51.707, Government Code) . . . not more than \$15;
- (3) jury fee for civil case (Sec. 51.604, Government Code) . . . \$22;
- (4) the expense of preserving the record as a court cost, if imposed on a party by the referring court or associate judge (Sec. ~~54A.211~~ [54.612], Government Code) . . . actual cost; and
- (5) a fee not otherwise listed in this subchapter that is required to be collected under Section 25.0029, Government Code (Sec. 25.0029, Government Code) . . . as prescribed by law relating to county judges' fees.

SECTION 4. (b) Section 101.10115, Government Code, is repealed.

SECTION 5. (a) Section 101.1212, Government Code, is amended to read as follows:

Sec. 101.1212. COUNTY COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a county court shall collect the following fees and costs under the Government Code:

- (1) appellate judicial system filing fees:
 - (A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;
 - (B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . ~~not more than~~ \$5;
 - (C) Third Court of Appeals District (Sec. 22.2041, Government Code) . . . \$5;
 - (D) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;
 - (E) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5;
 - (E-1) Sixth Court of Appeals District (Sec. 22.2071, Government Code) . . . \$5;
 - (E-2) Seventh Court of Appeals District (Sec. 22.2081, Government Code) . . . \$5;
 - ~~(E-3) Eighth Court of Appeals District (Sec. 22.2091, Government Code) . . . \$5;~~
 - (F) Ninth Court of Appeals District (Sec. 22.2101, Government Code) . . . \$5;
 - (G) Eleventh Court of Appeals District (Sec. 22.2121, Government Code) . . . \$5;

- (C) to fund the improvement of Hays County court facilities, if authorized by the county commissioners court (Sec. 51.707, Government Code) . . . not more than \$15;
- (3) jury fee for civil case (Sec. 51.604, Government Code) . . . \$22;
- (4) the expense of preserving the record as a court cost, if imposed on a party by the referring court or associate judge (Sec. ~~54A.211~~ [54.612], Government Code) . . . actual cost; and
- (5) a fee not otherwise listed in this subchapter that is required to be collected under Section 25.0029, Government Code (Sec. 25.0029, Government Code) . . . as prescribed by law relating to county judges' fees.

~~No equivalent provision.~~

SECTION 5. Section 101.1212, Government Code, is amended to read as follows:

Sec. 101.1212. COUNTY COURT FEES AND COSTS: GOVERNMENT CODE. The clerk of a county court shall collect the following fees and costs under the Government Code:

- (1) appellate judicial system filing fees:
 - (A) First or Fourteenth Court of Appeals District (Sec. 22.2021, Government Code) . . . not more than \$5;
 - (B) Second Court of Appeals District (Sec. 22.2031, Government Code) . . . ~~not more than~~ \$5;
 - (C) Third Court of Appeals District (Sec. 22.2041, Government Code) . . . \$5;
 - (D) Fourth Court of Appeals District (Sec. 22.2051, Government Code) . . . not more than \$5;
 - (E) Fifth Court of Appeals District (Sec. 22.2061, Government Code) . . . not more than \$5;
 - (E-1) Sixth Court of Appeals District (Sec. 22.2071, Government Code) . . . \$5;
 - (E-2) Seventh Court of Appeals District (Sec. 22.2081, Government Code) . . . \$5;
 - (F) Ninth Court of Appeals District (Sec. 22.2101, Government Code) . . . \$5;
 - (G) Eleventh Court of Appeals District (Sec. 22.2121, Government Code) . . . \$5;

(G-1) Twelfth Court of Appeals District (Sec. 22.2131, Government Code) . . . \$5; and
(H) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;
(2) a jury fee (Sec. 51.604, Government Code) . . . \$22;
(3) a filing fee in each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.703, Government Code) . . . \$40; and
(4) a filing fee to fund the preservation of court records (Sec. 51.708, Government Code) . . . not more than \$10.

SECTION 5 (b). Section 101.12125, Government Code, is repealed.

SECTION 6. (a) Section 51.607, Government Code, does not apply to the imposition or change in the amount of a fee assessed under:

- (1) Section 22.2031, Government Code, as amended by this Act;
- (2) Section 101.0611, Government Code, as amended by this Act;
- (3) Section 101.0811, Government Code, as amended by this Act;
- (4) Section 101.1011, Government Code, as amended by this Act; or
- (5) Section 101.1212, Government Code, as amended by this Act.

SECTION 6. (b) The imposition or change in the amount of a fee imposed under a provision listed in Subsection (a) of this section applies only to a civil suit filed in a county court, statutory county court, statutory probate court, or district court on or after the effective date of this Act. A civil suit filed in a county court, statutory county court, statutory probate court, or district court before that date is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

SECTION 7. To the extent of any conflict, this Act prevails over another Act of the 83rd Legislature, Regular Session, 2013, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 8. This Act takes effect

(G-1) Twelfth Court of Appeals District (Sec. 22.2131, Government Code) . . . \$5; and
(H) Thirteenth Court of Appeals District (Sec. 22.2141, Government Code) . . . not more than \$5;
(2) a jury fee (Sec. 51.604, Government Code) . . . \$22;
(3) a filing fee in each civil case filed to be used for court-related purposes for the support of the judiciary (Sec. 51.703, Government Code) . . . \$40; and
(4) a filing fee to fund the preservation of court records (Sec. 51.708, Government Code) . . . not more than \$10.

No equivalent provision.

SECTION 6. Same as introduced version.

No equivalent provision.

SECTION 7. Same as introduced version.

September 1, 2013.

83R 11329

13.64.898

Substitute Document Number: 83R 9025