

BILL ANALYSIS

Senate Research Center

S.B. 1827
By: Deuell
Jurisprudence
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the past decade, several Texas counties have been given statutory authority to charge a filing fee in civil cases to be used for the construction, renovation, or improvement of the facilities that house their courts. This additional fee may be assessed over a period as authorized annually by a county commissioners court.

S.B. 1827 seeks to authorize the commissioners court of Rockwall County to assess such a filing fee for the construction, renovation, or improvement of the facilities that house the Rockwall County civil courts.

S.B. 1827 amends current law relating to an additional fee for filing civil cases in certain Rockwall County courts.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter H, Chapter 51, Government Code, by adding Section 51.709, as follows:

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

(b) Requires the clerk of a court, except as otherwise provided by this section and in addition to all other fees authorized or required by other law, to 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) Requires that court fees due under this section be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) Requires the clerk to send the fees collected under this section to the county treasurer at least as frequently as monthly. Requires the treasurer to 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 fee.

(e) Provides that this section applies only to fees for a 12-month period beginning July 1, if the commissioners court:

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

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

(f) Provides that a resolution adopted under Subsection (e) continues from year to year until July 1, 2025, allowing the county to collect fees under the terms of this section until the resolution is rescinded.

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

(h) Provides that a fee established under a particular resolution is abolished on the earlier of:

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

(2) July 1, 2025.

SECTION 2. Amends Subchapter D, Chapter 101, Government Code, by adding Section 101.061191, as follows:

Sec. 101.061191. ADDITIONAL DISTRICT COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. Requires the clerk of a district court in Rockwall County to collect an additional filing fee of not more than \$15 under Section 51.709 in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 3. Amends Subchapter E, Chapter 101, Government Code, by adding Section 101.08119, as follows:

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

SECTION 4. Amends Subchapter F, Chapter 101, Government Code, by adding Section 101.10118, as follows:

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

SECTION 5. Amends Subchapter H, Chapter 101, Government Code, by adding Section 101.142, as follows:

Sec. 101.142. ADDITIONAL JUSTICE COURT FEE FOR COURT FACILITIES COLLECTED BY CLERK. Requires the clerk of a justice court in Rockwall County to collect an additional filing fee of not more than \$15 under Section 51.709 in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 6. Effective date: upon passage or September 1, 2013.