

## **BILL ANALYSIS**

S.B. 1827  
By: Deuell  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

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. S.B. 1827 seeks to grant such authority to the commissioners court of Rockwall County.

### **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**

S.B. 1827 amends the Government Code to require the clerk of a district court, statutory probate court, county court at law, or justice court in Rockwall County to collect a filing fee of not more than \$15 in each civil case filed in the court for a 12-month period beginning July 1 to be used for the construction, renovation, or improvement of the facilities that house the courts collecting the fee, if the county commissioners court adopts a resolution authorizing such a fee and 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. The bill requires such court fees to be collected in the same manner as other fees, fines, or costs are collected in the case; requires a clerk to send the fees to the county treasurer at least as frequently as monthly; and 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.

S.B. 1827 establishes that a resolution authorizing such a fee continues from year to year until July 1, 2025, allowing the county to collect fees under the terms of the bill's provisions until the resolution is rescinded. The bill authorizes the commissioners court to rescind a resolution authorizing such a fee 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. The bill authorizes the commissioners court to adopt an additional resolution authorizing such a fee after rescinding a previous resolution. The bill specifies that a fee established under a particular resolution is abolished on the earlier of the date the resolution authorizing the fee is rescinded or July 1, 2025.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.