

## **BILL ANALYSIS**

Senate Research Center

S.B. 1908  
By: West; Paxton  
Jurisprudence  
7/25/2013  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Over the past few decades, numerous filing fees have been imposed across judicial jurisdictions. Many of these were put in place to provide the necessary resources to manage and archive paper documents filed with the clerk of the court. With the advent of the electronic age, existing filing fees related to paper documents need to be reexamined to determine if they are still needed.

S.B. 1908 requires the Office of Court Administration to conduct a study of filing fees associated with paper documents and publish this list on the Texas Register.

S.B. 1908 amends current law relating to a study conducted by the Office of Court Administration of the Texas Judicial System and the repeal of certain court fees and costs.

### **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 C, Chapter 72, Government Code, by adding Section 72.031, as follows:

Sec. 72.031. STUDY TO REPEAL CERTAIN COURT FEES AND COSTS. (a) Requires the Office of Court Administration of the Texas Judicial System (OCA), not later than September 1, 2014, to:

- (1) conduct a study on court fees and costs that identifies each statutory law imposing a court fee or cost in a court in this state;
- (2) determine whether each identified fee or cost is necessary to accomplish the stated statutory purpose;
- (3) compile a list of the identified fees and costs and of each fee or cost OCA determines is necessary;
- (4) publish the list on OCA's Internet website and in the Texas Register; and
- (5) provides a copy of the list and determinations to the governor, lieutenant governor, and speaker of the house of representatives.

(b) Requires OCA, in conducting the study required under Subsection (a), to consult with local government representatives as OCA determines appropriate.

(c) Requires the Texas Legislative Council to prepare for consideration by the 84th Legislature, Regular Session, a revision of the statutes of this state as necessary to reflect the court fees and costs identified by OCA as not necessary in the study conducted under Subsection (a).

(d) Provides that this section expires January 1, 2016.

SECTION 2. Effective date: September 1, 2013.