By: Watson S.B. No. 1891

## A BILL TO BE ENTITLED

1 AN ACT

- 2 relating to the imposition of an additional fee for filing civil
- 3 cases in certain Travis County courts.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 5 SECTION 1. Subchapter H, Chapter 51, Government Code, is
- 6 amended by adding Section 51.709 to read as follows:
- 7 Sec. 51.709. ADDITIONAL FILING FEE FOR CIVIL CASES IN
- 8 TRAVIS COUNTY. (a) This section applies only to district courts,
- 9 probate courts, and county courts at law in Travis County.
- 10 (b) Except as otherwise provided by this section and in
- 11 addition to all other fees authorized or required by other law, the
- 12 clerk of a court shall collect a filing fee of not more than \$15 in
- 13 each civil case filed in the court to be used for the construction,
- 14 renovation, or improvement of the facilities that house the Travis
- 15 <u>County civil courts.</u>
- 16 (c) Court fees due under this section shall be collected in
- 17 the same manner as other fees, fines, or costs are collected in the
- 18 <u>case.</u>
- 19 (d) The clerk shall send the fees collected under this
- 20 section to the county treasurer or to any other official who
- 21 discharges the duties commonly assigned to the county treasurer at
- 22 <u>least as frequently as monthly. The treasurer or other official</u>
- 23 shall deposit the fees in a special account in the county treasury
- 24 dedicated to the construction, renovation, or improvement of the

- 1 facilities that house the courts collecting the fee.
- 2 (e) This section applies only to fees for a 12-month period
- 3 beginning October 1, if the commissioners court:
- 4 (1) adopts a resolution authorizing a fee of not more
- 5 than \$15;
- 6 (2) adopts a resolution requiring the county to spend
- 7 one dollar for the construction, renovation, or improvement of the
- 8 court facilities for each dollar spent from the special account
- 9 dedicated to that purpose; and
- 10 (3) files the resolutions with the county treasurer or
- 11 with any other official who discharges the duties commonly assigned
- 12 to the county treasurer not later than September 1 immediately
- 13 preceding the first 12-month period during which the fees are to be
- 14 collected.
- (f) A resolution adopted under Subsection (e) continues
- 16 from year to year until October 1, 2028, allowing the county to
- 17 <u>collect fees under the terms of this section until the resolution is</u>
- 18 rescinded.
- 19 (g) The commissioners court may rescind a resolution
- 20 adopted under Subsection (e) by adopting a resolution rescinding
- 21 the resolution and submitting the rescission resolution to the
- 22 <u>county treasurer or to any other official who discharges the duties</u>
- 23 commonly assigned to the county treasurer not later than June 1
- 24 preceding the beginning of the first day of the county fiscal year.
- 25 The commissioners court may adopt an additional resolution in the
- 26 manner provided by Subsection (e) after rescinding a previous
- 27 resolution under that subsection.

- 1 (h) A fee established under a particular resolution is
- 2 abolished on the earlier of:
- 3 (1) the date a resolution adopted under Subsection (e)
- 4 <u>is rescinded as provided by Subsection (g); or</u>
- 5 (2) October 1, 2028.
- 6 (i) The county may make the required expenditure described
- 7 by Subsection (e)(2) at any time, regardless of when the
- 8 expenditure from the special account occurs.
- 9 SECTION 2. Subchapter D, Chapter 101, Government Code, is
- 10 amended by adding Section 101.06120 to read as follows:
- 11 Sec. 101.06120. ADDITIONAL DISTRICT COURT FEES FOR COURT
- 12 FACILITIES: GOVERNMENT CODE. The clerk of a district court in
- 13 Travis County shall collect an additional filing fee of not more
- 14 than \$15 under Section 51.709, Government Code, in civil cases to
- 15 fund the construction, renovation, or improvement of court
- 16 <u>facilities</u>, if authorized by the county commissioners court.
- 17 SECTION 3. Subchapter E, Chapter 101, Government Code, is
- 18 amended by adding Section 101.08119 to read as follows:
- 19 Sec. 101.08119. ADDITIONAL STATUTORY COUNTY COURT FEES FOR
- 20 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county
- 21 court in Travis County shall collect an additional filing fee of not
- 22 more than \$15 under Section 51.709, Government Code, in civil cases
- 23 to fund the construction, renovation, or improvement of court
- 24 facilities, if authorized by the county commissioners court.
- 25 SECTION 4. Subchapter F, Chapter 101, Government Code, is
- 26 amended by adding Section 101.10118 to read as follows:
- Sec. 101.10118. ADDITIONAL STATUTORY PROBATE COURT FEES FOR

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- 1 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory
- 2 probate court in Travis County shall collect an additional filing
- 3 fee of not more than \$15 under Section 51.709, Government Code, in
- 4 civil cases to fund the construction, renovation, or improvement of
- 5 court facilities, if authorized by the county commissioners court.
- 6 SECTION 5. This Act takes effect immediately if it receives
- 7 a vote of two-thirds of all the members elected to each house, as
- 8 provided by Section 39, Article III, Texas Constitution. If this
- 9 Act does not receive the vote necessary for immediate effect, this
- 10 Act takes effect September 1, 2013.