

By: Spitzer

H.B. No. 3214

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of an additional fee for filing civil cases in certain Kaufman County courts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.712 to read as follows:

Sec. 51.712. ADDITIONAL FILING FEE FOR CIVIL CASES IN KAUFMAN COUNTY. (a) This section applies only to district courts, statutory probate courts, county courts at law, and justice courts in Kaufman County.

(b) Except as otherwise provided by this section and in addition to all other fees authorized or required by other law, the clerk of a court shall 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 Kaufman courts collecting the fee.

(c) Court fees due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) The clerk shall send the fees collected under this section to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer at least as frequently as monthly. The treasurer or other official shall deposit the fees in a special account in the county treasury

1 dedicated to the construction, renovation, or improvement of the
2 facilities that house the courts collecting the fee.

3 (e) This section applies only to fees for a 12-month period
4 beginning July 1, if the commissioners court:

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

7 (2) files the resolution with the county treasurer or
8 with any other official who discharges the duties commonly assigned
9 to the county treasurer not later than June 1 immediately preceding
10 the first 12-month period during which the fees are to be collected.

11 (f) A resolution adopted under Subsection (e) continues
12 from year to year until July 1, 2030, allowing the county to collect
13 fees under the terms of this section until the resolution is
14 rescinded.

15 (g) The commissioners court may rescind a resolution
16 adopted under Subsection (e) by adopting a resolution rescinding
17 the resolution and submitting the rescission resolution to the
18 county treasurer or to any other official who discharges the duties
19 commonly assigned to the county treasurer not later than June 1
20 preceding the beginning of the first day of the county fiscal year.
21 The commissioners court may adopt an additional resolution in the
22 manner provided by Subsection (e) after rescinding a previous
23 resolution under that subsection.

24 (h) A fee established under a particular resolution is
25 abolished on the earlier of:

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

1 (2) July 1, 2030.

2 SECTION 2. Subchapter D, Chapter 101, Government Code, is
3 amended by adding Section 101.061193 to read as follows:

4 Sec. 101.061193. ADDITIONAL DISTRICT COURT FEES FOR COURT
5 FACILITIES: GOVERNMENT CODE. The clerk of a district court in
6 Kaufman County shall collect an additional filing fee of not more
7 than \$15 under Section 51.712, Government Code, in civil cases to
8 fund the construction, renovation, or improvement of court
9 facilities, if authorized by the county commissioners court.

10 SECTION 3. Subchapter E, Chapter 101, Government Code, is
11 amended by adding Section 101.081196 to read as follows:

12 Sec. 101.081196. ADDITIONAL STATUTORY COUNTY COURT FEES FOR
13 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county
14 court in Kaufman County shall collect an additional filing fee of
15 not more than \$15 under Section 51.712, Government Code, in civil
16 cases to fund the construction, renovation, or improvement of court
17 facilities, if authorized by the county commissioners court.

18 SECTION 4. Subchapter F, Chapter 101, Government Code, is
19 amended by adding Section 101.101191 to read as follows:

20 Sec. 101.101191. ADDITIONAL STATUTORY PROBATE COURT FEES
21 FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory
22 probate court in Kaufman County shall collect an additional filing
23 fee of not more than \$15 under Section 51.712, Government Code, in
24 civil cases to fund the construction, renovation, or improvement of
25 court facilities, if authorized by the county commissioners court.

26 SECTION 5. Subchapter H, Chapter 101, Government Code, is
27 amended by adding Section 101.143 to read as follows:

1 Sec. 101.143. ADDITIONAL JUSTICE COURT FEE FOR COURT
2 FACILITIES COLLECTED BY CLERK. The clerk of a justice court in
3 Kaufman County shall collect an additional filing fee of not more
4 than \$15 under Section 51.712, Government Code, in civil cases to
5 fund the construction, renovation, or improvement of court
6 facilities, if authorized by the county commissioners court.

7 SECTION 6. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2015.