

By: Guillen

H.B. No. 2875

Substitute the following for H.B. No. 2875:

By: Smithee

C.S.H.B. No. 2875

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of additional fees for filing civil cases in Willacy County and Starr County.

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

SECTION 1. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.713 to read as follows:

Sec. 51.713. ADDITIONAL FILING FEE FOR CIVIL CASES IN WILLACY COUNTY AND STARR COUNTY. (a) This section applies only to:

(1) district courts, the constitutional county court, and justice courts in Willacy County; and

(2) district courts, the county court at law, and justice courts in Starr 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 \$20 in each civil case filed in the court to be used:

(1) for the construction, renovation, or improvement of the facilities that house the Willacy County or Starr County civil courts; and

(2) to pay the principal of, interest on, and costs of issuance of bonds issued for the construction, renovation, or improvement of the facilities that house the Willacy County or Starr County civil courts.

(c) Court fees due under this section shall be collected in

1 the same manner as other fees, fines, or costs are collected in the  
2 case.

3 (d) The clerk shall send the fees collected under this  
4 section to the county treasurer of the county in which the court is  
5 located or to any other official who discharges the duties commonly  
6 assigned to the county treasurer at least as frequently as monthly.  
7 The treasurer or other official shall deposit the fees in a special  
8 account in the county treasury dedicated to:

9 (1) the construction, renovation, or improvement of  
10 the facilities that house the Willacy County or Starr County civil  
11 courts; and

12 (2) pay the principal of, interest on, and costs of  
13 issuance of bonds issued for the construction, renovation, or  
14 improvement of the facilities that house the Willacy County or  
15 Starr County civil courts.

16 (e) This section applies only to fees for a 12-month period  
17 beginning October 1, if the commissioners court of the county  
18 collecting the fee:

19 (1) adopts a resolution authorizing a fee of not more  
20 than \$20;

21 (2) adopts a resolution requiring the county to spend  
22 one dollar for the construction, renovation, or improvement of the  
23 court facilities or to pay the principal of, interest on, and costs  
24 of issuance of bonds issued for the construction of court  
25 facilities for each dollar spent from the special account dedicated  
26 to that purpose; and

27 (3) files the resolutions with the county treasurer or

1 with any other official who discharges the duties commonly assigned  
2 to the county treasurer not later than September 1 immediately  
3 preceding the first 12-month period during which the fees are to be  
4 collected.

5 (f) A resolution adopted under Subsection (e) continues  
6 from year to year until October 1, 2045, allowing the county to  
7 collect fees under the terms of this section until the resolution is  
8 rescinded.

9 (g) The commissioners court of the county collecting the fee  
10 may rescind a resolution adopted under Subsection (e) by adopting a  
11 resolution rescinding the resolution and submitting the rescission  
12 resolution to the county treasurer or to any other official who  
13 discharges the duties commonly assigned to the county treasurer not  
14 later than September 1 preceding the beginning of the first day of  
15 the county fiscal year. The commissioners court may adopt an  
16 additional resolution in the manner provided by Subsection (e)  
17 after rescinding a previous resolution under that subsection.

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

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

22 (2) October 1, 2045.

23 (i) Willacy County or Starr County may make the required  
24 expenditure described by Subsection (e)(2) at any time, regardless  
25 of when the expenditure from the special account occurs.

26 SECTION 2. Subchapter D, Chapter 101, Government Code, is  
27 amended by adding Section 101.061194 to read as follows:

1       Sec. 101.061194. ADDITIONAL DISTRICT COURT FEES FOR COURT  
2 FACILITIES: GOVERNMENT CODE. The clerk of a district court in  
3 Willacy County and the clerk of a district court in Starr County  
4 shall collect an additional filing fee of not more than \$20 under  
5 Section 51.713, Government Code, in civil cases to fund the:

6           (1) construction, renovation, or improvement of court  
7 facilities, if authorized by the county commissioners court; and

8           (2) payment of the principal of, interest on, and  
9 costs of issuance of bonds issued for the construction, renovation,  
10 or improvement of court facilities, if authorized by the county  
11 commissioners court.

12       SECTION 3. Subchapter E, Chapter 101, Government Code, is  
13 amended by adding Section 101.081195 to read as follows:

14       Sec. 101.081195. ADDITIONAL STATUTORY COUNTY COURT FEES FOR  
15 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county  
16 court in Starr County shall collect an additional filing fee of not  
17 more than \$20 under Section 51.713, Government Code, in civil cases  
18 to fund the:

19           (1) construction, renovation, or improvement of court  
20 facilities, if authorized by the county commissioners court; and

21           (2) payment of the principal of, interest on, and  
22 costs of issuance of bonds issued for the construction, renovation,  
23 or improvement of court facilities, if authorized by the county  
24 commissioners court.

25       SECTION 4. Subchapter G, Chapter 101, Government Code, is  
26 amended by adding Section 101.12122 to read as follows:

27       Sec. 101.12122. ADDITIONAL COUNTY COURT FEES FOR COURT

1 FACILITIES: GOVERNMENT CODE. The clerk of the county court in  
2 Willacy County shall collect an additional filing fee of not more  
3 than \$20 under Section 51.713, Government Code, in civil cases to  
4 fund the:

5 (1) construction, renovation, or improvement of court  
6 facilities, if authorized by the county commissioners court; and

7 (2) payment of the principal of, interest on, and  
8 costs of issuance of bonds issued for the construction, renovation,  
9 or improvement of court facilities, if authorized by the county  
10 commissioners court.

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

13 Sec. 101.143. ADDITIONAL JUSTICE COURT FEES FOR COURT  
14 FACILITIES COLLECTED BY CLERK. The clerk of a justice court in  
15 Willacy County and the clerk of a justice court in Starr County  
16 shall collect an additional filing fee of not more than \$20 under  
17 Section 51.713, Government Code, in civil cases to fund the:

18 (1) construction, renovation, or improvement of court  
19 facilities, if authorized by the county commissioners court; and

20 (2) payment of the principal of, interest on, and  
21 costs of issuance of bonds issued for the construction, renovation,  
22 or improvement of court facilities, if authorized by the county  
23 commissioners court.

24 SECTION 6. This Act takes effect September 1, 2017.