

By: Guillen

H.B. No. 2875

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of additional fees for filing civil cases in certain Willacy 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 51.713 to read as follows:

Sec. 51.713. ADDITIONAL FILING FEE FOR CIVIL CASES IN WILLACY COUNTY. (a) This section applies only to district courts, the constitutional county court, and justice courts in Willacy 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 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 civil courts.

(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

1 section to the county treasurer or to any other official who
2 discharges the duties commonly assigned to the county treasurer at
3 least as frequently as monthly. The treasurer or other official
4 shall deposit the fees in a special account in the county treasury
5 dedicated to:

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

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

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

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

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

22 (3) files the resolutions with the county treasurer or
23 with any other official who discharges the duties commonly assigned
24 to the county treasurer not later than September 1 immediately
25 preceding the first 12-month period during which the fees are to be
26 collected.

27 (f) A resolution adopted under Subsection (e) continues

1 from year to year until October 1, 2045, allowing the county to
2 collect fees under the terms of this section until the resolution is
3 rescinded.

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

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

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

17 (2) October 1, 2045.

18 (i) The county may make the required expenditure described
19 by Subsection (e)(2) at any time, regardless of when the
20 expenditure from the special account occurs.

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

23 Sec. 101.061194. ADDITIONAL DISTRICT COURT FEES FOR COURT
24 FACILITIES: GOVERNMENT CODE. The clerk of a district court in
25 Willacy County shall collect an additional filing fee of not more
26 than \$20 under Section 51.713, Government Code, in civil cases to
27 fund the:

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

3 (2) payment of the principal of, interest on, and
4 costs of issuance of bonds issued for the construction, renovation,
5 or improvement of court facilities, if authorized by the county
6 commissioners court.

7 SECTION 3. Subchapter G, Chapter 101, Government Code, is
8 amended by adding Section 101.12122 to read as follows:

9 Sec. 101.12122. ADDITIONAL COUNTY COURT FEES FOR COURT
10 FACILITIES: GOVERNMENT CODE. The clerk of the county court in
11 Willacy County shall collect an additional filing fee of not more
12 than \$20 under Section 51.713, Government Code, in civil cases to
13 fund the:

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

16 (2) payment of the principal of, interest on, and
17 costs of issuance of bonds issued for the construction, renovation,
18 or improvement of court facilities, if authorized by the county
19 commissioners court.

20 SECTION 4. Subchapter H, Chapter 101, Government Code, is
21 amended by adding Section 101.143 to read as follows:

22 Sec. 101.143. ADDITIONAL JUSTICE COURT FEES FOR COURT
23 FACILITIES COLLECTED BY CLERK. The clerk of a justice court in
24 Willacy County shall collect an additional filing fee of not more
25 than \$20 under Section 51.713, Government Code, in civil cases to
26 fund the:

27 (1) construction, renovation, or improvement of court

1 facilities, if authorized by the county commissioners court; and
2 (2) payment of the principal of, interest on, and
3 costs of issuance of bonds issued for the construction, renovation,
4 or improvement of court facilities, if authorized by the county
5 commissioners court.

6 SECTION 5. This Act takes effect September 1, 2017.