

1-1 By: Guillen (Senate Sponsor - Lucio) H.B. No. 2875
 1-2 (In the Senate - Received from the House May 10, 2017;
 1-3 May 11, 2017, read first time and referred to Committee on State
 1-4 Affairs; May 19, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 19, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2875 By: Lucio

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the imposition of additional fees for filing civil
 1-22 cases in Willacy County and Starr County.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter H, Chapter 51, Government Code, is
 1-25 amended by adding Section 51.713 to read as follows:

1-26 Sec. 51.713. ADDITIONAL FILING FEE FOR CIVIL CASES IN
 1-27 WILLACY COUNTY AND STARR COUNTY. (a) This section applies only to:

1-28 (1) district courts, the constitutional county court,
 1-29 and justice courts in Willacy County; and

1-30 (2) district courts, the county court at law, and
 1-31 justice courts in Starr County.

1-32 (b) Except as otherwise provided by this section and in
 1-33 addition to all other fees authorized or required by other law, the
 1-34 clerk of a court shall collect a filing fee of not more than \$20 in
 1-35 each civil case filed in the court, if the fee is authorized by the
 1-36 commissioners court of the county collecting the fee. A fee
 1-37 collected under this section is to be used:

1-38 (1) for the construction, renovation, or improvement
 1-39 of the facilities that house the Willacy County or Starr County
 1-40 civil courts; and

1-41 (2) to pay the principal of, interest on, and costs of
 1-42 issuance of bonds issued for the construction, renovation, or
 1-43 improvement of the facilities that house the Willacy County or
 1-44 Starr County civil courts.

1-45 (c) Court fees due under this section shall be collected in
 1-46 the same manner as other fees, fines, or costs are collected in the
 1-47 case.

1-48 (d) The clerk shall send the fees collected under this
 1-49 section to the county treasurer of the county in which the court is
 1-50 located or to any other official who discharges the duties commonly
 1-51 assigned to the county treasurer at least as frequently as monthly.
 1-52 The treasurer or other official shall deposit the fees in a special
 1-53 account in the county treasury dedicated to:

1-54 (1) the construction, renovation, or improvement of
 1-55 the facilities that house the Willacy County or Starr County civil
 1-56 courts; and

1-57 (2) pay the principal of, interest on, and costs of
 1-58 issuance of bonds issued for the construction, renovation, or
 1-59 improvement of the facilities that house the Willacy County or
 1-60 Starr County civil courts.

2-1 (e) This section applies only to fees for a 12-month period
2-2 beginning October 1, if the commissioners court of the county
2-3 collecting the fee:

2-4 (1) adopts a resolution authorizing a fee of not more
2-5 than \$20;

2-6 (2) adopts a resolution requiring the county to spend
2-7 one dollar for the construction, renovation, or improvement of the
2-8 court facilities or to pay the principal of, interest on, and costs
2-9 of issuance of bonds issued for the construction of court
2-10 facilities for each dollar spent from the special account dedicated
2-11 to that purpose; and

2-12 (3) files the resolutions with the county treasurer or
2-13 with any other official who discharges the duties commonly assigned
2-14 to the county treasurer not later than September 1 immediately
2-15 preceding the first 12-month period during which the fees are to be
2-16 collected.

2-17 (f) A resolution adopted under Subsection (e) continues
2-18 from year to year until October 1, 2045, allowing the county to
2-19 collect fees under the terms of this section until the resolution is
2-20 rescinded.

2-21 (g) The commissioners court of the county collecting the fee
2-22 may rescind a resolution adopted under Subsection (e) by adopting a
2-23 resolution rescinding the resolution and submitting the rescission
2-24 resolution to the county treasurer or to any other official who
2-25 discharges the duties commonly assigned to the county treasurer not
2-26 later than September 1 preceding the beginning of the first day of
2-27 the county fiscal year. The commissioners court may adopt an
2-28 additional resolution in the manner provided by Subsection (e)
2-29 after rescinding a previous resolution under that subsection.

2-30 (h) A fee established under a particular resolution is
2-31 abolished on the earlier of:

2-32 (1) the date a resolution adopted under Subsection (e)
2-33 is rescinded as provided by Subsection (g); or

2-34 (2) October 1, 2045.

2-35 (i) Willacy County or Starr County may make the required
2-36 expenditure described by Subsection (e)(2) at any time, regardless
2-37 of when the expenditure from the special account occurs.

2-38 SECTION 2. Subchapter D, Chapter 101, Government Code, is
2-39 amended by adding Section 101.061194 to read as follows:

2-40 Sec. 101.061194. ADDITIONAL DISTRICT COURT FEES FOR COURT
2-41 FACILITIES: GOVERNMENT CODE. The clerk of a district court in
2-42 Willacy County and the clerk of a district court in Starr County
2-43 shall collect an additional filing fee of not more than \$20 under
2-44 Section 51.713, Government Code, in civil cases to fund the:

2-45 (1) construction, renovation, or improvement of court
2-46 facilities, if authorized by the county commissioners court; and

2-47 (2) payment of the principal of, interest on, and
2-48 costs of issuance of bonds issued for the construction, renovation,
2-49 or improvement of court facilities, if authorized by the county
2-50 commissioners court.

2-51 SECTION 3. Subchapter E, Chapter 101, Government Code, is
2-52 amended by adding Section 101.081195 to read as follows:

2-53 Sec. 101.081195. ADDITIONAL STATUTORY COUNTY COURT FEES FOR
2-54 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county
2-55 court in Starr County shall collect an additional filing fee of not
2-56 more than \$20 under Section 51.713, Government Code, in civil cases
2-57 to fund the:

2-58 (1) construction, renovation, or improvement of court
2-59 facilities, if authorized by the county commissioners court; and

2-60 (2) payment of the principal of, interest on, and
2-61 costs of issuance of bonds issued for the construction, renovation,
2-62 or improvement of court facilities, if authorized by the county
2-63 commissioners court.

2-64 SECTION 4. Subchapter G, Chapter 101, Government Code, is
2-65 amended by adding Section 101.12122 to read as follows:

2-66 Sec. 101.12122. ADDITIONAL COUNTY COURT FEES FOR COURT
2-67 FACILITIES: GOVERNMENT CODE. The clerk of the county court in
2-68 Willacy County shall collect an additional filing fee of not more
2-69 than \$20 under Section 51.713, Government Code, in civil cases to

3-1 fund the:
 3-2 (1) construction, renovation, or improvement of court
 3-3 facilities, if authorized by the county commissioners court; and
 3-4 (2) payment of the principal of, interest on, and
 3-5 costs of issuance of bonds issued for the construction, renovation,
 3-6 or improvement of court facilities, if authorized by the county
 3-7 commissioners court.

3-8 SECTION 5. Subchapter H, Chapter 101, Government Code, is
 3-9 amended by adding Section 101.143 to read as follows:

3-10 Sec. 101.143. ADDITIONAL JUSTICE COURT FEES FOR COURT
 3-11 FACILITIES COLLECTED BY CLERK. The clerk of a justice court in
 3-12 Willacy County and the clerk of a justice court in Starr County
 3-13 shall collect an additional filing fee of not more than \$20 under
 3-14 Section 51.713, Government Code, in civil cases to fund the:

3-15 (1) construction, renovation, or improvement of court
 3-16 facilities, if authorized by the county commissioners court; and

3-17 (2) payment of the principal of, interest on, and
 3-18 costs of issuance of bonds issued for the construction, renovation,
 3-19 or improvement of court facilities, if authorized by the county
 3-20 commissioners court.

3-21 SECTION 6. This Act takes effect September 1, 2017.

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