

By: Wilson

H.B. No. 3458

A BILL TO BE ENTITLED

AN ACT

relating to certain fees collected by a justice court.

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

SECTION 1. The heading to Subchapter H, Chapter 101, Government Code, is amended to read as follows:

SUBCHAPTER H. JUSTICE COURTS [~~AND SMALL CLAIMS COURTS~~]

SECTION 2. The heading to Section 101.141, Government Code, is amended to read as follows:

Sec. 101.141. JUSTICE COURT [~~AND SMALL CLAIMS COURT~~] FEES AND COSTS COLLECTED BY CLERK.

SECTION 3. The heading to Section 101.151, Government Code, is amended to read as follows:

Sec. 101.151. JUSTICE COURT [~~AND SMALL CLAIMS COURT~~] FEES COLLECTED BY JUSTICE OF THE PEACE.

SECTION 4. Section 101.151(a), Government Code, is amended to read as follows:

(a) A justice of the peace shall collect the following fees under the Local Government Code:

(1) services rendered before judgment (Secs. 118.121 and 118.122, Local Government Code) [~~+~~

~~[(A) justice court (Sec. 118.121, Local Government Code)] . . . \$125 [\$25]; and~~

~~[(B) small claims court (Sec. 118.121, Local Government Code) . . . \$25, and]~~

1 (2) services rendered after judgment (Secs. 118.121
2 and 118.123, Local Government Code):

3 (A) transcript (Sec. 118.121, Local Government
4 Code) . . . \$10;

5 (B) abstract of judgment (Sec. 118.121, Local
6 Government Code) . . . \$10 [~~\$5~~];

7 (C) execution, order of sale, writ of
8 restitution, or other writ or process (Sec. 118.121, Local
9 Government Code) . . . \$5 per page;

10 (D) certified copy of court papers (Secs. 118.121
11 and 118.1235, Local Government Code) . . . \$2 for first page; \$0.25
12 for each additional page; and

13 (E) issuing other document (no return required)
14 (Sec. 118.121, Local Government Code) . . . \$1 for first page;
15 \$0.25 for each additional page.

16 SECTION 5. Section 118.121, Local Government Code, is
17 amended to read as follows:

18 Sec. 118.121. FEE SCHEDULE. A justice of the peace shall
19 collect the following fees for services rendered to any person:

20 (1) Services rendered before judgment (Sec.
21 118.122) [~~+~~

22 [~~(A) Justice court~~] \$125.00 [~~\$25.00~~

23 [~~(B) Small claims court~~ \$25.00]

24 (2) Services rendered after judgment (Sec. 118.123):

25 (A) Transcript \$10.00

26 (B) Abstract of judgment \$10.00 [~~\$5.00~~]

27 (C) Execution, order of sale, writ of

1 restitution, or other writ or process \$5.00 per page
2 Certified copy of court papers . . \$2.00 for
3 first page
4 \$0.25 for each additional page
5 Issuing other document
6 (no return required) \$1.00 for
7 first page
8 \$0.25 for each additional page

9 SECTION 6. The change in law made by this Act applies only
10 to a cause of action filed on or after the effective date of this
11 Act. A cause of action filed before the effective date of this Act
12 is governed by the law in effect immediately before the effective
13 date of this Act, and that law is continued in effect for that
14 purpose.

15 SECTION 7. This Act takes effect September 1, 2017.