

House Bill 2875
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 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 of the county in which the court is located 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 dedicated to:

SENATE VERSION (CS)

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(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, if the fee is authorized by the commissioners court of the county collecting the fee. A fee collected under this section is 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 the same manner as other fees, fines, or costs are collected in the case.

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(1) the construction, renovation, or improvement of the facilities that house the Willacy County or Starr County civil courts; and
(2) 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.
(e) This section applies only to fees for a 12-month period beginning October 1, if the commissioners court of the county collecting the fee:
(1) adopts a resolution authorizing a fee of not more than \$20;
(2) adopts a resolution requiring the county to spend one dollar for the construction, renovation, or improvement of the court facilities or to pay the principal of, interest on, and costs of issuance of bonds issued for the construction of court facilities for each dollar spent from the special account dedicated to that purpose; and
(3) files the resolutions with the county treasurer or with any other official who discharges the duties commonly assigned to the county treasurer not later than September 1 immediately preceding the first 12-month period during which the fees are to be collected.
(f) A resolution adopted under Subsection (e) continues from year to year until October 1, 2045, allowing the county to collect fees under the terms of this section until the resolution is rescinded.
(g) The commissioners court of the county collecting the fee may rescind a resolution adopted under Subsection (e) by adopting a resolution rescinding the resolution and submitting the rescission resolution to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer not later than September 1 preceding the

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(1) the construction, renovation, or improvement of the facilities that house the Willacy County or Starr County civil courts; and
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(e) This section applies only to fees for a 12-month period beginning October 1, if the commissioners court of the county collecting the fee:
(1) adopts a resolution authorizing a fee of not more than \$20;
(2) adopts a resolution requiring the county to spend one dollar for the construction, renovation, or improvement of the court facilities or to pay the principal of, interest on, and costs of issuance of bonds issued for the construction of court facilities for each dollar spent from the special account dedicated to that purpose; and
(3) files the resolutions with the county treasurer or with any other official who discharges the duties commonly assigned to the county treasurer not later than September 1 immediately preceding the first 12-month period during which the fees are to be collected.
(f) A resolution adopted under Subsection (e) continues from year to year until October 1, 2045, allowing the county to collect fees under the terms of this section until the resolution is rescinded.
(g) The commissioners court of the county collecting the fee may rescind a resolution adopted under Subsection (e) by adopting a resolution rescinding the resolution and submitting the rescission resolution to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer not later than September 1 preceding the

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beginning of the first day of the county fiscal year. The commissioners court may adopt an additional resolution in the manner provided by Subsection (e) after rescinding a previous resolution under that subsection.

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

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

(2) October 1, 2045.

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

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

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

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

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

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beginning of the first day of the county fiscal year. The commissioners court may adopt an additional resolution in the manner provided by Subsection (e) after rescinding a previous resolution under that subsection.

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

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

(2) October 1, 2045.

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

SECTION 2. Same as House version.

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

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

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

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

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

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

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

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

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SECTION 3. Same as House version.

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

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

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

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

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

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SECTION 5. Same as House version.

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