

By: Murr

H.B. No. 301

A BILL TO BE ENTITLED

AN ACT

relating to fees collected by a justice court; increasing a fee.

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

SECTION 1. Section 118.121, Local Government Code, is amended to read as follows:

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

(1) Services rendered before judgment (Sec. 118.122)

[+]

~~[(A) Justice court] \$50.00 [~~\$25.00~~~~

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

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

(A) Transcript \$10.00

(B) Abstract of judgment \$5.00

(C) Execution, order of sale, writ of restitution, or other writ or process \$5.00 per page

Certified copy of court papers . . \$2.00 for first page

\$0.25 for each additional page

Issuing other document

(no return required) \$1.00 for first page

\$0.25 for each additional page

SECTION 2. Section 118.122(a), Local Government Code, is

1 amended to read as follows:

2 (a) The fee for "Services rendered before judgment" under
3 Section 118.121(1) is for all required filings of documents,
4 including the filing of a counterclaim, and all other processes and
5 procedures in a civil matter in a justice court [~~or small claims~~
6 ~~court~~].

7 SECTION 3. Section 118.123(a), Local Government Code, is
8 amended to read as follows:

9 (a) The fee for "Services rendered after judgment" under
10 Section 118.121(2) applies to a civil matter in a justice court [~~or~~
11 ~~small claims court~~].

12 SECTION 4. Section 118.1235, Local Government Code, is
13 amended to read as follows:

14 Sec. 118.1235. FEE FOR CERTIFIED COPY. The fee for
15 "Certified copy of court papers" under Section 118.121(2) is for
16 issuing a certified copy of a paper filed in a justice court [~~or a~~
17 ~~small claims court~~]. The fee must be paid at the time the order is
18 placed.

19 SECTION 5. The heading to Subchapter H, Chapter 101,
20 Government Code, is amended to read as follows:

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

22 SECTION 6. The heading to Section 101.141, Government Code,
23 is amended to read as follows:

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

26 SECTION 7. The heading to Section 101.151, Government Code,
27 is amended to read as follows:

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

3 SECTION 8. Section 101.151(a), Government Code, is amended
4 to read as follows:

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

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

9 [~~(A) justice court (Sec. 118.121, Local~~
10 ~~Government Code)~~] . . . \$50 [~~\$25; and~~

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

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

15 (A) transcript (Sec. 118.121, Local Government
16 Code) . . . \$10;

17 (B) abstract of judgment (Sec. 118.121, Local
18 Government Code) . . . \$5;

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

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

25 (E) issuing other document (no return required)
26 (Sec. 118.121, Local Government Code) . . . \$1 for first page;
27 \$0.25 for each additional page.

1 SECTION 9. The changes in law made by this Act apply only to
2 a cause of action filed on or after the effective date of this Act.
3 A cause of action filed before the effective date of this Act is
4 governed by the law in effect immediately before the effective date
5 of this Act, and that law is continued in effect for that purpose.

6 SECTION 10. This Act takes effect September 1, 2019.