

By: Hinojosa

S.B. No. 1936

A BILL TO BE ENTITLED

AN ACT

relating to imposing additional fees for filing civil cases and recording certain documents in Nueces County.

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

SECTION 1. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.712 to read as follows:

Sec. 51.712. ADDITIONAL FILING FEE FOR CIVIL CASES IN NUECES COUNTY. (a) This section applies only to district courts and county courts at law in Nueces 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 for the construction, renovation, or improvement of the facilities that house the Nueces 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 Nueces County 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 the construction, renovation, or improvement

1 of the facilities that house the Nueces County civil courts.

2 (e) This section applies only to fees for a 12-month period  
3 beginning October 1, if the Commissioners Court of Nueces County:

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

6 (2) adopts a resolution requiring the county to spend  
7 one dollar for the construction, renovation, or improvement of the  
8 court facilities for each dollar spent from the special account  
9 dedicated to that purpose; and

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

15 (f) A resolution adopted under Subsection (e) continues  
16 from year to year until October 1, 2034, allowing Nueces County to  
17 collect fees under the terms of this section until the resolution is  
18 rescinded.

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

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

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

5           (2) October 1, 2034.

6       (i) Nueces County may make the required expenditure  
7 described by Subsection (e)(2) at any time, regardless of when the  
8 expenditure from the special account occurs.

9       (j) This section expires September 1, 2035.

10       SECTION 2. Subchapter D, Chapter 101, Government Code, is  
11 amended by adding Section 101.06112 to read as follows:

12       Sec. 101.06112. ADDITIONAL DISTRICT COURT FEES FOR COURT  
13 FACILITIES: GOVERNMENT CODE. The clerk of a district court in  
14 Nueces County shall collect an additional filing fee of not more  
15 than \$20 under Section 51.712, Government Code, in civil cases to  
16 fund the construction, renovation, or improvement of court  
17 facilities, if authorized by the county commissioners court.

18       SECTION 3. Subchapter E, Chapter 101, Government Code, is  
19 amended by adding Section 101.08112 to read as follows:

20       Sec. 101.08112. ADDITIONAL STATUTORY COUNTY COURT FEES FOR  
21 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county  
22 court in Nueces County shall collect an additional filing fee of not  
23 more than \$20 under Section 51.712, Government Code, in civil cases  
24 to fund the construction, renovation, or improvement of court  
25 facilities, if authorized by the county commissioners court.

26       SECTION 4. Section 118.0131, Local Government Code, is  
27 amended to read as follows:

1           Sec. 118.0131. OPTIONAL RECORDING FEES FOR COURT FACILITIES  
2 IN CERTAIN COUNTIES [~~FACILITIES: HIDALGO COUNTY AND CAMERON~~  
3 ~~COUNTY~~]. The county clerk of Hidalgo County, ~~[and]~~ the county clerk  
4 of Cameron County, and the county clerk of Nueces County may assess  
5 an additional fee not to exceed \$10 for a real property records  
6 filing to fund the construction, renovation, or improvement of  
7 court facilities, if authorized by the commissioners court of the  
8 county.

9           SECTION 5. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2019.