By: Hinojosa S.B. No. 1007

A BILL TO BE ENTITLED

AN ACT

relating to the electronic filing system used for the filing of documents in courts of this state; authorizing the imposition of a fee for use of that system in certain counties.

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

SECTION 1. Section 72.031, Government Code, is amended by amending Subsection (d) and adding Subsections (d-1), (d-2), and (g) to read as follows:

(d) A local government or [~~appellate~~] court that uses the electronic filing system may accept electronic payment methods, including payments made with credit and debit cards.

(d-1) Cameron, Hidalgo, and Webb Counties may each charge a fee of not more than $2 for each electronic filing transaction filed in a court in the county through an electronic filing system if:

(1) the fee is necessary to reimburse the county for the system operating costs reasonably incurred by the county to:

(A) accept electronic payment methods;

(B) communicate with other technology information systems; or

(C) improve and maintain cybersecurity systems or equipment;

(2) the fee does not include an amount to reimburse county employee costs, other than the direct costs incurred in maintaining the system;

(3) the commissioners court of the county approves the imposition of the fee using the county's standard fee approval process; and

(4) the county and district clerks in the county annually certify to the commissioners court of the county that the fee is necessary to reimburse the county for the costs specified in Subdivision (1).

(d-2) The clerk of a court in a county authorized to charge a fee under Subsection (d-1) shall collect the fee in the manner provided for other court costs and shall deliver the fee to the county treasurer, or the person who performs the duties of the county treasurer, of the county in which the court sits. The county treasurer, or the person who performs the duties of the county treasurer, shall deposit the fees received into the fund or account from which the county spent the system operating costs described by Subsection (d-1)(1).

(g) The comptroller may audit the records of a county related to fees collected under this section.

SECTION 2. This Act takes effect September 1, 2021.