

1-1 By: Zaffirini S.B. No. 1612
1-2 (In the Senate - Filed March 6, 2023; March 16, 2023, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 4, 2023, reported favorably by the following vote: Yeas 4,
1-5 Nays 0; April 4, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to court administration and costs; increasing certain
1-16 court costs; authorizing fees.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Section 33.101, Estates Code, is amended to read
1-19 as follows:

1-20 Sec. 33.101. TRANSFER TO OTHER COUNTY IN WHICH VENUE IS
1-21 PROPER. If probate proceedings involving the same estate are
1-22 commenced in more than one county and the court making a
1-23 determination of venue as provided by Section 33.053 determines
1-24 that venue is proper in another county, the court clerk shall
1-25 transmit the file for the proceeding in accordance with the
1-26 procedures provided by Section 33.105 [~~make and retain a copy of the~~
1-27 ~~entire file in the case and transmit the original file in electronic~~
1-28 ~~or paper form~~] to the court in the county in which venue is proper.
1-29 The court to which the file is transmitted shall conduct the
1-30 proceeding in the same manner as if the proceeding had originally
1-31 been commenced in that county.

1-32 SECTION 2. Section 33.102(a), Estates Code, is amended to
1-33 read as follows:

1-34 (a) If it appears to the court at any time before the final
1-35 order in a probate proceeding is rendered that the court does not
1-36 have priority of venue over the proceeding, the court shall, on the
1-37 application of an interested person, transfer the proceeding to the
1-38 proper county by transmitting the file for the proceeding in
1-39 accordance with the procedures provided by Section 33.105 to the
1-40 proper court in that county [~~in electronic or paper form~~].

1-41 [~~(1) the original file in the case, and~~
1-42 [~~(2) certified copies of all entries that have been~~
1-43 ~~made in the judge's probate docket in the proceeding~~].

1-44 SECTION 3. Section 33.103(b), Estates Code, is amended to
1-45 read as follows:

1-46 (b) The clerk of the court from which the probate proceeding
1-47 described by Subsection (a) is transferred shall transmit the file
1-48 for the proceeding in accordance with the procedures provided by
1-49 Section 33.105 to the court to which the proceeding is
1-50 transferred[~~+~~].

1-51 [~~(1) the original file in the proceeding, and~~
1-52 [~~(2) a certified copy of the index~~].

1-53 SECTION 4. Subchapter C, Chapter 33, Estates Code, is
1-54 amended by adding Section 33.105 to read as follows:

1-55 Sec. 33.105. TRANSFER OF PROBATE PROCEEDING RECORD. (a) If
1-56 a probate proceeding is transferred to a court in another county
1-57 under this chapter, the clerk of the transferring court shall send
1-58 to the clerk of the court to which the proceeding is transferred,
1-59 using the electronic filing system established under Section
1-60 72.031, Government Code:

1-61 (1) a transfer certificate and index of transferred

2-1 documents;
 2-2 (2) a copy of each final order;
 2-3 (3) a copy of the order of transfer signed by the
 2-4 transferring court;
 2-5 (4) a copy of the original papers filed in the
 2-6 transferring court, including a copy of any will;
 2-7 (5) a copy of the transfer certificate and index of
 2-8 transferred documents from each previous transfer; and
 2-9 (6) a bill of any costs accrued in the transferring
 2-10 court.

2-11 (b) The clerk of the transferring court shall use the
 2-12 standardized transfer certificate and index of transferred
 2-13 documents form developed by the Office of Court Administration of
 2-14 the Texas Judicial System under Section 72.037, Government Code,
 2-15 when transferring a proceeding under this section.

2-16 (c) The clerk of the transferring court shall keep a copy of
 2-17 the documents transferred under Subsection (a).

2-18 (d) The clerk of the court to which the proceeding is
 2-19 transferred shall:

2-20 (1) accept documents transferred under Subsection
 2-21 (a);

2-22 (2) docket the proceeding; and

2-23 (3) notify, using the electronic filing system
 2-24 established under Section 72.031, Government Code, all parties to
 2-25 the proceeding, the clerk of the transferring court, and, if
 2-26 appropriate, the transferring court's local registry that the
 2-27 proceeding has been docketed.

2-28 (e) The clerk of the transferee court shall physically or
 2-29 electronically mark or stamp the transfer certificate and index of
 2-30 transferred documents to evidence the date and time of acceptance
 2-31 under Subsection (d) but may not physically or electronically mark
 2-32 or stamp any other document transferred under Subsection (a).

2-33 (f) The clerks of both the transferee and transferring
 2-34 courts may each produce under Chapter 51, Government Code,
 2-35 certified or uncertified copies of documents transferred under
 2-36 Subsection (a) but must include a copy of the transfer certificate
 2-37 and index of transferred documents with each document produced.

2-38 (g) Sections 80.001 and 80.002, Government Code, do not
 2-39 apply to the transfer of documents under this section.

2-40 SECTION 5. Section 1023.006, Estates Code, is amended to
 2-41 read as follows:

2-42 Sec. 1023.006. TRANSFER OF RECORD. (a) Not later than the
 2-43 10th working day after the date ~~[when]~~ an order of transfer is
 2-44 signed ~~[made]~~ under Section 1023.005, the clerk shall record any
 2-45 unrecorded papers of the guardianship required to be recorded. On
 2-46 payment of the clerk's fee, the clerk shall send, using the
 2-47 electronic filing system established under Section 72.031,
 2-48 Government Code, ~~[transmit in electronic or paper form]~~ to the
 2-49 county clerk of the county to which the guardianship was ordered
 2-50 transferred:

2-51 (1) a transfer certificate and index of transferred
 2-52 documents ~~[the case file of the guardianship proceedings]; ~~[and]~~~~

2-53 (2) a copy of each final order;

2-54 (3) a copy of the order of transfer signed by the
 2-55 transferring court;

2-56 (4) a copy of the original papers filed in the
 2-57 transferring court;

2-58 (5) a copy of the transfer certificate and index of
 2-59 transferred documents from each previous transfer; and

2-60 (6) a bill of any costs accrued in the transferring
 2-61 court ~~[a certified copy of the index of the guardianship records].~~

2-62 (b) The clerk of the transferring court shall use the
 2-63 standardized transfer certificate and index of transferred
 2-64 documents form developed by the Office of Court Administration of
 2-65 the Texas Judicial System under Section 72.037, Government Code,
 2-66 when transferring a proceeding under this section.

2-67 (c) The clerk of the transferring court shall keep a copy of
 2-68 the documents transferred under Subsection (a).

2-69 (d) The clerk of the court to which the proceeding is

3-1 transferred shall:
3-2 (1) accept documents transferred under Subsection
3-3 (a);
3-4 (2) docket the suit; and
3-5 (3) notify, using the electronic filing system
3-6 established under Section 72.031, Government Code, all parties, the
3-7 clerk of the transferring court, and, if appropriate, the
3-8 transferring court's local registry that the suit has been
3-9 docketed.
3-10 (e) The clerk of the transferee court shall physically or
3-11 electronically mark or stamp the transfer certificate and index of
3-12 transferred documents to evidence the date and time of acceptance
3-13 under Subsection (d), but may not physically or electronically mark
3-14 or stamp any other document transferred under Subsection (a).
3-15 (f) The clerk of the transferring court shall send a
3-16 certified copy of the order directing payments to the transferee
3-17 court to:
3-18 (1) any party affected by the order and, if
3-19 appropriate, to the local registry of the transferee court using
3-20 the electronic filing system established under Section 72.031,
3-21 Government Code; and
3-22 (2) an employer affected by the order electronically
3-23 or by first class mail.
3-24 (g) The clerks of both the transferee and transferring
3-25 courts may each produce under Chapter 51, Government Code,
3-26 certified or uncertified copies of documents transferred under
3-27 Subsection (a) but must include a copy of the transfer certificate
3-28 and index of transferred documents with each document produced.
3-29 (h) Sections 80.001 and 80.002, Government Code, do not
3-30 apply to the transfer of documents under this section.
3-31 SECTION 6. Section 1023.007, Estates Code, is amended to
3-32 read as follows:
3-33 Sec. 1023.007. TRANSFER EFFECTIVE. The order transferring
3-34 a guardianship does not take effect until the clerk of the court to
3-35 which the proceeding is transferred accepts and docketed the case
3-36 record under Section 1023.006[+.
3-37 ~~(1) the case file and a certified copy of the index~~
3-38 ~~required by Section 1023.006 are filed in electronic or paper form~~
3-39 ~~in the office of the county clerk of the county to which the~~
3-40 ~~guardianship was ordered transferred; and~~
3-41 ~~(2) a certificate under the clerk's official seal and~~
3-42 ~~reporting the filing of the case file and a certified copy of the~~
3-43 ~~index is filed in electronic or paper form in the court ordering the~~
3-44 ~~transfer by the county clerk of the county to which the guardianship~~
3-45 ~~was ordered transferred].~~
3-46 SECTION 7. Section 51.072(1), Family Code, is amended to
3-47 read as follows:
3-48 (1) The sending county is financially responsible for any
3-49 special treatment program or placement that the juvenile court of
3-50 the sending county requires as a condition of probation ~~[if the~~
3-51 ~~child's family is financially unable to pay for the program or~~
3-52 ~~placement].~~
3-53 SECTION 8. Section 61.002, Family Code, is amended to read
3-54 as follows:
3-55 Sec. 61.002. APPLICABILITY. This ~~[(a) Except as provided~~
3-56 ~~by Subsection (b), this]~~ chapter applies to a proceeding to enter a
3-57 juvenile court order:
3-58 (1) ~~[for payment of probation fees under Section~~
3-59 ~~54.061,~~
3-60 ~~[(2)]~~ for restitution under Sections 54.041(b) and
3-61 54.048;
3-62 (2) ~~[(3)]~~ for community service under Section
3-63 54.044(b);
3-64 (3) ~~[(4)]~~ requiring the person to refrain from doing
3-65 any act injurious to the welfare of the child under Section
3-66 54.041(a)(1);
3-67 (4) ~~[(5)]~~ enjoining contact between the person and the
3-68 child who is the subject of a proceeding under Section
3-69 54.041(a)(2);

4-1 (5) [~~6~~] ordering a person living in the same
4-2 household with the child to participate in counseling under Section
4-3 54.041(a)(3);

4-4 (6) [~~7~~] ~~requiring a parent or other eligible person~~
4-5 ~~to pay reasonable attorney's fees for representing the child under~~
4-6 ~~Section 51.10(e),~~
4-7 [~~8~~] ~~requiring the parent or other eligible person to~~
4-8 ~~reimburse the county for payments the county has made to an attorney~~
4-9 ~~appointed to represent the child under Section 51.10(j),~~
4-10 [~~9~~] ~~requiring payment of deferred prosecution~~
4-11 ~~supervision fees under Section 53.03(d),~~
4-12 [~~10~~] requiring a parent or other eligible person to
4-13 attend a court hearing under Section 51.115;

4-14 (7) [~~11~~] requiring a parent or other eligible person
4-15 to act or refrain from acting to aid the child in complying with
4-16 conditions of release from detention under Section 54.01(r); or
4-17 (8) [~~12~~] requiring a parent or other eligible person
4-18 to act or refrain from acting under any law imposing an obligation
4-19 of action or omission on a parent or other eligible person because
4-20 of the parent's or person's relation to the child who is the subject
4-21 of a proceeding under this title [~~, or~~
4-22 [~~13~~] ~~for payment of the cost of attending an~~
4-23 ~~educational program under Section 54.0404].~~
4-24 [~~(b) This subchapter does not apply to the entry and~~
4-25 ~~enforcement of a child support order under Section 54.06.]~~

4-26 SECTION 9. Section 110.002, Family Code, is amended by
4-27 amending Subsection (a) and adding Subsection (d) to read as
4-28 follows:
4-29 (a) The clerk of the court may collect a filing fee of \$80
4-30 [~~\$15~~] in a suit for filing:
4-31 (1) a suit or motion for modification;
4-32 (2) a motion for enforcement;
4-33 (3) a notice of application for judicial writ of
4-34 withholding;
4-35 (4) [~~a motion to transfer,~~
4-36 [~~5~~] a petition for license suspension;
4-37 (5) [~~6~~] a motion to revoke a stay of license
4-38 suspension; or
4-39 (6) [~~7~~] a motion for contempt.
4-40 (d) Fees collected under this section are to be remitted and
4-41 allocated as provided by Chapters 133 and 135, Local Government
4-42 Code, as applicable.

4-43 SECTION 10. Section 110.005(a), Family Code, is amended to
4-44 read as follows:
4-45 (a) The fee for filing a transferred case is \$80 [~~\$45~~]
4-46 payable to the clerk of the court to which the case is transferred.
4-47 Fees collected under this section are to be remitted and allocated
4-48 as provided by Chapters 133 and 135, Local Government Code, as
4-49 applicable [~~No portion of this fee may be sent to the state].~~

4-50 SECTION 11. Sections 155.207(a), (b), and (e), Family Code,
4-51 are amended to read as follows:
4-52 (a) Not later than the 10th working day after the date an
4-53 order of transfer is signed, the clerk of the court transferring a
4-54 proceeding shall send, using the electronic filing system
4-55 established under Section 72.031, Government Code, to the proper
4-56 court [~~in the county~~] to which transfer is being made:
4-57 (1) a transfer certificate and index of transferred
4-58 documents;
4-59 (2) a copy of each final order;
4-60 (3) a copy of the order of transfer signed by the
4-61 transferring court;
4-62 (4) a copy of the original papers filed in the
4-63 transferring court;
4-64 (5) a copy of the transfer certificate and index of
4-65 transferred documents from each previous transfer; and
4-66 (6) a bill of any costs that have accrued in the
4-67 transferring court.
4-68 (b) The clerk of the transferring court shall keep a copy of
4-69 the documents transferred under Subsection (a) [~~transferred~~

5-1 ~~pleadings~~].

5-2 (e) The clerks of both the transferee and transferring
5-3 courts may each produce under Chapter 51, Government Code,
5-4 certified or uncertified copies of documents transferred under
5-5 Subsection (a) and must ~~[filed in a case transferred under this~~
5-6 ~~section, but shall also]~~ include a copy of the transfer certificate
5-7 and index of transferred documents with each document produced.

5-8 SECTION 12. Section 51.3071, Government Code, is amended by
5-9 amending Subsection (a) and adding Subsections (f) and (g) to read
5-10 as follows:

5-11 (a) If a case is transferred from a district court to a
5-12 constitutional or statutory county court or another district court,
5-13 the clerk of the transferring [district] court shall send to the
5-14 [county] clerk of the court to which the case is transferred, using
5-15 the electronic filing system established under Section 72.031:

5-16 (1) a transfer certificate and index of transferred
5-17 documents;

5-18 (2) a copy of the original papers filed in the
5-19 transferring court;

5-20 (3) a copy of the order of transfer signed by the
5-21 transferring court;

5-22 (4) a copy of each final order;

5-23 (5) a copy of the transfer certificate and index of
5-24 transferred documents from each previous transfer; and

5-25 (6) a bill of any costs that have accrued in the
5-26 transferring court.

5-27 (f) The clerks of both the transferee and transferring
5-28 courts may each produce, under this chapter, certified or
5-29 uncertified copies of documents transferred under Subsection (a)
5-30 and must include a copy of the transfer certificate and index of
5-31 transferred documents with each document produced.

5-32 (g) This section applies regardless of whether the
5-33 transferee court and the transferring court are in the same or
5-34 different counties.

5-35 SECTION 13. Section 51.318(b), Government Code, is amended
5-36 to read as follows:

5-37 (b) The fees are:

5-38 (1) for issuing a subpoena, including one copy . . . \$8;
5-39 (2) for issuing a citation, commission for deposition,

5-40 writ of execution, order of sale, writ of execution and order of
5-41 sale, writ of injunction, writ of garnishment, writ of attachment,
5-42 or writ of sequestration, or any other writ or process not otherwise
5-43 provided for, including one copy if required by law \$8;
5-44 (3) for searching files or records to locate a cause

5-45 when the docket number is not provided or to ascertain the existence
5-46 of an instrument or record in the district clerk's office \$5;
5-47 (4) for abstracting a judgment \$8;
5-48 (5) for preparation of the clerk's record on appeal,

5-49 for each page or part of a page \$1;
5-50 (6) for approving a bond \$5;
5-51 (7) for a certified copy of a record, judgment, order,

5-52 pleading, or paper on file or of record in the district clerk's
5-53 office ~~[, printed on paper]~~:

5-54 (A) including certificate and seal \$5; and

5-55 (B) for each page or part of a page:

5-56 (i) printed on paper \$1;

5-57 (ii) that is a paper document converted to

5-58 electronic format \$1; or

5-59 (iii) that is an electronic copy of an

5-60 electronic document:

5-61 (a) for a document up to 10 pages in

5-62 length \$1; and

5-63 (b) for each page or part of a page

5-64 over 10 pages \$0.10;

5-65 (8) for a noncertified copy:

5-66 (A) printed on paper, for each page or part of a

5-67 page \$1;

5-68 (B) that is a paper document converted to

5-69 electronic format, for each page or part of a page \$1; or

6-1 (C) that is an electronic copy of an electronic
6-2 document:

6-3 (i) for each document up to 10 pages in
6-4 length \$1; and

6-5 (ii) for each page or part of a page over 10
6-6 pages \$0.10;

6-7 (9) for preparation of the clerk's record of transfer
6-8 under Sections 33.105 and 1023.006, Estates Code, Section 155.207,
6-9 Family Code, and Sections 51.3071 and 51.403 of this code:

6-10 (A) for the clerk's transfer certificate and
6-11 index \$5;

6-12 (B) for each page or part of a page of a case
6-13 record up to 10 pages in length \$1.00; and

6-14 (C) for each page or part of a page of a case
6-15 record over 10 pages \$0.10.

6-16 SECTION 14. Section 51.403, Government Code, is amended by
6-17 amending Subsection (a) and adding Subsections (d) and (e) to read
6-18 as follows:

6-19 (a) If a case is transferred from a county court to a
6-20 district court or a statutory county court or a county court of
6-21 another county, the clerk of the transferring [county] court shall
6-22 send to the [district] clerk of the court to which the case is
6-23 transferred, using the electronic filing system established under
6-24 Section 72.031:

6-25 (1) a transfer certificate and index of transferred
6-26 documents;

6-27 (2) a copy of the original papers filed in the
6-28 transferring court;

6-29 (3) a copy of the order of transfer signed by the
6-30 transferring court;

6-31 (4) a copy of each final order;

6-32 (5) a copy of the transfer certificate and index of
6-33 transferred documents from each previous transfer; and

6-34 (6) a bill of any costs that have accrued in the
6-35 transferring court.

6-36 (d) The clerks of both the transferee and transferring
6-37 courts may each produce, under this chapter, certified or
6-38 uncertified copies of documents transferred under Subsection (a)
6-39 and must include a copy of the transfer certificate and index of
6-40 transferred documents with each document produced.

6-41 (e) This section applies regardless of whether the
6-42 transferee court and the transferring court are in the same or
6-43 different counties.

6-44 SECTION 15. Section 72.037(a), Government Code, is amended
6-45 to read as follows:

6-46 (a) The office shall develop and make available a
6-47 standardized transfer certificate and an index of transferred
6-48 documents form to be used for the transfer of cases and proceedings
6-49 under Sections 33.105 and 1023.006, Estates Code, Section 155.207,
6-50 Family Code, and Sections 51.3071 and 51.403 of this code.

6-51 SECTION 16. Section 118.011(a), Local Government Code, is
6-52 amended to read as follows:

6-53 (a) A county clerk shall collect the following fees for
6-54 services rendered to any person:

6-55 (1) Personal Property Records Filing (Sec. 118.012):
6-56 (A) for the first page \$ 5.00;

6-57 (B) for each additional page or part of a page on
6-58 which there are visible marks of any kind \$ 4.00;

6-59 (2) Real Property Records Filing (Sec. 118.013):
6-60 (A) for the first page \$ 5.00;

6-61 (B) for each additional page or part of a page on
6-62 which there are visible marks of any kind \$ 4.00;

6-63 (C) for all or part of each 8-1/2" X
6-64 14" attachment or rider \$ 4.00;

6-65 (D) for each name in excess of five names that has
6-66 to be indexed in all records in which the document must be
6-67 indexed \$ 0.25;

6-68 (3) Certified Papers (Sec. 118.014):
6-69 (A) for the clerk's certificate \$ 5.00;

7-1 (B) printed on paper, plus a fee for each page or
7-2 part of a page \$ 1.00;
7-3 (C) that is a paper document converted to
7-4 electronic format, for each page or part of a page \$1;
7-5 (D) that is an electronic copy of an electronic
7-6 document:
7-7 (i) for each document up to 10 pages in
7-8 length \$1;
7-9 (ii) for each page or part of a page of a
7-10 document over 10 pages \$0.10;
7-11 (4) Noncertified Papers (Sec. [118.0145](#)):
7-12 (A) printed on paper, for each page or part of a
7-13 page \$ 1.00;
7-14 (B) that is a paper document converted to
7-15 electronic format, for each page or part of a page \$1;
7-16 (C) that is an electronic copy of an electronic
7-17 document:
7-18 (i) for each document up to 10 pages in
7-19 length \$1;
7-20 (ii) for each page or part of a page of a
7-21 document over 10 pages \$0.10;
7-22 (5) Birth or Death Certificate (Sec.
7-23 [118.015](#)) same as state registrar;
7-24 (6) Bond Approval (Sec. [118.016](#)) \$ 3.00;
7-25 (7) Marriage License (Sec. [118.018](#)) \$60.00;
7-26 (8) Declaration of Informal Marriage (Sec.
7-27 [118.019](#)) \$25.00;
7-28 (9) Brand Registration (Sec. [118.020](#)) \$ 5.00;
7-29 (10) Oath Administration (Sec. [118.021](#)) \$ 1.00.
7-30 SECTION 17. Section [118.052](#), Local Government Code, is
7-31 amended to read as follows:
7-32 Sec. 118.052. FEE SCHEDULE. Each clerk of a county court
7-33 shall collect the following fees for services rendered to any
7-34 person:
7-35 (1) CIVIL COURT ACTIONS
7-36 (A) Preparation of the clerk's record of transfer
7-37 under Sections 33.105 and [1023.006](#), Estates Code, Section [155.207](#),
7-38 Family Code, and Sections [51.3071](#) and [51.403](#), Government Code:
7-39 (i) for the clerk's transfer certificate
7-40 and index \$5;
7-41 (ii) for each page or part of a page of a
7-42 case record up to 10 pages in length \$1.00;
7-43 (iii) for each page or part of a page of a
7-44 case record over 10 pages \$0.10; [~~Filing~~
7-45 ~~of Garnishment after judgment~~ \$15.00]
7-46 (B) Services Rendered After Judgment in Original
7-47 Action (Sec. [118.0545](#)):
7-48 (i) Abstract of judgment . . . \$ 8.00;
7-49 (ii) Execution, order of sale, writ, or
7-50 other process . . . \$ 8.00;
7-51 (2) PROBATE COURT ACTIONS
7-52 (A) Services in Pending Probate Action (Sec.
7-53 [118.056](#)):
7-54 (i) Filing an inventory and appraisement as
7-55 provided by Section [118.056](#)(d) . . . \$25.00;
7-56 (ii) Approving and recording bond . . .
7-57 \$ 5.00;
7-58 (iii) Administering oath . . . \$ 2.00;
7-59 (iv) Filing annual or final account of
7-60 estate . . . \$25.00;
7-61 (v) Filing application for sale of real or
7-62 personal property . . . \$25.00;
7-63 (vi) Filing annual or final report of
7-64 guardian of a person . . . \$10.00;
7-65 (vii) Filing a document not listed under
7-66 this paragraph after the filing of an order approving the inventory
7-67 and appraisement or after the 120th day after the date of the
7-68 initial filing of the action, whichever occurs first, if more than
7-69 25 pages . . . \$25.00;

8-1 (B) Claim Against Estate (Sec. 118.058) . . .
8-2 \$10.00;
8-3 (C) Preparation of the clerk's record of transfer
8-4 under Sections 33.105 and 1023.006, Estates Code, Section 155.207,
8-5 Family Code, and Sections 51.3071 and 51.403, Government Code:
8-6 (i) for the clerk's transfer certificate
8-7 and index \$5;
8-8 (ii) for each page or part of a page of a
8-9 case record up to 10 pages in length \$1.00;
8-10 (iii) for each page or part of a page of a
8-11 case record over 10 pages \$0.10;
8-12 (3) OTHER FEES
8-13 (A) Issuing Document (Sec. 118.059):
8-14 (i) original document and one copy . . .
8-15 \$ 8.00;
8-16 (ii) each additional set of an original and
8-17 one copy . . . \$ 8.00;
8-18 (B) Certified Papers (Sec. 118.060):
8-19 (i) for the clerk's certificate . . .
8-20 \$ 5.00;
8-21 (ii) printed on paper, plus a fee per page
8-22 or part of a page of . . . \$ 1.00;
8-23 (iii) that is a paper document converted to
8-24 electronic format, for each page or part of a page \$1;
8-25 (iv) that is an electronic copy of an
8-26 electronic document:
8-27 (a) for each document up to 10 pages
8-28 in length \$1;
8-29 (b) for each page or part of a page of
8-30 a document over 10 pages \$0.10;
8-31 (C) Noncertified Papers (Sec. 118.0605):
8-32 (i) printed on paper, for each page or part
8-33 of a page . . . \$ 1.00;
8-34 (ii) that is a paper converted to
8-35 electronic format, for each page or part of a page . . . \$ 1.00;
8-36 (iii) that is an electronic copy of an
8-37 electronic document:
8-38 (a) [~~(i)~~] for each document up to 10
8-39 pages in length . . . \$ 1.00; [~~and~~]
8-40 (b) [~~(ii)~~] for each page or part of a
8-41 page of a document over 10 pages . . . \$ 0.10;
8-42 (D) Letters Testamentary, Letter of
8-43 Guardianship, Letter of Administration, or Abstract of Judgment
8-44 (Sec. 118.061) . . . \$ 2.00;
8-45 (E) Deposit and Safekeeping of Wills (Sec.
8-46 118.062) . . . \$ 5.00;
8-47 (F) Mail Service of Process (Sec. 118.063) . . .
8-48 same as sheriff;
8-49 (G) Searching files or records to locate a cause
8-50 when the docket number is not provided . . . \$ 5.00;
8-51 (H) Records Technology and Infrastructure Fee if
8-52 authorized by the commissioners court of the county (Sec. 118.026)
8-53 . . . \$ 2.00;
8-54 (I) Preparation of the clerk's record for appeal,
8-55 per page or part of a page . . . \$1.00.

8-56 SECTION 18. Section 118.131(a), Local Government Code, is
8-57 amended to read as follows:

8-58 (a) The commissioners court of a county may set reasonable
8-59 fees to be charged for service of process, including service of
8-60 writs, [services] by the offices of the sheriff and constables.

8-61 SECTION 19. Sections 133.151(a) and (a-1), Local Government
8-62 Code, are amended to read as follows:

8-63 (a) The clerk of a district court, statutory county court,
8-64 statutory probate court, or county court shall collect:

8-65 (1) a fee in the amount of \$137 on the filing of any
8-66 civil, probate, guardianship, or mental health case; and

8-67 (2) a fee in the amount of \$45 on any action other than
8-68 an original action subject to Subdivision (1), including [~~an appeal~~
8-69 ~~and~~] any counterclaim, cross-action, intervention, contempt

9-1 action, adverse probate action, interpleader, motion for new trial,
9-2 motion to reinstate, or third-party action.

9-3 (a-1) The clerk of a justice court shall collect a fee in the
9-4 amount of \$21 on the filing of any civil case and on any action other
9-5 than an original action for the civil case, including an appeal and
9-6 any counterclaim, cross-action, intervention, contempt action,
9-7 interpleader, motion for new trial, motion to reinstate, or
9-8 third-party action.

9-9 SECTION 20. Section 134.101(b), Local Government Code, is
9-10 amended to read as follows:

9-11 (b) The treasurer shall allocate the court costs received
9-12 under this section to the following accounts and funds so that each
9-13 receives to the extent practicable, utilizing historical data as
9-14 applicable, the same amount of money the account or fund would have
9-15 received if the court costs for the accounts and funds had been
9-16 collected and reported separately, except that the account or fund
9-17 may not receive less than the following percentages:

- 9-18 (1) the clerk of the court account 38.0953 percent;
- 9-19 (2) the clerks [~~county~~] records management and
9-20 preservation fund 23.8095 percent;
- 9-21 (3) the county jury fund 0.9524 percent;
- 9-22 (4) the courthouse security fund 9.5238 percent;
- 9-23 (5) the county and district court technology
9-24 fund 3.8095 percent; and
- 9-25 (6) the county specialty court account 23.8095
9-26 percent.

9-27 SECTION 21. Section 134.102(b), Local Government Code, is
9-28 amended to read as follows:

9-29 (b) The treasurer shall allocate the court costs received
9-30 under this section to the following accounts and funds so that each
9-31 receives to the extent practicable, utilizing historical data as
9-32 applicable, the same amount of money the account or fund would have
9-33 received if the court costs for the accounts and funds had been
9-34 collected and reported separately, except that the account or fund
9-35 may not receive less than the following percentages:

- 9-36 (1) the clerk of the court account 32.5203 percent;
- 9-37 (2) the clerks [~~county~~] records management and
9-38 preservation fund 20.3252 percent;
- 9-39 (3) the account for prosecutor's fees 16.2602 percent;
- 9-40 (4) the county jury fund 0.8130 percent;
- 9-41 (5) the courthouse security fund 8.1301 percent;
- 9-42 (6) the county and district court technology
9-43 fund 3.2520 percent;
- 9-44 (7) the court reporter service fund 2.4390 percent; and
- 9-45 (8) the county specialty court account 16.2602
9-46 percent.

9-47 SECTION 22. Section 134.155, Local Government Code, is
9-48 amended to read as follows:

9-49 Sec. 134.155. CLERKS [~~COUNTY~~] RECORDS MANAGEMENT AND
9-50 PRESERVATION FUND. Money allocated under Section 134.101 or
9-51 134.102 to the clerks [~~county~~] records management and preservation
9-52 fund maintained in the county treasury as required by Section
9-53 134.151 may be used by a clerk [~~county~~] only to fund records
9-54 management and preservation services performed by the [~~court~~] clerk
9-55 who collects the fee.

9-56 SECTION 23. Section 135.101, Local Government Code, is
9-57 amended to read as follows:

9-58 Sec. 135.101. LOCAL CONSOLIDATED CIVIL FEE FOR CERTAIN
9-59 CIVIL CASES IN DISTRICT COURT, STATUTORY COUNTY COURT, OR COUNTY
9-60 COURT. (a) A person shall pay in a district court, statutory
9-61 county court, or county court in addition to all other fees and
9-62 court costs a local consolidated filing fee of:

- 9-63 (1) \$213 on filing any civil case except a probate,
9-64 guardianship, or mental health case; and
- 9-65 (2) \$35 on any action other than an original action for
9-66 a case subject to Subdivision (1), including an appeal and any
9-67 counterclaim, cross-action, intervention, contempt action,
9-68 interpleader, motion for new trial, motion to reinstate, or
9-69 third-party action.

10-1 (b) The county treasurer shall allocate the fees received
10-2 under Subsection (a)(1) to the following accounts and funds so that
10-3 each receives to the extent practicable, utilizing historical data
10-4 as applicable, the same amount of money the account or fund would
10-5 have received if the fees for the accounts and funds had been
10-6 collected and reported separately, except that the account or fund
10-7 may not receive less than the following percentages:

- 10-8 (1) the appellate judicial system fund 2.3474 percent;
- 10-9 (2) the court facility fee fund 9.3897 percent;
- 10-10 (3) the clerk of the court account 23.4742 percent;
- 10-11 (4) the clerks [~~county~~] records management and
10-12 preservation account 14.0845 percent;
- 10-13 (5) the court reporter service fund 11.7371 percent;
- 10-14 (6) the county law library fund 16.4319 percent;
- 10-15 (7) the courthouse security fund 9.3897 percent;
- 10-16 (8) the language access fund 1.4085 percent;
- 10-17 (9) the county jury fund 4.6948 percent; and
- 10-18 (10) the county dispute resolution fund 7.0423
10-19 percent.

10-20 (c) The county treasurer shall allocate the fees received
10-21 under Subsection (a)(2) to the following accounts and funds so that
10-22 each receives to the extent practicable, utilizing historical data
10-23 as applicable, the same amount of money the account or fund would
10-24 have received if the fees for the accounts and funds had been
10-25 collected and reported separately, except that the account or fund
10-26 may not receive less than the following percentages:

- 10-27 (1) the clerk of the court account 42.8571 percent; and
- 10-28 (2) the clerks [~~county~~] records management and
10-29 preservation account 57.1429 percent.

10-30 SECTION 24. Sections 135.102(b) and (c), Local Government
10-31 Code, are amended to read as follows:

10-32 (b) The county treasurer shall allocate the fees received
10-33 under Subsection (a)(1) to the following accounts and funds so that
10-34 each receives to the extent practicable, utilizing historical data
10-35 as applicable, the same amount of money the account or fund would
10-36 have received if the fees for the accounts and funds had been
10-37 collected and reported separately, except that the account or fund
10-38 may not receive less than the following percentages:

- 10-39 (1) the appellate judicial system fund 2.2422 percent;
- 10-40 (2) the court facility fee fund 8.9686 percent;
- 10-41 (3) the clerk of the court account 17.9372 percent;
- 10-42 (4) the clerks [~~county~~] records management and
10-43 preservation account 6.7265 percent;
- 10-44 (5) the court reporter service fund 11.2108 percent;
- 10-45 (6) the county law library fund 15.6951 percent;
- 10-46 (7) the courthouse security fund 8.9686 percent;
- 10-47 (8) the language access fund 1.3453 percent;
- 10-48 (9) the county jury fund 4.4841 percent;
- 10-49 (10) the county dispute resolution fund 6.7265
10-50 percent;
- 10-51 (11) the court-initiated guardianship fund 8.9686
10-52 percent;
- 10-53 (12) the judicial education and support fund 2.2422
10-54 percent; and
- 10-55 (13) the public probate administrator fund 4.4843
10-56 percent.

10-57 (c) The county treasurer shall allocate the fees received
10-58 under Subsection (a)(2) to the following accounts and funds so that
10-59 each receives to the extent practicable, utilizing historical data
10-60 as applicable, the same amount of money the account or fund would
10-61 have received if the fees for the accounts and funds had been
10-62 collected and reported separately, except that the account or fund
10-63 may not receive less than the following percentages:

- 10-64 (1) the clerk of the court account 53.3333 percent;
- 10-65 (2) the clerks [~~county~~] records management and
10-66 preservation account 6.6667 percent;
- 10-67 (3) the court-initiated guardianship fund 26.6667
10-68 percent; and
- 10-69 (4) the public probate administrator fund 13.3333

11-1 percent.

11-2 SECTION 25. Section 135.103(a), Local Government Code, is
11-3 amended to read as follows:

11-4 (a) In addition to all other fees and court costs, a person
11-5 shall pay a local consolidated filing fee of \$33 on filing of any
11-6 civil case in a justice court and on any action other than an
11-7 original action for a civil case, including an appeal and any
11-8 counterclaim, cross-action, intervention, contempt action,
11-9 interpleader, motion for new trial, motion to reinstate, or
11-10 third-party action.

11-11 SECTION 26. Section 135.154, Local Government Code, is
11-12 amended to read as follows:

11-13 Sec. 135.154. CLERKS [~~COUNTY~~] RECORDS MANAGEMENT AND
11-14 PRESERVATION ACCOUNT. Money allocated under Section 135.101 or
11-15 135.102 to the clerks [~~county~~] records management and preservation
11-16 account maintained in the county treasury as required by Section
11-17 135.151 may be used by a clerk [~~county~~] only to fund records
11-18 management and preservation services, including automation,
11-19 performed by the [~~court~~] clerk who collects the fee on approval by
11-20 the commissioners court of a budget as provided by Chapter 111. An
11-21 expenditure from the fund must comply with Subchapter C, Chapter
11-22 262.

11-23 SECTION 27. (a) Effective September 1, 2023, the following
11-24 laws are repealed:

- 11-25 (1) Article 26.057, Code of Criminal Procedure;
- 11-26 (2) Section 33.103(c), Estates Code;
- 11-27 (3) Sections 51.10(e), (k), and (l), Family Code;
- 11-28 (4) Section 53.03(d), Family Code;
- 11-29 (5) Section 54.0404(b), Family Code;
- 11-30 (6) Section 54.06, Family Code;
- 11-31 (7) Section 54.061, Family Code; and
- 11-32 (8) Section 56.01(l), Family Code.

11-33 (b) Effective January 1, 2024, Section 291.008, Local
11-34 Government Code, is repealed.

11-35 SECTION 28. (a) Notwithstanding Section 51.607(c),
11-36 Government Code, Sections 51.072(l) and 61.002, Family Code, as
11-37 amended by this Act, and the repeal of Sections 51.10(e), (k), and
11-38 (l), 53.03(d), 54.0404(b), and 56.01(l), Family Code, by this Act
11-39 apply to the authority of a juvenile court to impose a fee or cost on
11-40 or after September 1, 2023, regardless of whether the underlying
11-41 action commenced before, on, or after September 1, 2023. The
11-42 imposition of a fee or cost by a juvenile court before September 1,
11-43 2023, is governed by the law in effect on the date the fee or cost
11-44 was imposed, and the former law is continued in effect for that
11-45 purpose.

11-46 (b) As soon as practicable after January 1, 2024, the Office
11-47 of Court Administration of the Texas Judicial System shall develop
11-48 and make available all forms and materials required by Section
11-49 72.037, Government Code, as amended by this Act.

11-50 (c) The repeal of Article 26.057, Code of Criminal
11-51 Procedure, by this Act, applies to a case transferred to a criminal
11-52 court under Section 54.02, Family Code, on or after September 1,
11-53 2023. A case transferred to a criminal court before September 1,
11-54 2023, is governed by the law in effect on the date the case was
11-55 transferred, and the former law is continued in effect for that
11-56 purpose.

11-57 (d) The repeal of Section 54.06, Family Code, by this Act
11-58 applies only to an order for assignment of child support rendered on
11-59 or after September 1, 2023. An order for assignment of child
11-60 support rendered before September 1, 2023, is governed by the law in
11-61 effect on the date the order was rendered, and the former law is
11-62 continued in effect for that purpose.

11-63 SECTION 29. (a) Except as provided by Subsection (b) of
11-64 this section or as otherwise provided by this Act, this Act takes
11-65 effect January 1, 2024.

11-66 (b) The following provisions take effect September 1, 2023:

- 11-67 (1) Sections 33.101, 33.102(a), 33.103(b), 1023.006,
11-68 and 1023.007, Estates Code, as amended by this Act;
- 11-69 (2) Section 33.105, Estates Code, as added by this

12-1 Act;
12-2 (3) Sections 51.072(1), 61.002, and 155.207(a), (b),
12-3 and (e), Family Code, as amended by this Act; and
12-4 (4) Sections 51.3071 and 51.403, Government Code, as
12-5 amended by this Act.

12-6

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