

By: Zaffirini

S.B. No. 30

A BILL TO BE ENTITLED

AN ACT

relating to excess contributions and fees allocated to statutory probate courts.

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

SECTION 1. Section 25.00212, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) At the end of each state fiscal year, the comptroller shall determine:

(1) the amounts deposited in the judicial fund under Section 133.151(c)(1), Local Government Code, from ~~by~~ statutory probate courts fees remitted under Section 133.151(a)(1), Local Government Code, either:

(A) directly to the treasury by the Office of Court Administration of the Texas Judicial System for fees paid using the electronic filing system established under Section 72.031; or

(B) to the comptroller in the manner provided by Subchapter B, Chapter 133, Local Government Code, for fees paid to an officer of a court; and

(2) the sum of the amount paid under Section 25.0022(e) and the total amounts paid to the counties under Section 25.00211.

(a-1) If the comptroller determines the total amount

deposited in the judicial fund by statutory probate courts in all counties as calculated under Subsection (a)(1) exceeds the sum calculated under Subsection (a)(2) ~~[that sum]~~, the comptroller ~~[state]~~ shall remit the excess proportionately to each county that contributed ~~[deposited]~~ a greater amount to ~~[in]~~ the judicial fund from fees collected by a statutory probate court than the amount the county was paid under Section 25.00211, as adjusted in an equitable manner to reflect the differences in the total amounts paid to the counties under Section 25.00211.

SECTION 2. Section 25.0022(f), Government Code, is amended to read as follows:

(f) Each county pays annually to the presiding judge, from fees allocated to the judicial education and support fund under ~~[collected pursuant to]~~ Section 135.102 ~~[118.052(2)(A)(vi)]~~, Local Government Code, the amount of the salary apportioned ~~[to it]~~ as provided by this section and the other expenses authorized by this section. The presiding judge shall place each county's payment of salary and other expenses in an administrative fund, from which the salary and other expenses are paid. The salary shall be paid in equal monthly installments.

SECTION 3. The changes in law made by this Act to Section 25.00212, Government Code, apply to amounts deposited in the judicial fund under Section 133.151(c)(1), Local Government Code, from fees collected by a statutory probate court before, on, or after the effective date of this Act.

SECTION 4. This Act takes effect on the 91st day after the last day of the legislative session.