

## **BILL ANALYSIS**

Senate Research Center  
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C.S.S.B. 1015  
By: Zaffirini  
Jurisprudence  
4/22/2025  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Since 1999, the total amounts deposited into the judicial fund by statutory probate courts and the total payments made to counties have been calculated at the end of each fiscal year. If deposits exceed total payments, the state must proportionately remit these excess contribution fund payments to counties that contributed more than they received for the use of the county's statutory probate courts.

The intent of S.B. 41 (2021) by Senator Zaffirini (D-Laredo), which addressed the consolidation and allocation of state civil court costs, was to maintain this mechanism and ensure that state contributions for statutory probate courts matched those of statutory county and district courts. What's more, S.B. 41 increased the base payment for statutory probate courts to 60 percent of a district judge's salary, effective January 1, 2022. S.B. 41, however, did not clearly designate an entity responsible for remitting excess funds back to the statutory probate courts.

S.B. 1015 would explicitly designate the Comptroller of Public Accounts of the State of Texas as the entity responsible for distributing excess contribution fund payments, ensuring that statutory probate courts receive the additional funding they are entitled to and need.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1015 amends current law relating to excess contributions and fees allocated to statutory probate courts.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

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

(a) Requires the Comptroller of Public Accounts of the State of Texas (comptroller), at the end of each state fiscal year, to determine:

(1) the amounts deposited in the judicial fund under Section 133.151(c)(1) (relating to requiring the comptroller to allocate certain fees to certain accounts and funds, including the judicial fund to be used for court-related purposes for the support of the judiciary), Local Government Code, from, rather than by, statutory probate courts fees remitted under Section 133.151(a)(1) (relating to requiring the clerk of certain courts to collect a certain fee on the filing of any civil, probate, guardianship, or mental health case), 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 (Electronic Filing System); or

(B) to the comptroller in the manner provided by Subchapter B (Reporting, Collection, and Remittance of Fees), Chapter 133 (Criminal and Civil Fees Payable to the Comptroller), Local Government Code, for fees paid to an officer of a court; and

(2) creates this subdivision from existing text and makes no further changes.

(a-1) Creates this subsection from existing text. Requires the comptroller, rather than the state, 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) (relating to requiring the comptroller to determine the sum of the amount paid under a certain provision of the Government Code and certain amounts paid to the counties), to remit the excess proportionately to each county that contributed, rather than deposited, a greater amount to the judicial fund from fees collected by a statutory probate court than the amount the county was paid under Section 25.00211 (State Contribution), as adjusted in an equitable manner to reflect the differences in the total amounts paid to the counties under Section 25.00211. Makes nonsubstantive changes.

SECTION 2. Amends Section 25.0022(f), Government Code, as follows:

(f) Provides that each county pays annually to the presiding judge, from fees allocated to the judicial education and support fund under, rather than collected pursuant to, Section 135.102 (Local Civil Fee for Probate, Guardianship, and Mental Health Cases in Statutory County Court, Statutory Probate Court, or County Court), rather than Section 118.052(2)(A)(vi) (relating to requiring each clerk of a county court to collect certain fees for certain services in Pending Probate Action, including filing annual or final report of guardian of a person), Local Government Code, the amount of the salary apportioned as provided by Section 25.0022 (Administration of Statutory Probate Courts) and the other expenses authorized by this section. Makes a nonsubstantive change.

SECTION 3. Provides that the changes made by this Act to Section 25.00212 (Excess Contribution), Government Code, as amended by this Act, 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. Effective date: September 1, 2025.