

## **BILL ANALYSIS**

H.B. 2182  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties point out that many district court clerks also serve as the clerk for the statutory county courts in their respective areas and therefore have to assess different fees for many of the cases over which the district and statutory county courts share jurisdiction. The parties contend that it is difficult to predict the court in which a case with shared jurisdiction will be heard and that, as a result, clerks have to obtain or reimburse fees for each case in which a party was assessed the incorrect fee. The parties also point out that many of the fees at the local court level have not changed in decades, even though the costs those fees are intended to cover have increased significantly. H.B. 2182 seeks to align court fees at the statutory county courts with those of the district courts and update fee amounts.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2182 amends the Code of Criminal Procedure to require any cash funds deposited as bail to be refunded in the amount shown on the face of the receipt less the administrative fee to compensate the county for the accounting and administrative expenses incurred. The bill increases the jury fee from \$20 to \$50 for a defendant convicted by a jury in a county court, a county court at law, or a district court.

H.B. 2182 amends a Government Code provision, as effective until September 1, 2019, and as effective on September 1, 2019, authorizing a commissioners court of a county to adopt a district court records archive fee for the filing of certain suits in a district court in the county to expand the scope of such provision to make the adopted district court records archive fee applicable to such suits filed in any court in the county for which the district clerk accepts filings.

H.B. 2182 amends the Government Code to expand the list of fees for services performed by a district clerk that the clerk is required to collect to require the district clerk to collect, for performing services related to a matter filed in a statutory county court, the same fees allowed the district clerk for services in a district court. The bill increases from \$30 to \$50 the jury fee that the district clerk is required to collect for each civil case in which a person applies for a jury trial and increase from \$22 to \$50 the jury fee that the clerk of a county court or statutory county court is required to collect for each civil case in which a person applies for a jury trial.

H.B. 2182 amends the Local Government Code to remove the condition that, when filing a certain document in a pending probate action after a specified time, the document be more than 25 pages for the county court clerk to be required to collect the \$25 fee for the services rendered. The bill increases from \$2 to \$10 the fee for filing a claim against an estate.

**EFFECTIVE DATE**

September 1, 2015.