

## **BILL ANALYSIS**

H.B. 3214  
By: Spitzer  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties point out that during the past decade, several Texas counties have been granted authority to charge a filing fee in civil cases to be used for the construction, renovation, or improvement of the facilities that house the courts in the counties. H.B. 3214 seeks to provide for that authority in Kaufman County.

### **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. 3214 amends the Government Code to require the clerk of a district court, statutory county court, statutory probate court, and a justice court in Kaufman County, if authorized by the commissioners court, to collect a filing fee of not more than \$15 in each civil case filed in the court to be used for the construction, renovation, or improvement of the facilities that house the Kaufman County courts collecting the fee. The bill provides for the manner of fee collection and requires the collected fees to be sent at least monthly to a certain appropriate county official and deposited in a special account dedicated to the construction, renovation, or improvement of the facilities that house the courts collecting the fee.

H.B. 3214 makes its provisions regarding the additional filing fee for civil cases in Kaufman County applicable only to fees for a 12-month period beginning July 1, if the commissioners court adopts a resolution authorizing a fee of not more than \$15 and files the resolution with the appropriate county official not later than June 1 immediately preceding the first 12-month period during which the fees are to be collected. The bill establishes that such a resolution continues from year to year until July 1, 2030, allowing the county to collect fees under the bill's terms until the resolution is rescinded.

H.B. 3214 authorizes the commissioners court to rescind such a resolution by adopting a rescission resolution and submitting the resolution to the appropriate county official not later than June 1 preceding the beginning of the first day of the county fiscal year. The bill authorizes the commissioners court to adopt an additional resolution authorizing the fee after adopting a rescission resolution. The bill abolishes a fee established under a particular resolution on the earlier of the adoption date of a rescission resolution or July 1, 2030.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.