

By: Hinojosa

S.B. No. 1964

A BILL TO BE ENTITLED

AN ACT

relating to certain fees assessed in Hidalgo County district courts including fees assessed by the Hidalgo county clerk.

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

SECTION 1. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.711 to read as follows:

Sec. 51.711. ADDITIONAL FILING FEE FOR CIVIL CASES IN HIDALGO COUNTY. (a) This section applies only to district courts, statutory probate courts, and county courts at law in Hidalgo County.

(b) Except as otherwise provided by this section and in addition to all other fees authorized or required by other law, the clerk of a court may collect a filing fee of not more than \$40 in each civil case filed in the court to be used for the construction, renovation, or improvement of the Hidalgo County Court House.

(c) Court fees due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) The clerk shall send the fees collected under this section to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer at least as frequently as monthly. The treasurer or other official shall deposit the fees in a special account in the county treasury dedicated to the construction, renovation, or improvement of the

1 facilities that house the courts collecting the fee.

2 (e) This section applies only to fees for a 12-month period  
3 beginning October 1, if the commissioners court:

4 (1) adopts a resolution authorizing a fee of not more  
5 than \$40;

6 (2) adopts a resolution requiring the county to spend  
7 one dollar for the construction, renovation, or improvement of the  
8 court facilities for each dollar spent from the special account  
9 dedicated to that purpose; and

10 (3) files the resolutions with the county treasurer or  
11 with any other official who discharges the duties commonly assigned  
12 to the county treasurer not later than September 1 immediately  
13 preceding the first 12-month period during which the fees are to be  
14 collected.

15 (f) A resolution adopted under Subsection (e) continues  
16 from year to year until October 1, 2030, allowing the county to  
17 collect fees under the terms of this section until the resolution is  
18 rescinded.

19 (g) The commissioners court may rescind a resolution  
20 adopted under Subsection (e) by adopting a resolution rescinding  
21 the resolution and submitting the rescission resolution to the  
22 county treasurer or to any other official who discharges the duties  
23 commonly assigned to the county treasurer not later than September  
24 1 preceding the beginning of the first day of the county fiscal  
25 year. The commissioners court may adopt an additional resolution  
26 in the manner provided by Subsection (e) after rescinding a  
27 previous resolution under that subsection.

1        (h) A fee established under a particular resolution is  
2 abolished on the earlier of:

3            (1) the date a resolution adopted under Subsection (e)  
4 is rescinded as provided by Subsection (g); or

5            (2) October 1, 2030.

6        (i) The county may make the required expenditure described  
7 by Subsection (e)(2) at any time, regardless of when the  
8 expenditure from the special account occurs.

9        SECTION 2. Subchapter D, Chapter 101, Government Code, is  
10 amended by adding Section 101.061192 to read as follows:

11        Sec. 101.061192. ADDITIONAL DISTRICT COURT FEES FOR COURT  
12 FACILITIES: GOVERNMENT CODE. The clerk of a district court in  
13 Hidalgo County may collect an additional filing fee of not more than  
14 \$40 under Section 51.711, Government Code, in civil cases to fund  
15 the construction, renovation, or improvement of court facilities,  
16 if authorized by the county commissioners court.

17        SECTION 3. Subchapter E, Chapter 101, Government Code, is  
18 amended by adding Section 101.081191 to read as follows:

19        Sec. 101.081191. ADDITIONAL STATUTORY COUNTY COURT FEES FOR  
20 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county  
21 court in Hidalgo County may collect an additional filing fee of not  
22 more than \$40 under Section 51.711, Government Code, in civil cases  
23 to fund the construction, renovation, or improvement of court  
24 facilities, if authorized by the county commissioners court.

25        SECTION 4. Subchapter F, Chapter 101, Government Code, is  
26 amended by adding Section 101.10119 to read as follows:

27        Sec. 101.10119. ADDITIONAL STATUTORY PROBATE COURT FEES FOR

1 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory  
2 probate court in Hidalgo County may collect an additional filing  
3 fee of not more than \$40 under Section 51.711, Government Code, in  
4 civil cases to fund the construction, renovation, or improvement of  
5 court facilities, if authorized by the county commissioners court.

6 SECTION 5. Subchapter B, Chapter 118, Government Code, is  
7 amended by adding Section 118.01101 to read as follows:

8 Sec. 118.01101. OPTIONAL RECORDING FEES FOR COURT  
9 FACILITIES: The county clerk of Hidalgo County may assess an  
10 additional fee not to exceed \$10 for filings under Section  
11 118.011(a)(1) and Section 118.011(b)(1) to fund the construction,  
12 renovation, or improvement of court facilities, if authorized by  
13 the county commissioners court.

14 SECTION 6. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2015.