

1-1 By: Hinojosa S.B. No. 1964
 1-2 (In the Senate - Filed March 13, 2015; March 25, 2015, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 23, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 23, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1964 By: Ellis

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the imposition of additional fees for filing civil
 1-22 cases and for recording certain documents in Hidalgo County.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter H, Chapter 51, Government Code, is
 1-25 amended by adding Section 51.711 to read as follows:

1-26 Sec. 51.711. ADDITIONAL FILING FEE FOR CIVIL CASES IN
 1-27 HIDALGO COUNTY. (a) This section applies only to district courts,
 1-28 statutory probate courts, and county courts at law in Hidalgo
 1-29 County.

1-30 (b) Except as otherwise provided by this section and in
 1-31 addition to all other fees authorized or required by other law, the
 1-32 clerk of a court shall collect a filing fee of not more than \$20 in
 1-33 each civil case filed in the court to be used for the construction,
 1-34 renovation, or improvement of the facilities that house the Hidalgo
 1-35 County civil courts.

1-36 (c) Court fees due under this section shall be collected in
 1-37 the same manner as other fees, fines, or costs are collected in the
 1-38 case.

1-39 (d) The clerk shall send the fees collected under this
 1-40 section to the county treasurer or to any other official who
 1-41 discharges the duties commonly assigned to the county treasurer at
 1-42 least as frequently as monthly. The treasurer or other official
 1-43 shall deposit the fees in a special account in the county treasury
 1-44 dedicated to the construction, renovation, or improvement of the
 1-45 facilities that house the courts collecting the fee.

1-46 (e) This section applies only to fees for a 12-month period
 1-47 beginning October 1, if the commissioners court:

1-48 (1) adopts a resolution authorizing a fee of not more
 1-49 than \$20;

1-50 (2) adopts a resolution requiring the county to spend
 1-51 one dollar for the construction, renovation, or improvement of the
 1-52 court facilities for each dollar spent from the special account
 1-53 dedicated to that purpose; and

1-54 (3) files the resolutions with the county treasurer or
 1-55 with any other official who discharges the duties commonly assigned
 1-56 to the county treasurer not later than September 1 immediately
 1-57 preceding the first 12-month period during which the fees are to be
 1-58 collected.

1-59 (f) A resolution adopted under Subsection (e) continues
 1-60 from year to year until October 1, 2030, allowing the county to

2-1 collect fees under the terms of this section until the resolution is
2-2 rescinded.

2-3 (g) The commissioners court may rescind a resolution
2-4 adopted under Subsection (e) by adopting a resolution rescinding
2-5 the resolution and submitting the rescission resolution to the
2-6 county treasurer or to any other official who discharges the duties
2-7 commonly assigned to the county treasurer not later than September
2-8 1 preceding the beginning of the first day of the county fiscal
2-9 year. The commissioners court may adopt an additional resolution
2-10 in the manner provided by Subsection (e) after rescinding a
2-11 previous resolution under that subsection.

2-12 (h) A fee established under a particular resolution is
2-13 abolished on the earlier of:

2-14 (1) the date a resolution adopted under Subsection (e)
2-15 is rescinded as provided by Subsection (g); or

2-16 (2) October 1, 2030.

2-17 (i) The county may make the required expenditure described
2-18 by Subsection (e)(2) at any time, regardless of when the
2-19 expenditure from the special account occurs.

2-20 SECTION 2. Subchapter D, Chapter 101, Government Code, is
2-21 amended by adding Section 101.061192 to read as follows:

2-22 Sec. 101.061192. ADDITIONAL DISTRICT COURT FEES FOR COURT
2-23 FACILITIES: GOVERNMENT CODE. The clerk of a district court in
2-24 Hidalgo County shall collect an additional filing fee of not more
2-25 than \$20 under Section 51.711 in civil cases to fund the
2-26 construction, renovation, or improvement of court facilities, if
2-27 authorized by the county commissioners court.

2-28 SECTION 3. Subchapter E, Chapter 101, Government Code, is
2-29 amended by adding Section 101.081191 to read as follows:

2-30 Sec. 101.081191. ADDITIONAL STATUTORY COUNTY COURT FEES FOR
2-31 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county
2-32 court in Hidalgo County shall collect an additional filing fee of
2-33 not more than \$20 under Section 51.711 in civil cases to fund the
2-34 construction, renovation, or improvement of court facilities, if
2-35 authorized by the county commissioners court.

2-36 SECTION 4. Subchapter F, Chapter 101, Government Code, is
2-37 amended by adding Section 101.10119 to read as follows:

2-38 Sec. 101.10119. ADDITIONAL STATUTORY PROBATE COURT FEES FOR
2-39 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory
2-40 probate court in Hidalgo County shall collect an additional filing
2-41 fee of not more than \$20 under Section 51.711 in civil cases to fund
2-42 the construction, renovation, or improvement of court facilities,
2-43 if authorized by the county commissioners court.

2-44 SECTION 5. Section 118.011, Local Government Code, is
2-45 amended by adding Subsection (g) to read as follows:

2-46 (g) The county clerk of a county shall, if the commissioners
2-47 court of the county adopts the fee, collect the following fee from
2-48 any person:

2-49 Real Property Records Filing (Sec. 118.0131)
2-50 not more than \$10

2-51 SECTION 6. Subchapter B, Chapter 118, Local Government
2-52 Code, is amended by adding Section 118.0131 to read as follows:

2-53 Sec. 118.0131. OPTIONAL RECORDING FEES FOR COURT FACILITIES:
2-54 HIDALGO COUNTY. The county clerk of Hidalgo County may assess an
2-55 additional fee not to exceed \$10 for real property records filing to
2-56 fund the construction, renovation, or improvement of court
2-57 facilities, if authorized by the commissioners court of the county.

2-58 SECTION 7. The changes in law made by this Act apply only to
2-59 a fee that becomes payable on or after the effective date of this
2-60 Act. A fee that becomes payable before that date is governed by the
2-61 law in effect when the fee became payable, and the former law is
2-62 continued in effect for that purpose.

2-63 SECTION 8. This Act takes effect immediately if it receives
2-64 a vote of two-thirds of all the members elected to each house, as
2-65 provided by Section 39, Article III, Texas Constitution. If this
2-66 Act does not receive the vote necessary for immediate effect, this
2-67 Act takes effect September 1, 2015.

2-68 * * * * *