

**House Bill 2182**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Article 17.02, Code of Criminal Procedure, is amended to read as follows:

Art. 17.02. DEFINITION OF "BAIL BOND". A "bail bond" is a written undertaking entered into by the defendant and the defendant's sureties for the appearance of the principal therein before a court or magistrate to answer a criminal accusation; provided, however, that the defendant on execution of the bail bond may deposit with the custodian of funds of the court in which the prosecution is pending current money of the United States in the amount of the bond in lieu of having sureties signing the same. Any cash funds deposited under this article shall be receipted for by the officer receiving the funds and, on order of the court, be refunded in the amount shown on the face of the receipt less the administrative fee authorized by Section 117.055, Local Government Code, after the defendant complies with the conditions of the defendant's bond, to:

- (1) any person in the name of whom a receipt was issued, [~~in the amount reflected on the face of the receipt,~~] including the defendant if a receipt was issued to the defendant; or
- (2) the defendant, if no other person is able to produce a receipt for the funds.

SECTION 2. Article 102.004(a), Code of Criminal Procedure, is amended to read as follows:

(a) A defendant convicted by a jury in a trial before a justice or municipal court shall pay a jury fee of \$3. A defendant in a justice or municipal court who requests a trial by jury and who withdraws the request not earlier than 24 hours before the time of trial shall pay a jury fee of \$3, if the defendant is convicted of the offense or final disposition of the defendant's case is deferred. A defendant convicted by a jury in a county court, a county court at law, or a district court shall pay a jury fee of

SENATE VERSION (CS)

SECTION 1. Same as House version.

SECTION 2. Article 102.004(a), Code of Criminal Procedure, is amended to read as follows:

(a) A defendant convicted by a jury in a trial before a justice or municipal court shall pay a jury fee of \$3. A defendant in a justice or municipal court who requests a trial by jury and who withdraws the request not earlier than 24 hours before the time of trial shall pay a jury fee of \$3, if the defendant is convicted of the offense or final disposition of the defendant's case is deferred. A defendant convicted by a jury in a county court, a county court at law, or a district court shall pay a jury fee of

CONFERENCE

**House Bill 2182**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

\$50 [\$20].

SECTION 3. (a) Section 51.305(b), Government Code, is amended to read as follows:

(b) The commissioners court of a county may adopt a district court records archive fee of not more than \$10 for the filing of a suit, including an appeal from an inferior court, or a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition, in any [a-district] court in the county for which the district clerk accepts filings as part of the county's annual budget. The fee must be set and itemized in the county's budget as part of the budget preparation process and must be approved in a public meeting. The fee is for preservation and restoration services performed in connection with maintaining a district court records archive.

(b) Section 51.305(b), Government Code, as effective September 1, 2019, is amended to read as follows:

(b) The commissioners court of a county may adopt a district court records archive fee of not more than \$5 for the filing of a suit, including an appeal from an inferior court, or a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition, in any [a-district] court in the county for which the district clerk accepts filings as part of the county's annual budget. The fee must be set and itemized in the county's budget as part of the budget preparation process and must be approved in a public meeting. The fee is for preservation and restoration services performed in connection with maintaining a district court records archive.

SECTION 4. Section 51.319, Government Code, is amended to read as follows:

SENATE VERSION (CS)

\$40 [\$20].

SECTION 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE

**House Bill 2182**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

Sec. 51.319. OTHER FEES. The district clerk shall collect the following fees for services performed by the clerk:

- (1) for performing services related to the matter of the estate of a deceased person or a minor transacted in the district court, the same fees allowed the county clerk for those services;
- (2) for serving process by certified or registered mail, the same fee that sheriffs and constables are authorized to charge for the service under Section 118.131, Local Government Code; ~~and~~
- (3) for performing any other service prescribed or authorized by law for which no fee is set by law, a reasonable fee; and
- (4) for performing services related to a matter filed in a statutory county court, the same fees allowed the district clerk for those services in the district court.

SECTION 5. Section 51.604(a), Government Code, is amended to read as follows:

- (a) The district clerk shall collect a \$50 [~~\$30~~] jury fee for each civil case in which a person applies for a jury trial. The clerk of a county court or statutory county court shall collect a \$50 [~~\$22~~] jury fee for each civil case in which a person applies for a jury trial. The clerk shall note the payment of the fee on the court's docket.

SECTION 6. Section 118.052, Local Government Code, is amended to read as follows:

Sec. 118.052. FEE SCHEDULE. Each clerk of a county court shall collect the following fees for services rendered to any person:

- (1) CIVIL COURT ACTIONS
  - (A) Filing of Original Action (Sec. 118.053):
    - (i) Garnishment after judgment . . . \$15.00

SENATE VERSION (CS)

SECTION 5. Section 51.604(a), Government Code, is amended to read as follows:

- (a) The district clerk shall collect a \$40 [~~\$30~~] jury fee for each civil case in which a person applies for a jury trial. The clerk of a county court or statutory county court shall collect a \$40 [~~\$22~~] jury fee for each civil case in which a person applies for a jury trial. The clerk shall note the payment of the fee on the court's docket.

SECTION 6. Same as House version.

CONFERENCE

**House Bill 2182**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

- (ii) All others . . . \$40.00
- (B) Filing of Action Other than Original (Sec. 118.054) . . . \$30.00
- (C) Services Rendered After Judgment in Original Action (Sec. 118.0545):
  - (i) Abstract of judgment . . . \$ 5.00
  - (ii) Execution, order of sale, writ, or other process . . . \$ 5.00
- (2) PROBATE COURT ACTIONS
- (A) Probate Original Action (Sec. 118.055):
  - (i) Probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title . . . \$40.00
  - (ii) Community survivors . . . \$40.00
  - (iii) Small estates . . . \$40.00
  - (iv) Declarations of heirship . . . \$40.00
  - (v) Mental health or chemical dependency services . . . \$40.00
  - (vi) Additional, special fee (Sec. 118.064) . . . \$ 5.00
- (B) Services in Pending Probate Action (Sec. 118.056):
  - (i) Filing an inventory and appraisal as provided by Section 118.056(d) . . . \$25.00
  - (ii) Approving and recording bond . . . \$ 3.00
  - (iii) Administering oath . . . \$ 2.00
  - (iv) Filing annual or final account of estate . . . \$25.00
  - (v) Filing application for sale of real or personal property . . . \$25.00
  - (vi) Filing annual or final report of guardian of a person . . . \$10.00
  - (vii) Filing a document not listed under this paragraph after the filing of an order approving the inventory and appraisal or after the 120th day after the date of the initial

**House Bill 2182**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

filing of the action, whichever occurs first, if more than 25 pages . . . \$25.00

(C) Adverse Probate Action (Sec. 118.057) . . . \$40.00

(D) Claim Against Estate (Sec. 118.058) . . . ~~\$10.00~~ [~~\$2.00~~]

(E) Supplemental Court-Initiated Guardianship Fee in Probate Original Actions and Adverse Probate Actions (Sec. 118.067) . . . \$20.00

(F) Supplemental Public Probate Administrator Fee For Counties That Have Appointed a Public Probate Administrator (Sec. 118.068) . . . \$10.00

(3) OTHER FEES

(A) Issuing Document (Sec. 118.059): original document and one copy . . . \$ 4.00

each additional set of an original and one copy . . . \$ 4.00

(B) Certified Papers (Sec. 118.060): for the clerk's certificate . . . \$ 5.00

plus a fee per page or part of a page of . . . \$ 1.00

(C) Noncertified Papers (Sec. 118.0605): for each page or part of a page . . . \$ 1.00

(D) Letters Testamentary, Letter of Guardianship, Letter of Administration, or Abstract of Judgment (Sec. 118.061) . . . \$ 2.00

(E) Safekeeping of Wills (Sec. 118.062) . . . \$ 5.00

(F) Mail Service of Process (Sec. 118.063) . . . same as sheriff

(G) Records Management and Preservation Fee . . . \$ 5.00

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

SECTION 7. Same as House version.

**House Bill 2182**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 8. This Act takes effect September 1, 2015.

SENATE VERSION (CS)

SECTION 8. Same as House version.

CONFERENCE