

1-1 By: Martinez, Guillen (Senate Sponsor - Hinojosa) H.B. No. 1234
 1-2 (In the Senate - Received from the House May 5, 2017;
 1-3 May 5, 2017, read first time and referred to Committee on State
 1-4 Affairs; May 19, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 19, 2017, 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 H.B. No. 1234 By: Creighton

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

1-21 relating to filing fees imposed in civil cases in Hidalgo County and
 1-22 Cameron County.

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

1-24 SECTION 1. Section 51.711, Government Code, is amended by
 1-25 amending Subsections (b), (f), (g), (h), and (i) and adding
 1-26 Subsection (e-1) to read as follows:

1-27 (b) Except as otherwise provided by this section and in
 1-28 addition to all other fees authorized or required by other law, the
 1-29 clerk of a court shall collect a filing fee of not more than \$20 in
 1-30 each civil case filed in the court to be used:

1-31 (1) for the construction, renovation, or improvement
 1-32 of the facilities that house the Hidalgo County or Cameron County
 1-33 civil courts; and

1-34 (2) to pay the principal of, interest on, and costs of
 1-35 issuance of bonds, including refunding bonds, issued for the
 1-36 construction, renovation, or improvement of the facilities that
 1-37 house the Hidalgo County or Cameron County civil courts.

1-38 (e-1) If Hidalgo County or Cameron County has adopted a
 1-39 resolution authorizing a fee as provided by Subsection (e) that is
 1-40 abolished on or before October 1, 2030, the county may:

1-41 (1) adopt a resolution authorizing the fee adopted
 1-42 under Subsection (e) to continue until October 1, 2045;

1-43 (2) adopt a resolution providing that the county must
 1-44 continue to spend one dollar for the construction, renovation, or
 1-45 improvement of the court facilities for each dollar spent from the
 1-46 special account dedicated to that purpose; and

1-47 (3) file the resolution adopted under this subsection
 1-48 with the county treasurer or with any other official who discharges
 1-49 the duties commonly assigned to the county treasurer not later than
 1-50 September 1 immediately preceding the first 12-month period during
 1-51 which the county has authorized the fee to continue to be collected
 1-52 through October 1, 2045.

1-53 (f) A resolution adopted under Subsection (e) continues
 1-54 from year to year until October 1, 2030, if adopted under Subsection
 1-55 (e) before September 1, 2017, or October 1, 2045, if adopted under
 1-56 Subsection (e) on or after September 1, 2017, allowing the county to
 1-57 collect fees under the terms of this section until the resolution is
 1-58 rescinded. A resolution adopted under Subsection (e-1) continues
 1-59 from year to year until October 1, 2045, allowing the county to
 1-60 collect fees under the terms of this section until the resolution is

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

2-11 (h) A fee established under a particular resolution is
2-12 abolished on the earlier of:

2-13 (1) the date a resolution adopted under Subsection (e)
2-14 or (e-1) is rescinded as provided by Subsection (g); [~~or~~]

2-15 (2) October 1, 2030, if adopted under Subsection (e)
2-16 before September 1, 2017;

2-17 (3) October 1, 2045, if adopted under Subsection (e)
2-18 on or after September 1, 2017; or

2-19 (4) October 1, 2045, if adopted under Subsection
2-20 (e-1).

2-21 (i) Hidalgo County or Cameron County may make the required
2-22 expenditure described by Subsection (e)(2) or (e-1)(2) at any time,
2-23 regardless of when the expenditure from the special account occurs.

2-24 SECTION 2. Subchapter D, Chapter 101, Government Code, is
2-25 amended by adding Section 101.061194 to read as follows:

2-26 Sec. 101.061194. ADDITIONAL DISTRICT COURT FEES FOR COURT
2-27 FACILITIES: GOVERNMENT CODE. The clerk of a district court in
2-28 Hidalgo County and the clerk of a district court in Cameron County
2-29 shall collect an additional filing fee of not more than \$20 under
2-30 Section 51.711, Government Code, in civil cases to fund the payment
2-31 of the principal of, interest on, and costs of issuance of bonds,
2-32 including refunding bonds, issued for the construction,
2-33 renovation, or improvement of court facilities, if authorized by
2-34 the county commissioners court.

2-35 SECTION 3. Subchapter E, Chapter 101, Government Code, is
2-36 amended by adding Section 101.081193 to read as follows:

2-37 Sec. 101.081193. ADDITIONAL STATUTORY COUNTY COURT FEES FOR
2-38 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county
2-39 court in Hidalgo County and the clerk of a statutory county court in
2-40 Cameron County shall collect an additional filing fee of not more
2-41 than \$20 under Section 51.711, Government Code, in civil cases to
2-42 fund the payment of the principal of, interest on, and costs of
2-43 issuance of bonds, including refunding bonds, issued for the
2-44 construction, renovation, or improvement of court facilities, if
2-45 authorized by the county commissioners court.

2-46 SECTION 4. Subchapter F, Chapter 101, Government Code, is
2-47 amended by adding Section 101.101192 to read as follows:

2-48 Sec. 101.101192. ADDITIONAL STATUTORY PROBATE COURT FEES
2-49 FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory
2-50 probate court in Hidalgo County shall collect an additional filing
2-51 fee of not more than \$20 under Section 51.711, Government Code, in
2-52 civil cases to fund the payment of the principal of, interest on,
2-53 and costs of issuance of bonds, including refunding bonds, issued
2-54 for the construction, renovation, or improvement of court
2-55 facilities, if authorized by the county commissioners court.

2-56 SECTION 5. This Act takes effect September 1, 2017.

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