

1-1 By: Zaffirini S.B. No. 41
 1-2 (In the Senate - Filed November 9, 2020; March 3, 2021, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 8, 2021, rereferred to Committee on Jurisprudence;
 1-5 April 28, 2021, reported adversely, with favorable Committee
 1-6 Substitute by the following vote: Yeas 5, Nays 0; April 28, 2021,
 1-7 sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 COMMITTEE SUBSTITUTE FOR S.B. No. 41 By: Hughes

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the consolidation and allocation of state civil court
 1-19 costs; increasing certain civil court costs; authorizing fees.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 ARTICLE 1. CONSOLIDATED CIVIL FILING FEES

1-22 SECTION 1.01. Section 133.004, Local Government Code, is
 1-23 amended to read as follows:

1-24 Sec. 133.004. CIVIL FEES. This chapter applies to the
 1-25 following civil fees:

1-26 (1) the consolidated fee ~~[on filing in district court]~~
 1-27 imposed under Section 133.151;

1-28 (2) the filing fee ~~[in district court]~~ for basic civil
 1-29 legal services for indigents imposed under Section 133.152;

1-30 (3) ~~[the filing fee in courts other than district
 1-31 court for basic civil legal services for indigents imposed under
 1-32 Section 133.153,~~

1-33 ~~[(4) the filing fees for the judicial fund imposed in
 1-34 certain statutory county courts under Section 51.702, Government
 1-35 Code,~~

1-36 ~~[(5) the filing fees for the judicial fund imposed in
 1-37 certain county courts under Section 51.703, Government Code,~~

1-38 ~~[(6)] the filing fees for the judicial fund imposed in
 1-39 statutory probate courts under Section 51.704, Government Code;~~

1-40 (4) ~~[(7)]~~ fees collected under Section 118.015;

1-41 (5) ~~[(8)]~~ marriage license fees for the family trust
 1-42 fund collected under Section 118.018; and

1-43 (6) ~~[(9)]~~ marriage license or declaration of informal
 1-44 marriage fees for the child abuse and neglect prevention trust fund
 1-45 account collected under Section 118.022 ~~[, and~~

1-46 ~~[(10) the filing fee for the judicial fund imposed in
 1-47 district court, statutory county court, and county court under
 1-48 Section 133.154].~~

1-49 SECTION 1.02. The heading to Section 133.151, Local
 1-50 Government Code, is amended to read as follows:

1-51 Sec. 133.151. CONSOLIDATED CIVIL FEE ON FILING A CIVIL SUIT
 1-52 ~~[IN DISTRICT COURT].~~

1-53 SECTION 1.03. Section 133.151, Local Government Code, is
 1-54 amended by amending Subsections (a) and (c) and adding Subsections
 1-55 (a-1) and (c-1) to read as follows:

1-56 (a) The ~~[In addition to each fee collected under Section
 1-57 51.317(b)(1), Government Code, the]~~ clerk of a district court,
 1-58 statutory county court, or county court shall collect a fee in the
 1-59 amount of \$137 ~~[the following fees]~~ on the filing of any civil
 1-60 suit~~[+]~~

2-1 ~~[(1) \$45 for family law cases and proceedings as~~
2-2 ~~defined by Section 25.0002, Government Code, and~~
2-3 ~~[(2) \$50 for any case other than a case described by~~
2-4 ~~Subdivision (1)].~~

2-5 (a-1) The clerk of a justice court shall collect a fee in the
2-6 amount of \$21 on the filing of any civil suit.

2-7 (c) The comptroller shall allocate the fees received under
2-8 Subsection (a) [this section] to the following accounts and funds
2-9 so that each receives to the extent practicable, utilizing
2-10 historical data as applicable, the same amount of money the account
2-11 or fund would have received if the fees for the accounts and funds
2-12 had been collected and reported separately, except that the account
2-13 or fund may not receive less than the following percentages:

2-14 (1) the judicial fund to be used for court-related
2-15 purposes for the support of the judiciary 59.854 percent; [and]

2-16 (2) the basic civil legal services account of the
2-17 judicial fund for use in programs approved by the supreme court that
2-18 provide basic civil legal services to an indigent 14.5985 percent;

2-19 (3) the statewide electronic filing system
2-20 fund 21.8978 percent; and

2-21 (4) the judicial and court personnel training
2-22 fund 3.6497 percent.

2-23 (c-1) The comptroller shall allocate the fees received
2-24 under Subsection (a-1) to the following accounts and funds so that
2-25 each receives to the extent practicable, utilizing historical data
2-26 as applicable, the same amount of money the account or fund would
2-27 have received if the fees for the accounts and funds had been
2-28 collected and reported separately, except that the account or fund
2-29 may not receive less than the following percentages:

2-30 (1) the basic civil legal services account of the
2-31 judicial fund for use in programs approved by the supreme court that
2-32 provide basic civil legal services to an indigent 28.5714 percent;

2-33 (2) the statewide electronic filing system fund
2-34 47.6191 percent; and

2-35 (3) the judicial and court personnel training fund
2-36 23.8095 percent.

2-37 SECTION 1.04. Subtitle C, Title 4, Local Government Code,
2-38 is amended by adding Chapter 135 to read as follows:

2-39 CHAPTER 135. CIVIL FEES PAYABLE TO LOCAL GOVERNMENT

2-40 SUBCHAPTER A. GENERAL PROVISIONS

2-41 Sec. 135.001. PURPOSE. The purpose of this chapter is to
2-42 consolidate and standardize collection of fees payable to a local
2-43 government in civil matters by:

2-44 (1) an officer of a court for deposit in a county
2-45 treasury; or

2-46 (2) an officer of a county for deposit in the county
2-47 treasury.

2-48 Sec. 135.002. DEFINITIONS. In this chapter:

2-49 (1) "Fee" means a civil fee listed under Section
2-50 135.003.

2-51 (2) "Treasurer" means the custodian of money in a
2-52 municipal or county treasury, as appropriate.

2-53 Sec. 135.003. CIVIL FEES. This chapter applies to the civil
2-54 fees imposed under Sections 135.101 and 135.102.

2-55 SUBCHAPTER B. COLLECTION AND REMITTANCE OF LOCAL CRIMINAL FEES

2-56 Sec. 135.051. COLLECTION, REMITTANCE, AND DEPOSIT OF FEES.

2-57 (a) A court clerk shall collect and remit to the county or
2-58 municipal treasurer, as applicable, all fees in the manner provided
2-59 by this section.

2-60 (b) An officer collecting a fee in a case in municipal court
2-61 shall remit the money to the municipal treasurer for deposit in the
2-62 municipal treasury.

2-63 (c) An officer collecting a fee in a justice, county, or
2-64 district court shall remit the money to the county treasurer for
2-65 deposit in the county treasury.

2-66 (d) A court clerk collecting a fee shall remit the money to
2-67 the municipal or county treasurer, as applicable, for deposit in
2-68 the municipal or county treasury, as appropriate.

2-69 Sec. 135.052. ALLOCATION OF DEPOSITED FEES. (a) Money

3-1 collected under Subchapter C as civil fees imposed on or after
3-2 January 1, 2020, shall be allocated according to the percentages
3-3 provided by Sections 135.101 and 135.102, as applicable.

3-4 (b) Money collected under Subchapter C as civil fees before
3-5 January 1, 2020, shall be distributed using historical data so that
3-6 each account or fund receives the same amount of money the account
3-7 or fund would have received if the fee for the accounts and funds
3-8 had been collected and reported separately.

3-9 SUBCHAPTER C. LOCAL CIVIL FEES

3-10 Sec. 135.101. LOCAL CONSOLIDATED CIVIL FEE FOR DISTRICT
3-11 COURT, STATUTORY COUNTY COURT, OR COUNTY COURT. (a) A person
3-12 shall pay a local consolidated filing fee of \$208 on filing of a
3-13 civil action in a district court, statutory county court, or county
3-14 court in addition to all other fee and court costs.

3-15 (b) The treasurer shall allocate the fees received under
3-16 this section to the following accounts and funds so that each
3-17 receives to the extent practicable, utilizing historical data as
3-18 applicable, the same amount of money the account or fund would have
3-19 received if the fees for the accounts and funds had been collected
3-20 and reported separately, except that the account or fund may not
3-21 receive less than the following percentages:

- 3-22 (1) the appellate judicial system fund 2.4039 percent;
- 3-23 (2) the court facility fee fund 7.2115 percent;
- 3-24 (3) the clerk of the court account 24.0385 percent;
- 3-25 (4) the county records management and preservation
3-26 account 14.4231 percent;
- 3-27 (5) the court reporter service fund 12.0192 percent;
- 3-28 (6) the county law library fund 16.8269 percent;
- 3-29 (7) the courthouse security fund 9.6154 percent;
- 3-30 (8) the language access fund 1.4423 percent;
- 3-31 (9) the county jury fund 4.8077 percent; and
- 3-32 (10) the county dispute resolution fund 7.2115

3-33 percent.

3-34 (c) If a county has not established an alternative dispute
3-35 resolution system under Chapter 152, Civil Practice and Remedies
3-36 Code, the money allocated under Subsection (b)(10) shall be
3-37 allocated to the statewide electronic filing system fund.

3-38 Sec. 135.102. LOCAL CONSOLIDATED CIVIL FEE FOR JUSTICE
3-39 COURT. (a) A person shall pay a local consolidated filing fee of
3-40 \$33 on filing of a civil action in a justice court in addition to all
3-41 other fee and court costs.

3-42 (b) The treasurer shall allocate the fees received under
3-43 this section to the following accounts and funds so that each
3-44 receives to the extent practicable, utilizing historical data as
3-45 applicable, the same amount of money the account or fund would have
3-46 received if the fees for the accounts and funds had been collected
3-47 and reported separately, except that the account or fund may not
3-48 receive less than the following percentages:

- 3-49 (1) the justice court support fund 75.7576 percent;
- 3-50 (2) the county dispute resolution fund 15.1515
3-51 percent; and
- 3-52 (3) the language access fund 9.0909 percent.

3-53 (c) If a county has not established an alternative dispute
3-54 resolution system under Chapter 152, Civil Practice and Remedies
3-55 Code, the money allocated under Subsection (b)(2) shall be
3-56 allocated to the statewide electronic filing system fund.

3-57 SUBCHAPTER D. ALLOCATION AND USE OF CERTAIN CIVIL FEES

3-58 Sec. 135.151. MAINTENANCE OF FUNDS AND ACCOUNTS. (a) A
3-59 county treasurer shall maintain in the county treasury a fund or
3-60 account to which money is allocated under Section 135.101 or
3-61 135.102, to the extent that the fund or account is not required by
3-62 other law. Money in an account maintained under this section may be
3-63 used only for the purposes provided by this subchapter.

3-64 (b) An account or fund maintained under this section in a
3-65 county treasury may be administered by or at the direction of the
3-66 county commissioners court.

3-67 Sec. 135.152. COURT FACILITY FEE FUND. Money allocated
3-68 under Section 135.101 to the court facility fee fund maintained in
3-69 the county treasury as required by Section 135.151 may be used by a

4-1 county only to fund the construction, renovation, or improvement of
 4-2 facilities that house the courts or to pay the principal of,
 4-3 interest on, and costs of issuance of bonds, including refunding
 4-4 bonds, issued for the construction, renovation, or improvement of
 4-5 the facilities.

4-6 Sec. 135.153. CLERK OF THE COURT ACCOUNT. Money allocated
 4-7 under Section 135.101 to the clerk of the court account maintained
 4-8 in the county treasury as required by Section 135.151 may be used by
 4-9 a county only to defray costs of services provided by a county or
 4-10 district clerk.

4-11 Sec. 135.154. COUNTY RECORDS MANAGEMENT AND PRESERVATION
 4-12 ACCOUNT. Money allocated under Section 135.101 to the county
 4-13 records management and preservation account maintained in the
 4-14 county treasury as required by Section 135.151 may be used by a
 4-15 county only to fund records management and preservation services
 4-16 performed by the court clerk.

4-17 Sec. 135.155. LANGUAGE ACCESS FUND. Money allocated under
 4-18 Section 135.101 or 135.102 to the language access fund maintained
 4-19 in the county treasury as required by Section 135.151 may be used by
 4-20 a county only to provide language access services for individuals
 4-21 appearing before the court or receiving court services.

4-22 Sec. 135.156. COUNTY JURY FUND. Money allocated under
 4-23 Section 135.101 to the county jury fund maintained in the county
 4-24 treasury as required by Section 135.151 may be used by a county only
 4-25 to fund juror reimbursements and otherwise finance jury services.

4-26 Sec. 135.157. COUNTY DISPUTE RESOLUTION FUND. (a) Money
 4-27 allocated under Section 135.101 or 135.102 to the county dispute
 4-28 resolution fund maintained in the county treasury as required by
 4-29 Section 135.151 may only be used by a county to establish and
 4-30 maintain an alternative dispute resolution system in accordance
 4-31 with Chapter 152, Civil Practice and Remedies Code.

4-32 (b) If a county has not established an alternative dispute
 4-33 resolution system under Chapter 152, Civil Practice and Remedies
 4-34 Code, the money allocated under Subsection (a) shall be remitted to
 4-35 the comptroller and the comptroller shall allocate the money
 4-36 allocated to the statewide electronic filing system fund.

4-37 Sec. 135.158. JUSTICE COURT SUPPORT FUND. Money allocated
 4-38 under Section 135.102 to the justice court support fund maintained
 4-39 in the county treasury as required by Section 135.151 may be used by
 4-40 a county only to defray the costs of services provided by a justice
 4-41 court.

4-42 SECTION 1.05. The heading to Section 51.601, Government
 4-43 Code, is amended to read as follows:

4-44 Sec. 51.601. COURT REPORTER SERVICE FUND [~~FEF~~].

4-45 ARTICLE 2. GOVERNMENT CODE

4-46 SECTION 2.01. Sections 22.2021(b) and (d), Government Code,
 4-47 are amended to read as follows:

4-48 (b) The [~~To fund the system, the~~] commissioners court shall
 4-49 set a court costs fee of not more than \$5 for each civil suit filed
 4-50 in [~~county court, county court at law,~~] probate court[~~, or district~~
 4-51 ~~court~~] in the county.

4-52 (d) The court costs fee shall be taxed, collected, and paid
 4-53 as other court costs in a suit. The clerk of the court shall collect
 4-54 the court costs fee set under this section and pay it to the county
 4-55 officer who performs the county treasurer's functions. That
 4-56 officer shall deposit the fee in a separate appellate judicial
 4-57 [~~justice~~] system fund. The commissioners court shall administer
 4-58 the fund to maintain the system in cooperation with the chief
 4-59 justice of the courts of appeals. The fund may not be used for any
 4-60 other purpose.

4-61 SECTION 2.02. Section 22.2031(b), Government Code, is
 4-62 amended to read as follows:

4-63 (b) The [~~To fund the system, the~~] commissioners court shall
 4-64 set a court costs fee of \$5 for each civil suit filed in [~~county~~
 4-65 ~~court, statutory county court,~~] statutory probate court[~~, or~~
 4-66 ~~district court~~] in the county.

4-67 SECTION 2.03. Section 22.2041(b), Government Code, is
 4-68 amended to read as follows:

4-69 (b) The [~~To fund the system, the~~] commissioners court shall

5-1 set a court costs fee of \$5 for each civil suit filed in [~~county~~
5-2 ~~court, county court at law,~~] probate court[~~, or district court~~] in
5-3 the county.

5-4 SECTION 2.04. Section 22.2051(b), Government Code, is
5-5 amended to read as follows:

5-6 (b) The [~~To fund the system, the~~] commissioners court shall
5-7 set a court costs fee of not more than \$5 for each civil suit filed
5-8 in [~~county court, county court at law,~~] probate court[~~, or district~~
5-9 ~~court~~] in the county.

5-10 SECTION 2.05. Sections 22.2061(b) and (d), Government Code,
5-11 are amended to read as follows:

5-12 (b) The [~~To fund the system, the~~] commissioners court shall
5-13 set a court costs fee of not more than \$5 for each civil suit filed
5-14 in [~~county court, county court at law,~~] probate court[~~, or district~~
5-15 ~~court~~] in the county.

5-16 (d) The court costs fee shall be taxed, collected, and paid
5-17 as other court costs in a suit. The clerk of the court shall collect
5-18 the court costs fee set under this section and pay it to the county
5-19 officer who performs the county treasurer's functions. That
5-20 officer shall deposit the fee in a separate appellate judicial
5-21 [~~justice~~] system fund. The commissioners court shall administer
5-22 the fund to establish and maintain a fund system to assist the court
5-23 of appeals in the district. The fund may not be used for any other
5-24 purpose.

5-25 SECTION 2.06. Section 22.2071(b), Government Code, is
5-26 amended to read as follows:

5-27 (b) The [~~To fund the system, the~~] commissioners court shall
5-28 set a court costs fee of \$5 for each civil suit filed in [~~county~~
5-29 ~~court, statutory county court,~~] probate court[~~, or district court~~]
5-30 in the county.

5-31 SECTION 2.07. Section 22.2081(b), Government Code, is
5-32 amended to read as follows:

5-33 (b) The [~~To fund the system, the~~] commissioners court shall
5-34 set a court costs fee of \$5 for each civil suit filed in a [~~county~~
5-35 ~~court, statutory county court,~~] probate court[~~, or district court~~]
5-36 in the county.

5-37 SECTION 2.08. Section 22.2091(b), Government Code, is
5-38 amended to read as follows:

5-39 (b) The [~~To fund the system, the~~] commissioners court shall
5-40 set a court costs fee of \$5 for each civil suit filed in a [~~county~~
5-41 ~~court, statutory county court,~~] statutory probate court[~~, or~~
5-42 ~~district court~~] in the county.

5-43 SECTION 2.09. Section 22.2101(b), Government Code, is
5-44 amended to read as follows:

5-45 (b) The [~~To fund the system, the~~] commissioners court shall
5-46 set a court fee of \$5 for each civil suit filed in [~~county court,~~
5-47 ~~county court at law,~~] probate court[~~, or district court~~] in the
5-48 county.

5-49 SECTION 2.10. Subchapter C, Chapter 22, Government Code, is
5-50 amended by adding Section 22.2111 to read as follows:

5-51 Sec. 22.2111. APPELLATE JUDICIAL SYSTEM. (a) The
5-52 commissioners court of each county in the Tenth Court of Appeals
5-53 District, by order entered in its minutes, shall establish an
5-54 appellate judicial system to:

5-55 (1) assist the court of appeals for the county in the
5-56 processing of appeals filed with the court of appeals from the
5-57 county court, county courts at law, probate courts, and district
5-58 courts; and

5-59 (2) defray costs and expenses incurred by the county
5-60 under Section 22.211.

5-61 (b) The commissioners court shall set a court costs fee of
5-62 not more than \$5 for each civil suit filed in a probate court in the
5-63 county.

5-64 (c) The court costs fee shall be taxed, collected, and paid
5-65 as other court costs in a suit. The clerk of the court shall collect
5-66 the court costs fee set under this section and pay it to the county
5-67 officer who performs the county treasurer's functions. That
5-68 officer shall deposit the fee in a separate appellate judicial
5-69 system fund. The commissioners court shall administer the fund to

6-1 establish and maintain a fund system to assist the court of appeals
 6-2 in the district. The fund may not be used for any other purpose.

6-3 (d) The commissioners court has the authority necessary to
 6-4 assist the court of appeals in the administration of the system and
 6-5 the system's judicial and staff education program, including the
 6-6 authority to contract with any private nonprofit corporation,
 6-7 public corporation, or combination of those corporations.

6-8 (e) The commissioners court shall vest management of the
 6-9 system in the chief justice of the court of appeals in the district.

6-10 SECTION 2.11. Sections 22.2121(b) and (d), Government Code,
 6-11 are amended to read as follows:

6-12 (b) ~~The [To fund the system, the]~~ commissioners court shall
 6-13 set a court costs fee of \$5 for each civil suit filed in [~~county~~
 6-14 ~~court, statutory county court,~~] probate court[~~, or district court~~]
 6-15 in the county.

6-16 (d) The court costs fee shall be taxed, collected, and paid
 6-17 as other court costs in a suit. The clerk of the court shall collect
 6-18 the court costs fee set under this section and pay it to the county
 6-19 officer who performs the county treasurer's functions. That
 6-20 officer shall deposit the fee in a separate appellate judicial
 6-21 [~~justice~~] system fund. The commissioners court shall establish and
 6-22 maintain the fund to assist the court of appeals district. The fund
 6-23 may not be used for any other purpose.

6-24 SECTION 2.12. Section 22.2131(b), Government Code, is
 6-25 amended to read as follows:

6-26 (b) ~~The [To fund the system, the]~~ commissioners court shall
 6-27 set a court costs fee of \$5 for each civil suit filed in [~~county~~
 6-28 ~~court, statutory county court,~~] probate court[~~, or district court~~]
 6-29 in the county.

6-30 SECTION 2.13. Section 22.2141(b), Government Code, is
 6-31 amended to read as follows:

6-32 (b) ~~The [To fund the system, the]~~ commissioners court shall
 6-33 set a court costs fee of not more than \$5 for each civil suit filed
 6-34 in a [~~county court, county court at law,~~] probate court[~~, or~~
 6-35 ~~district court~~] in the county.

6-36 SECTION 2.14. Section 26.007(a), Government Code, is
 6-37 amended to read as follows:

6-38 (a) Beginning on the first day of the state fiscal year, the
 6-39 state shall annually compensate each county [~~that collects the~~
 6-40 ~~additional fees under Section 51.703~~] in an amount equal to \$5,000
 6-41 if the county judge is entitled to an annual salary supplement from
 6-42 the state under Section 26.006.

6-43 SECTION 2.15. Section 26.008(a), Government Code, is
 6-44 amended to read as follows:

6-45 (a) At the end of each state fiscal year, the comptroller
 6-46 shall determine the amounts deposited in the judicial fund under
 6-47 Section 133.151, Local Government Code, [~~51.703~~] and the amounts
 6-48 paid to the counties under Section 26.007. If the total amount paid
 6-49 under Section 133.151, Local Government Code, [~~51.703 by all~~
 6-50 ~~counties that collect fees under that section~~] exceeds the total
 6-51 amount paid to the counties under Section 26.007, the state shall
 6-52 remit the excess to the counties that collect fees under Section
 6-53 133.151, Local Government Code, [~~51.703~~] proportionately based on
 6-54 the percentage of the total paid by each county.

6-55 SECTION 2.16. Section 51.305, Government Code, is amended
 6-56 to read as follows:

6-57 Sec. 51.305. DISTRICT COURT RECORDS TECHNOLOGY ACCOUNT
 6-58 [~~FUND~~]. (a) In this section:

6-59 (1) "Court document" means any instrument, document,
 6-60 paper, or other record that the district clerk is authorized to
 6-61 accept for filing or maintenance.

6-62 (2) "Deterioration" means any naturally occurring
 6-63 process or a natural disaster that results in the destruction or
 6-64 partial destruction of a court document.

6-65 (3) "Preservation" means any process that:

6-66 (A) suspends or reduces the deterioration of a
 6-67 court document; or

6-68 (B) provides public access to a court document in
 6-69 a manner that reduces the risk of deterioration.

7-1 (4) "Restoration" means any process that permits the
7-2 visual enhancement of a court document, including making the
7-3 document more legible.

7-4 (b) The commissioners court of a county may, [~~adopt a~~
7-5 ~~district court records archive fee of not more than \$10 for the~~
7-6 ~~filing of a suit, including an appeal from an inferior court, or a~~
7-7 ~~cross-action, counterclaim, intervention, contempt action, motion~~
7-8 ~~for new trial, or third-party petition, in any court in the county~~
7-9 ~~for which the district clerk accepts filings as part of the county's~~
7-10 ~~annual budget. The fee must be set and itemized in the county's~~
7-11 ~~budget as part of the budget preparation process and must be~~
7-12 ~~approved in a public meeting. The fee is] for preservation and
7-13 restoration services performed in connection with maintaining a
7-14 district court records archive, [-~~

7-15 [~~(c) The county treasurer, or the official who discharges~~
7-16 ~~the duties commonly delegated to the county treasurer, in a county~~
7-17 ~~that adopts a fee under Subsection (b) shall] establish a district
7-18 court records technology account [~~fund~~] in the general fund of the
7-19 county [~~for deposit of fees paid under Section 51.317(f)].~~~~

7-20 (c) [~~(d)~~] Subject to Subsection (e) [~~(f)~~], money deposited
7-21 into the account [~~generated from the fee imposed under this~~
7-22 ~~section~~] may be expended only for the preservation and restoration
7-23 of the district court records archive.

7-24 (d) [~~(e)~~] The district clerk shall designate the court
7-25 documents that are part of the records archive for purposes of this
7-26 section. The designation of court documents by the district clerk
7-27 under this subsection is subject to approval by the commissioners
7-28 court in a public meeting.

7-29 (e) [~~(f)~~] The district clerk in a county that establishes an
7-30 account [~~adopts a fee~~] under this section shall prepare an annual
7-31 written plan for the preservation and restoration of the district
7-32 court records archive. The plan may include a proposal for entering
7-33 into a contract with another person for preservation and
7-34 restoration services. The commissioners court shall publish notice
7-35 of a public hearing on the plan in a newspaper of general
7-36 circulation in the county not later than the 15th day before the
7-37 date of the hearing. After the public hearing, the plan shall be
7-38 considered for approval by the commissioners court. Money in the
7-39 district court records technology account [~~fund~~] may be expended
7-40 only as provided by the plan. All expenditures from the records
7-41 technology account [~~fund~~] must comply with Subchapter C, Chapter
7-42 262, Local Government Code.

7-43 (f) [~~(g) If a county imposes a fee under this section, a~~
7-44 ~~notice shall be posted in a conspicuous place in the district~~
7-45 ~~clerk's office. The notice must state the amount of the fee in the~~
7-46 ~~following form: "THE COMMISSIONERS COURT OF _____~~
7-47 ~~(Insert name of county) COUNTY HAS DETERMINED THAT A RECORDS~~
7-48 ~~ARCHIVE FEE OF \$_____ (Insert amount adopted by commissioners~~
7-49 ~~court) IS NEEDED TO PRESERVE AND RESTORE DISTRICT COURT RECORDS."~~

7-50 [~~(h)~~] Funds [~~Money~~] remaining [~~from the collection of fees~~
7-51 ~~imposed under this section~~] after completion of a district court
7-52 records archive preservation and restoration project may be
7-53 expended for records management and preservation purposes [~~in the~~
7-54 ~~manner provided by Section 51.317(d). The commissioners court of a~~
7-55 ~~county may not impose a fee under this section after the district~~
7-56 ~~court records archive preservation and restoration project is~~
7-57 ~~complete].~~

7-58 SECTION 2.17. Section 51.318(b), Government Code, is
7-59 amended to read as follows:

7-60 (b) The fees are:

7-61 (1) for issuing a subpoena, including one copy . . . \$8

7-62 (2) for issuing a citation, commission for deposition,
7-63 writ of execution, order of sale, writ of execution and order of
7-64 sale, writ of injunction, writ of garnishment, writ of attachment,
7-65 or writ of sequestration [~~not provided for in Section 51.317, or any~~
7-66 ~~other writ or process~~] not otherwise provided for, including one
7-67 copy if required by law \$8

7-68 (3) for searching files or records to locate a cause
7-69 when the docket number is not provided or [~~_____ \$5~~

- 8-1 ~~[(4) for searching files or records]~~ to ascertain the
- 8-2 existence of an instrument or record in the district clerk's
- 8-3 office \$5
- 8-4 (4) ~~[(5)]~~ for abstracting a judgment \$8
- 8-5 (5) for preparation of the clerk's record on appeal,
- 8-6 for each page or part of a page \$1
- 8-7 (6) for approving a bond \$5 ~~[\$4]~~
- 8-8 (7) for a certified copy of a record, judgment, order,
- 8-9 pleading, or paper on file or of record in the district clerk's
- 8-10 office, printed on paper:
- 8-11 (A) including certificate and seal \$5; and
- 8-12 (B) ~~[(7)]~~ for each page or part of a page ~~[not to~~
- 8-13 ~~exceed]~~ \$1
- 8-14 (8) for a noncertified copy:
- 8-15 (A) printed on paper, for each page or part of a
- 8-16 page ~~[not to exceed]~~ \$1;
- 8-17 (B) paper document converted to electronic
- 8-18 format, for each page or part of a page \$1; or
- 8-19 (C) electronic copy of electronic document, the
- 8-20 greater of:
- 8-21 (i) \$0.10 for each page or part of a page;
- 8-22 or
- 8-23 (ii) \$1.

8-24 SECTION 2.18. Section 51.704(i), Government Code, is

8-25 amended to read as follows:

8-26 (i) A clerk may not collect a fee under this section ~~[and~~

8-27 ~~under Section 51.701 or 51.702].~~

8-28 SECTION 2.19. The heading to Section 51.708, Government

8-29 Code, is amended to read as follows:

8-30 Sec. 51.708. COURT RECORDS MANAGEMENT AND PRESERVATION

8-31 ACCOUNT [ADDITIONAL FILING FEE FOR CIVIL CASES IN CERTAIN COURTS].

8-32 SECTION 2.20. Section 51.708(c), Government Code, is

8-33 amended to read as follows:

8-34 (c) The ~~[clerk at least monthly shall send the]~~ fees

8-35 collected under Section 133.151, Local Government Code, and

8-36 deposited to the [this section to the county treasurer or to any

8-37 other official who discharges the duties commonly assigned to the

8-38 county treasurer. The treasurer or other official shall deposit

8-39 the fees in a] court record preservation account in the county

8-40 treasury[. The money in the account] may be used only to digitize

8-41 court records and preserve the records from natural disasters.

8-42 SECTION 2.21. Section 51.851(b), Government Code, is

8-43 amended to read as follows:

8-44 (b) In addition to other fees authorized or required by law,

8-45 the clerk of the supreme court, a court of appeals, ~~[a district~~

8-46 ~~court, a county court, a statutory county court,]~~ or a statutory

8-47 probate court shall collect a \$30 fee on the filing of any civil

8-48 action or proceeding requiring a filing fee, including an appeal,

8-49 and on the filing of any counterclaim, cross-action, intervention,

8-50 interpleader, or third-party action requiring a filing fee to be

8-51 used as provided by Section 51.852.

8-52 SECTION 2.22. Section 411.0745(b), Government Code, is

8-53 amended to read as follows:

8-54 (b) The petition must be accompanied by payment of a ~~[\$28~~

8-55 ~~fee to the clerk of the court in addition to any other]~~ fee that

8-56 generally applies to the filing of a civil petition.

8-57 ARTICLE 3. LOCAL GOVERNMENT CODE

8-58 SECTION 3.01. Sections 118.011(a) and (f), Local Government

8-59 Code, are amended to read as follows:

8-60 (a) A county clerk shall collect the following fees for

8-61 services rendered to any person:

8-62 (1) Personal Property Records Filing (Sec. 118.012):

8-63 for the first page \$ 5.00

8-64 for each additional page or part of a page on which

8-65 there are visible marks of any kind \$ 4.00

8-66 (2) Real Property Records Filing (Sec. 118.013):

8-67 for the first page \$ 5.00

8-68 for each additional page or part of a page on which

8-69 there are visible marks of any kind \$ 4.00

9-1 for all or part of each 8-1/2" X 14" attachment or
9-2 rider \$ 4.00
9-3 for each name in excess of five names that has to be
9-4 indexed in all records in which the document must be indexed \$ 0.25
9-5 (3) Certified Papers (Sec. 118.014):
9-6 for the clerk's certificate \$ 5.00
9-7 plus a fee for each page or part of a page. \$ 1.00
9-8 (4) Noncertified Papers (Sec. 118.0145):
9-9 printed on paper, for each page or part of a page \$ 1.00
9-10 paper converted to electronic format, for each page or
9-11 part of a page \$ 1.00
9-12 for electronic copies, for each document up to 10 pages
9-13 in length \$ 1.00
9-14 plus a fee for each page or part of a page over 10
9-15 pages \$0.10
9-16 (5) Birth or Death Certificate (Sec. 118.015) same as
9-17 state registrar
9-18 (6) Bond Approval (Sec. 118.016) \$ 3.00
9-19 (7) Marriage License (Sec. 118.018) \$60.00
9-20 (8) Declaration of Informal Marriage (Sec.
9-21 118.019) \$25.00
9-22 (9) Brand Registration (Sec. 118.020) \$ 5.00
9-23 (10) Oath Administration (Sec. 118.021) \$ 1.00
9-24 (f) The county clerk of a county shall, if the commissioners
9-25 court of the county adopts the fee as part of the county's annual
9-26 budget, collect the following fee from any person:
9-27 [~~(1)~~] Records Archive Fee (Sec. 118.025)
9-28 not more than \$10
9-29 [~~(2)~~ ~~Records Technology and Infrastructure Fee (Sec.~~
9-30 ~~118.026) \$2.00]~~
9-31 SECTION 3.02. Section 118.052, Local Government Code, is
9-32 amended to read as follows:
9-33 Sec. 118.052. FEE SCHEDULE. Each clerk of a county court
9-34 shall collect the following fees for services rendered to any
9-35 person:
9-36 (1) CIVIL COURT ACTIONS
9-37 (A) Filing of [~~Original Action (Sec. 118.053)~~].
9-38 [~~(i)~~] Garnishment after judgment . . .
9-39 \$15.00
9-40 [~~(ii) All others . . . \$40.00]~~
9-41 (B) Filing of Action Other than Original (Sec.
9-42 118.054) . . . \$30.00
9-43 (C) Services Rendered After Judgment in Original
9-44 Action (Sec. 118.0545):
9-45 (i) Abstract of judgment . . . \$ 8.00
9-46 [~~5.00]~~
9-47 (ii) Preparation of the clerk's record for
9-48 appeal, per page or part of a page . . . \$ 1.00
9-49 (iii) Execution, order of sale, writ, or
9-50 other process . . . \$ 8.00 [~~5.00]~~
9-51 (2) PROBATE COURT ACTIONS
9-52 (A) Probate Original Action (Sec. 118.055):
9-53 (i) Probate of a will with independent
9-54 executor, administration with will attached, administration of an
9-55 estate, guardianship or receivership of an estate, or muniment of
9-56 title . . . \$40.00
9-57 (ii) Community survivors . . . \$40.00
9-58 (iii) Small estates . . . \$40.00
9-59 (iv) Declarations of heirship . . . \$40.00
9-60 (v) Mental health or chemical dependency
9-61 services . . . \$40.00
9-62 (vi) Additional, special fee (Sec. 118.064)
9-63 . . . \$ 5.00
9-64 (B) Services in Pending Probate Action (Sec.
9-65 118.056):
9-66 (i) Filing an inventory and appraisal as
9-67 provided by Section 118.056(d) . . . \$25.00
9-68 (ii) Approving and recording bond . . .
9-69 \$ 5.00 [~~3.00]~~

10-1 (iii) Administering oath . . . \$ 2.00
 10-2 (iv) Filing annual or final account of
 10-3 estate . . . \$25.00
 10-4 (v) Filing application for sale of real or
 10-5 personal property . . . \$25.00
 10-6 (vi) Filing annual or final report of
 10-7 guardian of a person . . . \$10.00
 10-8 (vii) Filing a document not listed under
 10-9 this paragraph after the filing of an order approving the inventory
 10-10 and appraisal or after the 120th day after the date of the
 10-11 initial filing of the action, whichever occurs first, if more than
 10-12 25 pages . . . \$25.00
 10-13 (C) Adverse Probate Action (Sec. 118.057) . . .
 10-14 \$40.00
 10-15 (D) Claim Against Estate (Sec. 118.058) . . .
 10-16 \$10.00
 10-17 (E) Supplemental Court-Initiated Guardianship
 10-18 Fee in Probate Original Actions and Adverse Probate Actions (Sec.
 10-19 118.067) . . . \$20.00
 10-20 (F) Supplemental Public Probate Administrator
 10-21 Fee For Counties That Have Appointed a Public Probate Administrator
 10-22 (Sec. 118.068) . . . \$10.00
 10-23 (3) OTHER FEES
 10-24 (A) Issuing Document (Sec. 118.059):
 10-25 original document and one copy . . . \$ 8.00 [4.00]
 10-26 each additional set of an original and one copy . . . \$ 8.00
 10-27 [4.00]
 10-28 (B) Certified Papers (Sec. 118.060):
 10-29 for the clerk's certificate . . . \$ 5.00
 10-30 plus a fee per page or part of a page of . . . \$ 1.00
 10-31 (C) Noncertified Papers (Sec. 118.0605):
 10-32 printed on paper, for each page or part of a page . . . \$ 1.00
 10-33 paper converted to electronic format, for each page or part
 10-34 of a page . . . \$ 1.00
 10-35 electronic copies, for each document up to 10 pages in length
 10-36 . . . \$1.00
 10-37 plus a fee for each page or part of a page over 10 pages . .
 10-38 \$0.10
 10-39 (D) Letters Testamentary, Letter of
 10-40 Guardianship, Letter of Administration, or Abstract of Judgment
 10-41 (Sec. 118.061) . . . \$ 2.00
 10-42 (E) Deposit and Safekeeping of Wills (Sec.
 10-43 118.062) . . . \$ 5.00
 10-44 (F) Mail Service of Process (Sec. 118.063) . . .
 10-45 same as sheriff
 10-46 (G) Searching files or records to locate a cause
 10-47 when the docket number is not provided or to ascertain the existence
 10-48 of an instrument or record in the district clerk's office [Records
 10-49 Management and Preservation Fee] . . . \$ 5.00
 10-50 [~~(H) Records Technology and Infrastructure Fee~~
 10-51 ~~if authorized by the commissioners court of the county (Sec.~~
 10-52 ~~118.026) . . . \$ 2.00]~~
 10-53 SECTION 3.03. Section 118.0545, Local Government Code, is
 10-54 amended by adding Subsection (b-1) and amending Subsection (e) to
 10-55 read as follows:
 10-56 (b-1) The fee for "Preparation of the clerk's record for
 10-57 appeal" under Section 118.052(1) is for preparation of the clerk's
 10-58 record for appeal.
 10-59 (e) In this section, "original action" includes an appeal
 10-60 from a justice of the peace or a corporation court and a transfer of
 10-61 an action from another jurisdiction [has the meaning assigned by
 10-62 Section 118.053].
 10-63 SECTION 3.04. Section 118.0546, Local Government Code, is
 10-64 amended to read as follows:
 10-65 Sec. 118.0546. RECORDS MANAGEMENT AND PRESERVATION ACCOUNT
 10-66 [~~FEE--CIVIL CASES~~]. (a) The commissioners court of a county shall
 10-67 establish an account in the general fund of the county [~~fee for~~
 10-68 "Records Management and Preservation" under Section 118.052 is]
 10-69 for the records management and preservation services performed by the

11-1 county as required by Chapter 203.

11-2 (b) ~~[The fee shall be assessed as cost and must be paid at~~
11-3 ~~the time of filing any civil case or ancillary pleading thereto.~~

11-4 ~~[(c)] The account is [fee shall be placed in a special fund]~~
11-5 to be called the records management and preservation account
11-6 ~~[fund].~~

11-7 (c) ~~[(d)]~~ The account ~~[fee]~~ shall be used only for records
11-8 management and preservation purposes in the county. No expenditure
11-9 may be made from this fund without prior approval of the
11-10 commissioners court.

11-11 SECTION 3.05. Section 118.059(c), Local Government Code, is
11-12 amended to read as follows:

11-13 (c) In this section, "document" includes a subpoena,
11-14 citation, notice, commission to take depositions, execution,
11-15 order, writ, process, or other instrument or paper authorized or
11-16 required to be issued by the clerk.

11-17 SECTION 3.06. Subchapter C, Chapter 118, Local Government
11-18 Code, is amended by adding Section 118.070 to read as follows:

11-19 Sec. 118.070. FEE FOR SEARCH OF RECORDS. The clerk of a
11-20 county court shall collect a fee for searching files or records to
11-21 locate a cause when the docket number is not provided or to
11-22 ascertain the existence of an instrument or record in the district
11-23 clerk's office.

11-24 SECTION 3.07. Section 118.121, Local Government Code, is
11-25 amended to read as follows:

11-26 Sec. 118.121. FEE SCHEDULE. A justice of the peace shall
11-27 collect the following fees for services rendered ~~[to any person:~~

11-28 ~~[(1) Services rendered before judgment (Sec.~~
11-29 ~~118.122):~~

11-30 ~~[(A) Justice court \$25.00~~
11-31 ~~[(B) Small claims court \$25.00~~

11-32 ~~[(2) Services rendered] after judgment (Sec.~~
11-33 ~~118.123):~~

11-34 (1) ~~[(A)]~~ Transcript \$10.00

11-35 (2) ~~[(B)]~~ Abstract of judgment \$5.00

11-36 (3) ~~[(C)]~~ Execution, order of sale, writ of
11-37 restitution, or other writ or process \$5.00 per page

11-38 Certified copy of court papers . . \$2.00 for
11-39 first page

11-40 \$0.25 for each additional page

11-41 Issuing other document
11-42 (no return required) \$1.00 for
11-43 first page

11-44 \$0.25 for each additional page

11-45 SECTION 3.08. Section 133.058(d), Local Government Code, is
11-46 amended to read as follows:

11-47 (d) A county may not retain a service fee on the collection
11-48 of a fee or fine:

11-49 (1) for the judicial fund;

11-50 (2) under Article 42A.303 or 42A.653, Code of Criminal
11-51 Procedure; or

11-52 (3) under Section 51.851, Government Code ~~[, or~~
11-53 ~~[(4) under Section 51.971, Government Code].~~

11-54 SECTION 3.09. Section 203.003, Local Government Code, is
11-55 amended to read as follows:

11-56 Sec. 203.003. DUTIES OF COMMISSIONERS COURT. The
11-57 commissioners court of each county shall:

11-58 (1) promote and support the efficient and economical
11-59 management of records of all elective offices in the county to
11-60 enable elected county officers to conform to this subtitle and
11-61 rules adopted under it;

11-62 (2) facilitate the creation and maintenance of records
11-63 containing adequate and proper documentation of the organization,
11-64 functions, policies, decisions, procedures, and essential
11-65 transactions of each elective office and designed to furnish the
11-66 information necessary to protect the legal and financial rights of
11-67 the local government, the state, and the persons affected by the
11-68 activities of the local government;

11-69 (3) facilitate the identification and preservation of

11-69 (3) facilitate the identification and preservation of

12-1 the records of elective offices that are of permanent value;

12-2 (4) facilitate the identification and protection of
12-3 the essential records of elective offices;

12-4 (5) establish a county clerk records management and
12-5 preservation fund for fees subject to Section 118.0216 and approve
12-6 in advance any expenditures from the fund; and

12-7 (6) establish a records management and preservation
12-8 account [~~fund~~] for the records management and preservation fees
12-9 authorized under Sections 118.052, 118.0546, and 118.0645, [~~and~~
12-10 ~~Section 51.317, Government Code,~~] and approve in advance any
12-11 expenditures from the fund, which may be spent only for records
12-12 management preservation or automation purposes in the county.

12-13 SECTION 3.10. Sections 323.023(a) and (b), Local Government
12-14 Code, are amended to read as follows:

12-15 (a) ~~The [A sum set by the] commissioners court [not to~~
12-16 ~~exceed \$35]~~ shall establish a law library fund [~~be taxed,~~
12-17 ~~collected, and paid as other costs in each civil case filed in a~~
12-18 ~~county or district court, except suits for delinquent taxes]~~. The
12-19 county is not liable for the costs.

12-20 (b) [~~The clerks of the respective courts shall collect the~~
12-21 ~~costs and pay them to the county treasurer, or to any other official~~
12-22 ~~who discharges the duties commonly delegated to the county~~
12-23 ~~treasurer, for deposit in a fund to be known as the county law~~
12-24 ~~library fund.] The fund may be used only for:~~

12-25 (1) establishing the law library after the entry of
12-26 the order creating it;

12-27 (2) purchasing or leasing library materials,
12-28 maintaining the library, or acquiring furniture, shelving, or
12-29 equipment for the library;

12-30 (3) purchasing or leasing library materials or
12-31 acquiring library equipment, including computers, software, and
12-32 subscriptions to obtain access to electronic research networks for
12-33 use by judges in the county; or

12-34 (4) establishing and maintaining a self-help center to
12-35 provide resources to county residents representing themselves in
12-36 legal matters.

12-37 ARTICLE 4. OTHER CONFORMING AMENDMENTS

12-38 SECTION 4.01. Section 12.005(a), Civil Practice and
12-39 Remedies Code, is amended to read as follows:

12-40 (a) The fee for filing an action under this chapter is the
12-41 fee that generally applies to the filing of a civil petition [~~\$15.~~
12-42 ~~The plaintiff must pay the fee to the clerk of the court in which the~~
12-43 ~~action is filed. Except as provided by Subsection (b), the~~
12-44 ~~plaintiff may not be assessed any other fee, cost, charge, or~~
12-45 ~~expense by the clerk of the court or other public official in~~
12-46 ~~connection with the action].~~

12-47 SECTION 4.02. Sections 152.004(a) and (c), Civil Practice
12-48 and Remedies Code, are amended to read as follows:

12-49 (a) To establish and maintain an alternative dispute
12-50 resolution system, the commissioners court may establish a dispute
12-51 resolution fund [~~set a court cost in an amount not to exceed \$15 to~~
12-52 ~~be taxed, collected, and paid as other court costs in each civil~~
12-53 ~~case filed in a county or district court in the county, including a~~
12-54 ~~civil case relating to probate matters but not including:~~

12-55 [~~(1) a suit for delinquent taxes,~~

12-56 [~~(2) a condemnation proceeding under Chapter 21,~~
12-57 ~~Property Code, or~~

12-58 [~~(3) a proceeding under Subtitle C, Title 7, Health~~
12-59 ~~and Safety Code].~~

12-60 (c) [~~The clerks of the courts in the county shall collect~~
12-61 ~~and pay the costs to the county treasurer or, if the county does not~~
12-62 ~~have a treasurer, to the county officer who performs the functions~~
12-63 ~~of the treasurer, who shall deposit the costs in a separate fund~~
12-64 ~~known as the alternative dispute resolution system fund.] The fund
12-65 shall be administered by the commissioners court and may only be
12-66 used to establish and maintain the system. The system shall be
12-67 operated at one or more convenient and accessible places in the
12-68 county.~~

12-69 SECTION 4.03. Section 6.410, Family Code, is amended to

13-1 read as follows:

13-2 Sec. 6.410. REPORT TO ACCOMPANY PETITION. At the time a
13-3 petition for divorce or annulment of a marriage is filed, the
13-4 petitioner shall also file a completed report that may be used by
13-5 the district clerk, at the time the petition is granted[~~, to comply~~
13-6 ~~with Section 194.002, Health and Safety Code~~].

13-7 SECTION 4.04. Section 54.041(a), Family Code, is amended to
13-8 read as follows:

13-9 (a) When a child has been found to have engaged in
13-10 delinquent conduct or conduct indicating a need for supervision and
13-11 the juvenile court has made a finding that the child is in need of
13-12 rehabilitation or that the protection of the public or the child
13-13 requires that disposition be made, the juvenile court, on notice by
13-14 any reasonable method to all persons affected, may:

13-15 (1) order any person found by the juvenile court to
13-16 have, by a wilful act or omission, contributed to, caused, or
13-17 encouraged the child's delinquent conduct or conduct indicating a
13-18 need for supervision to do any act that the juvenile court
13-19 determines to be reasonable and necessary for the welfare of the
13-20 child or to refrain from doing any act that the juvenile court
13-21 determines to be injurious to the welfare of the child;

13-22 (2) enjoin all contact between the child and a person
13-23 who is found to be a contributing cause of the child's delinquent
13-24 conduct or conduct indicating a need for supervision; or

13-25 (3) after notice and a hearing of all persons affected
13-26 order any person living in the same household with the child to
13-27 participate in social or psychological counseling to assist in the
13-28 rehabilitation of the child and to strengthen the child's family
13-29 environment[~~, or~~

13-30 [~~(4) after notice and a hearing of all persons~~
13-31 ~~affected order the child's parent or other person responsible for~~
13-32 ~~the child's support to pay all or part of the reasonable costs of~~
13-33 ~~treatment programs in which the child is required to participate~~
13-34 ~~during the period of probation if the court finds the child's parent~~
13-35 ~~or person responsible for the child's support is able to pay the~~
13-36 ~~costs~~].

13-37 SECTION 4.05. Section 61.002(a), Family Code, is amended to
13-38 read as follows:

13-39 (a) Except as provided by Subsection (b), this chapter
13-40 applies to a proceeding to enter a juvenile court order:

13-41 (1) for payment of probation fees under Section
13-42 54.061;

13-43 (2) for restitution under Sections 54.041(b) and
13-44 54.048;

13-45 (3) [~~for payment of graffiti eradication fees under~~
13-46 ~~Section 54.0461,~~

13-47 [(4)] for community service under Section 54.044(b);

13-48 (4) [(5) ~~for payment of costs of court under Section~~
13-49 ~~54.0411 or other provisions of law,~~

13-50 [(6)] requiring the person to refrain from doing any
13-51 act injurious to the welfare of the child under Section
13-52 54.041(a)(1);

13-53 (5) [(7)] enjoining contact between the person and the
13-54 child who is the subject of a proceeding under Section
13-55 54.041(a)(2);

13-56 (6) [(8)] ordering a person living in the same
13-57 household with the child to participate in counseling under Section
13-58 54.041(a)(3);

13-59 (7) [(9)] requiring a parent or other eligible person
13-60 to pay reasonable attorney's fees for representing the child under
13-61 Section 51.10(e);

13-62 (8) [(10)] requiring the parent or other eligible
13-63 person to reimburse the county for payments the county has made to
13-64 an attorney appointed to represent the child under Section
13-65 51.10(j);

13-66 (9) [(11)] requiring payment of deferred prosecution
13-67 supervision fees under Section 53.03(d);

13-68 (10) [(12)] requiring a parent or other eligible
13-69 person to attend a court hearing under Section 51.115;

14-1 (11) [~~(13)~~] requiring a parent or other eligible
 14-2 person to act or refrain from acting to aid the child in complying
 14-3 with conditions of release from detention under Section 54.01(r);

14-4 (12) [~~(14)~~] requiring a parent or other eligible
 14-5 person to act or refrain from acting under any law imposing an
 14-6 obligation of action or omission on a parent or other eligible
 14-7 person because of the parent's or person's relation to the child who
 14-8 is the subject of a proceeding under this title;

14-9 [~~(15) for payment of fees under Section 54.0462;~~] or
 14-10 (13) [~~(16)~~] for payment of the cost of attending an
 14-11 educational program under Section 54.0404.

14-12 SECTION 4.06. Section 231.202, Family Code, is amended to
 14-13 read as follows:

14-14 Sec. 231.202. AUTHORIZED COSTS AND FEES IN TITLE IV-D
 14-15 CASES. In a Title IV-D case filed under this title, including a
 14-16 case filed under Chapter 159, the Title IV-D agency shall pay only
 14-17 the following costs and fees:

14-18 (1) filing fees and fees for issuance and service of
 14-19 process as provided by Chapter 110 of this code and by Sections
 14-20 [~~51.317(b)(1), (2), and (3) and (b-1),~~] 51.318(b)(2)[~~7~~] and
 14-21 51.319(2), Government Code;

14-22 (2) fees for transfer as provided by Chapter 110;

14-23 (3) fees for the issuance and delivery of orders and
 14-24 writs of income withholding in the amounts provided by Chapter 110;

14-25 (4) the fee for services provided by sheriffs and
 14-26 constables, including:

14-27 (A) a fee authorized under Section 118.131, Local
 14-28 Government Code, for serving each item of process to each
 14-29 individual on whom service is required, including service by
 14-30 certified or registered mail; and

14-31 (B) a fee authorized under Section 157.103(b) for
 14-32 serving a capias;

14-33 (5) the fee for filing an administrative writ of
 14-34 withholding under Section 158.503(d);

14-35 (6) the fee for issuance of a subpoena as provided by
 14-36 Section 51.318(b)(1), Government Code; and

14-37 (7) a fee authorized by Section 72.031, Government
 14-38 Code, for the electronic filing of documents with a clerk.

14-39 SECTION 4.07. Section 40.062, Human Resources Code, is
 14-40 amended to read as follows:

14-41 Sec. 40.062. EXEMPTION FROM CERTAIN COSTS AND FEES. The
 14-42 department is not required to pay any cost or fee otherwise imposed
 14-43 for court proceedings or other services, including a:

14-44 (1) filing fee or fee for issuance or service of
 14-45 process imposed by Section 110.002, Family Code, or by Section
 14-46 [~~51.317, 51.318(b)(2), or~~] 51.319, Government Code;

14-47 (2) transfer fee imposed by Section 110.002 or
 14-48 110.005, Family Code;

14-49 (3) [~~court reporter fee imposed by Section 51.601,~~
 14-50 ~~Government Code,~~

14-51 [~~(4) judicial fund fee imposed by Section 51.702,~~
 14-52 ~~Government Code,~~

14-53 [~~(5)~~] judge's fee imposed by Section 25.0008 or
 14-54 25.0029, Government Code;

14-55 (4) [~~(6)~~] cost or security fee imposed by Section
 14-56 53.051, 53.052, 1053.051, or 1053.052, Estates Code; or

14-57 (5) [~~(7)~~] fee imposed by a county officer under
 14-58 Section 118.011 or 118.052, Local Government Code.

14-59 SECTION 4.08. Section 161.107(b), Human Resources Code, is
 14-60 amended to read as follows:

14-61 (b) The department is not required to pay any cost or fee
 14-62 otherwise imposed for court proceedings or other services,
 14-63 including:

14-64 (1) a filing fee or fee for issuance of service of
 14-65 process imposed by Section [~~51.317, 51.318(b)(2), or~~] 51.319,
 14-66 Government Code;

14-67 (2) [~~a court reporter service fee imposed by Section~~
 14-68 ~~51.601, Government Code,~~

14-69 [~~(3) a judicial fund fee imposed by Section 51.702,~~

15-1 ~~Government Code,~~
 15-2 [~~4~~] a judge's fee imposed by Section 25.0008 or
 15-3 25.0029, Government Code;

15-4 (3) [~~5~~] a cost or security fee imposed by Section
 15-5 53.051, 53.052, 1053.051, or 1053.052, Estates Code; or

15-6 (4) [~~6~~] a fee imposed by a county officer under
 15-7 Section 118.011 or 118.052, Local Government Code.

15-8 SECTION 4.09. Section 21.013(c), Property Code, is amended
 15-9 to read as follows:

15-10 (c) A party initiating a condemnation proceeding in a county
 15-11 in which there is not a county court at law must file the
 15-12 condemnation petition with the district clerk. The filing fee
 15-13 shall be due at the time of filing [~~in accordance with Section~~
 15-14 ~~51.317, Government Code~~].

ARTICLE 5. REPEALERS

15-16 SECTION 5.01. (a) The following provisions of the Civil
 15-17 Practice and Remedies Code are repealed:

- 15-18 (1) Sections 12.005(b) and (d);
- 15-19 (2) Sections 21.051 and 126.012;
- 15-20 (3) Section 152.004(b); and
- 15-21 (4) Section 152.005.

15-22 (b) The following provisions of the Family Code are
 15-23 repealed:

- 15-24 (1) Sections 54.032(e), (g), and (h);
- 15-25 (2) Sections 54.0325(g) and (h);
- 15-26 (3) Section 54.0411;
- 15-27 (4) Sections 54.0461 and 54.0462;
- 15-28 (5) Section 54.047(f);
- 15-29 (6) Section 54.06(a); and
- 15-30 (7) Section 108.006.

15-31 (c) The following provisions of the Government Code are
 15-32 repealed:

- 15-33 (1) Sections 22.2021(c), 22.2031(c), 22.2041(c),
 15-34 22.2051(c), 22.2061(c), 22.2071(c), 22.2081(c), 22.2091(c),
 15-35 22.2101(c), 22.2121(c), 22.2131(c), and 22.2141(c);
- 15-36 (2) Section 25.0172(u);
- 15-37 (3) Section 25.0862(i);
- 15-38 (4) Sections 25.1102 and 25.1572;
- 15-39 (5) Section 25.1862(l);
- 15-40 (6) Section 25.2702;
- 15-41 (7) Section 51.302(e);
- 15-42 (8) Section 51.317;
- 15-43 (9) Sections 51.601(a), (a-1), and (b);
- 15-44 (10) Section 51.604;
- 15-45 (11) Sections 51.702, 51.703, 51.705, 51.706, and
 15-46 51.707;
- 15-47 (12) Sections 51.708(a) and (b);
- 15-48 (13) Sections 51.709, 51.710, 51.711, and 51.713;
- 15-49 (14) Sections 51.851(c) and (g);
- 15-50 (15) Subchapter M, Chapter 51;
- 15-51 (16) Subchapter N, Chapter 51;
- 15-52 (17) Section 54A.110; and
- 15-53 (18) Section 411.077.

15-54 (d) Subtitle I, Title 2, Government Code, is repealed as
 15-55 duplicative of the substantive provisions referenced in the
 15-56 subtitle.

15-57 (e) Section 194.002, Health and Safety Code, is repealed.

15-58 (f) The following provisions of the Human Resources Code are
 15-59 repealed:

- 15-60 (1) Section 152.0492;
- 15-61 (2) Sections 152.1074(f) and (g);
- 15-62 (3) Section 152.1322;
- 15-63 (4) Sections 152.1752(b), (c), and (d);
- 15-64 (5) Sections 152.1844(a) and (e);
- 15-65 (6) Sections 152.1873(a), (b), (c), and (e); and
- 15-66 (7) Sections 152.1874, 152.2183, and 152.2496.

15-67 (g) The following provisions of the Local Government Code
 15-68 are repealed:

- 15-69 (1) Sections 82.003, 118.026, 118.053, and 118.069;

- 16-1 (2) Section 118.101(14);
- 16-2 (3) Sections 118.102 and 118.122; and
- 16-3 (4) Sections 291.008 and 291.009.
- 16-4 (h) Section 2308.457, Occupations Code, is repealed.
- 16-5 (i) Section 21.047(c), Property Code, is repealed.
- 16-6 (j) Section 372.107(c), Transportation Code, is repealed.
- 16-7 (k) Article 7818, Revised Civil Statutes, is repealed.

ARTICLE 6. EFFECTIVE DATE

16-8 SECTION 6.01. This Act takes effect September 1, 2021.

16-9 * * * * *

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