

AN ACT

relating to the imposition of additional fees for filing civil cases in Willacy County and Starr County.

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

SECTION 1. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.713 to read as follows:

Sec. 51.713. ADDITIONAL FILING FEE FOR CIVIL CASES IN WILLACY COUNTY AND STARR COUNTY. (a) This section applies only to:

(1) district courts, the constitutional county court, and justice courts in Willacy County; and

(2) district courts, the county court at law, and justice courts in Starr 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 shall collect a filing fee of not more than \$20 in each civil case filed in the court, if the fee is authorized by the commissioners court of the county collecting the fee. A fee collected under this section is to be used:

(1) for the construction, renovation, or improvement of the facilities that house the Willacy County or Starr County civil courts; and

(2) to pay the principal of, interest on, and costs of issuance of bonds issued for the construction, renovation, or improvement of the facilities that house the Willacy County or

1 Starr County civil courts.

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

5 (d) The clerk shall send the fees collected under this  
6 section to the county treasurer of the county in which the court is  
7 located or to any other official who discharges the duties commonly  
8 assigned to the county treasurer at least as frequently as monthly.  
9 The treasurer or other official shall deposit the fees in a special  
10 account in the county treasury dedicated to:

11 (1) the construction, renovation, or improvement of  
12 the facilities that house the Willacy County or Starr County civil  
13 courts; and

14 (2) pay the principal of, interest on, and costs of  
15 issuance of bonds issued for the construction, renovation, or  
16 improvement of the facilities that house the Willacy County or  
17 Starr County civil courts.

18 (e) This section applies only to fees for a 12-month period  
19 beginning October 1, if the commissioners court of the county  
20 collecting the fee:

21 (1) adopts a resolution authorizing a fee of not more  
22 than \$20;

23 (2) adopts a resolution requiring the county to spend  
24 one dollar for the construction, renovation, or improvement of the  
25 court facilities or to pay the principal of, interest on, and costs  
26 of issuance of bonds issued for the construction of court  
27 facilities for each dollar spent from the special account dedicated

1 to that purpose; and

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

7 (f) A resolution adopted under Subsection (e) continues  
8 from year to year until October 1, 2045, allowing the county to  
9 collect fees under the terms of this section until the resolution is  
10 rescinded.

11 (g) The commissioners court of the county collecting the fee  
12 may rescind a resolution adopted under Subsection (e) by adopting a  
13 resolution rescinding the resolution and submitting the rescission  
14 resolution to the county treasurer or to any other official who  
15 discharges the duties commonly assigned to the county treasurer not  
16 later than September 1 preceding the beginning of the first day of  
17 the county fiscal year. The commissioners court may adopt an  
18 additional resolution in the manner provided by Subsection (e)  
19 after rescinding a previous resolution under that subsection.

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

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

24 (2) October 1, 2045.

25 (i) Willacy County or Starr County may make the required  
26 expenditure described by Subsection (e)(2) at any time, regardless  
27 of when the expenditure from the special account occurs.

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

3 Sec. 101.061194. ADDITIONAL DISTRICT COURT FEES FOR COURT  
4 FACILITIES: GOVERNMENT CODE. The clerk of a district court in  
5 Willacy County and the clerk of a district court in Starr County  
6 shall collect an additional filing fee of not more than \$20 under  
7 Section 51.713, Government Code, in civil cases to fund the:

8 (1) construction, renovation, or improvement of court  
9 facilities, if authorized by the county commissioners court; and

10 (2) payment of the principal of, interest on, and  
11 costs of issuance of bonds issued for the construction, renovation,  
12 or improvement of court facilities, if authorized by the county  
13 commissioners court.

14 SECTION 3. Subchapter E, Chapter 101, Government Code, is  
15 amended by adding Section 101.081195 to read as follows:

16 Sec. 101.081195. ADDITIONAL STATUTORY COUNTY COURT FEES FOR  
17 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county  
18 court in Starr County shall collect an additional filing fee of not  
19 more than \$20 under Section 51.713, Government Code, in civil cases  
20 to fund the:

21 (1) construction, renovation, or improvement of court  
22 facilities, if authorized by the county commissioners court; and

23 (2) payment of the principal of, interest on, and  
24 costs of issuance of bonds issued for the construction, renovation,  
25 or improvement of court facilities, if authorized by the county  
26 commissioners court.

27 SECTION 4. Subchapter G, Chapter 101, Government Code, is

1 amended by adding Section 101.12122 to read as follows:

2 Sec. 101.12122. ADDITIONAL COUNTY COURT FEES FOR COURT  
3 FACILITIES: GOVERNMENT CODE. The clerk of the county court in  
4 Willacy County shall collect an additional filing fee of not more  
5 than \$20 under Section 51.713, Government Code, in civil cases to  
6 fund the:

7 (1) construction, renovation, or improvement of court  
8 facilities, if authorized by the county commissioners court; and

9 (2) payment of the principal of, interest on, and  
10 costs of issuance of bonds issued for the construction, renovation,  
11 or improvement of court facilities, if authorized by the county  
12 commissioners court.

13 SECTION 5. Subchapter H, Chapter 101, Government Code, is  
14 amended by adding Section 101.143 to read as follows:

15 Sec. 101.143. ADDITIONAL JUSTICE COURT FEES FOR COURT  
16 FACILITIES COLLECTED BY CLERK. The clerk of a justice court in  
17 Willacy County and the clerk of a justice court in Starr County  
18 shall collect an additional filing fee of not more than \$20 under  
19 Section 51.713, Government Code, in civil cases to fund the:

20 (1) construction, renovation, or improvement of court  
21 facilities, if authorized by the county commissioners court; and

22 (2) payment of the principal of, interest on, and  
23 costs of issuance of bonds issued for the construction, renovation,  
24 or improvement of court facilities, if authorized by the county  
25 commissioners court.

26 SECTION 6. This Act takes effect September 1, 2017.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2875 was passed by the House on May 9, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2875 on May 26, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2875 was passed by the Senate, with amendments, on May 24, 2017, by the following vote: Yeas 27, Nays 4.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor