

## **BILL ANALYSIS**

Senate Research Center

H.B. 2309  
By: Thompson (Ellis)  
Jurisprudence  
5-15-97  
Engrossed

### **DIGEST**

Currently, justices of the peace handle high volumes of paperwork, civil, administrative, criminal, and magisterial. Copies of documents, including certified copies, are requested by, and furnished to not only citizens, but large numbers of public and private agencies. Under Section 118.121, Local Government Code, a justice of the peace is authorized only to collect the "copy charge" which may not exceed the cost for copies designated by the State Purchasing and General Services Commission. H.B. 2309 would allow justices of the peace to collect a fee for copies, including certified copies, that would include the costs of labor and equipment, and bring the fees charged comparative to similar fees charged by district and county clerks for the same or similar services.

### **PURPOSE**

As proposed, H.B. 2309 outlines provisions regarding fees charged by a justice of the peace.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 118.121, Local Government Code, to set forth fees and services a justice of the peace is required to collect for services rendered to any person.

SECTION 2. Amends Section 118.123(e), Local Government Code, to provide that the fee for "issuing other document (no return required)" under Section 118.121(2) is for issuing a certificate, rather than a certified copy, or any other document, except for a certified copy of court papers, that a justice of the peace is authorized to issue. Deletes text regarding the fee charged for each page of a document.

SECTION 3. Amends Chapter 118E, Local Government Code, by adding Section 118.1235, as follows:

Sec. 118.1235. FEE FOR CERTIFIED COPY. Provides that the fee for "certified copy of court papers" under Section 118.121(2) is for issuing a certified copy of a paper filed in a justice court or a small claims court. Requires the fee to be paid at the time the order is placed.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.