

## **BILL ANALYSIS**

Senate Research Center

H.B. 2822  
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Intergovernmental Relations  
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Engrossed

### **DIGEST**

While the fee schedules of criminal and civil courts have been updated to a flat-fee system, probate courts, under current law, must still use a scaled-fee system. Scaled fees may cause unnecessary additional costs to the offices of probate clerks, and are less efficient to administer than flat fees. H.B. 2822 updates the Local Government Code to provide that, consistent with criminal and civil courts, a probate court may administer a flat fee schedule.

### **PURPOSE**

As proposed, H.B. 2822 updates the Local Government Code to provide that, consistent with criminal and civil courts, a probate court may administer a flat fee schedule.

### **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 118.052, Local Government Code, as follows:

Sec. 118.052. FEE SCHEDULE. Increases certain fees a county clerk must collect for services rendered relating to probate original action. Eliminates certain fees for services rendered relating to a pending probate action.

SECTION 2. Amends Section 118.056, Local Government Code, by deleting Sections (a) and (b), regarding fees for services in pending probate action and the fee for filing a document. Requires that each fee under Section 118.052(2)(B) is to be paid in cash.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.