

BILL ANALYSIS

Senate Research Center

S.B. 1718
By: Ellis
Intergovernmental Relations
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As Filed

DIGEST

Currently, under Texas law, a fee not to exceed \$10 may be imposed on each civil case filed in a county or district court to establish and maintain an alternative dispute resolution system, at the discretion of the local commissioners court. This bill would authorize the commissioners court of a county with a population of 2.5 million or more to set an additional court cost in an amount not to exceed \$3 for civil cases filed in a justice of the peace court located in the county to establish and maintain an alternative dispute resolution system, except for suits for delinquent taxes and eviction proceedings.

PURPOSE

As proposed, S.B. 1718 authorizes the commissioners court of a county with a population of 2.5 million or more to set an additional court cost in an amount not to exceed \$3 for civil cases filed in a justice of the peace court located in the county to establish and maintain an alternative dispute resolution system, except for suits for delinquent taxes and eviction proceedings.

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 152.003, Civil Practice and Remedies Code, to authorize a judge of a district court, county court, statutory county court, probate court, or justice of the peace court in a county in which an alternative dispute resolution system has been established to refer a case on its own motion to the system.

SECTION 2. Amends Section 152.004, Civil Practice and Remedies Code, by amending Subsection (a) and adding Subsection (d), to exclude suits for delinquent taxes, condemnation proceedings, and proceedings under Title 7C, Health and Safety Code, from paying the court cost to establish and maintain an alternative dispute resolution system. Authorizes the commissioners court of a county with a population of 2.5 million or more to set an additional court cost in an amount not to exceed \$3 for civil cases filed in a justice of the peace court located in the county to establish and maintain an alternative dispute resolution system, except for suits for delinquent taxes and eviction proceedings. Requires the clerks of the court to collect and pay the court cost in the manner prescribed by this section.

SECTION 3. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 4. Emergency clause.