

BILL ANALYSIS

Senate Research Center

C.S.H.B. 3586
By: Hartnett (West, Royce)
Jurisprudence
5/9/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

During the summer of 2000, a "blue ribbon" committee was established, which was composed of representatives from the Dallas Bar Association, the Dallas County Commissioners Court, and the county and district judges, to consider the needs for present and future civil courtrooms in Dallas County. The committee's recommendation was to remodel the George Allen Courthouse and build a judicial tower on the adjacent lot. C.S.H.B. 3586 requires the clerk of a Dallas County civil court to collect a filing fee of not more than \$15 in each civil case filed in the court to be used for the construction, improvement, or renovation of the facilities that house the Dallas County civil courts.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 51H, Government Code, by adding Section 51.705, as follows:

Sec. 51.705. ADDITIONAL FILING FEE FOR DALLAS COUNTY CIVIL COURTS.

(a) Defines "Dallas County civil court."

(b) Requires the clerk of a Dallas County civil court, in addition to all other fees authorized or required by other law, to collect a filing fee of not more than \$15 in each civil case filed in the court to be used for the construction, renovation, or improvement of the facilities that house the Dallas County civil courts.

(c) Requires court fees due under this section to be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) Requires the clerk to send the fees collected under this section to the county treasurer at least as frequently as monthly. Requires the treasurer to deposit the fees in a special account in the county treasury dedicated to the construction, renovation, or improvement of the facilities that house the Dallas County civil courts.

(e) Provides that this section applies only to fees for a 12-month period beginning July 1, if the commissioners court adopts and files certain related resolutions.

(f) Provides that a resolution adopted under Subsection (e) continues from year to year until July 1, 2016, allowing the county to collect fees under the terms of this section until the resolution is rescinded.

(g) Authorizes the commissioners court to rescind a resolution adopted under Subsection (e) by adopting a resolution rescinding the resolution and submitting the rescission resolution to the county treasurer not later than June 1 preceding the beginning

of the first day of the county fiscal year. Authorizes the commissioners court to adopt an additional resolution in the manner provided by Subsection (e) after rescinding a previous resolution under that subsection.

(h) Provides that a fee established under a particular resolution is abolished on the earlier of: the date a resolution adopted under Subsection (e) is rescinded as provided by Subsection (g); or July 1, 2016.

(i) Authorizes the county to make the required expenditure described by Subsection (e)(2) at any time, regardless of when the expenditure from the special account occurs.

SECTION 2. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

No changes.