

BILL ANALYSIS

Senate Research Center

H.B. 3167
By: Goolsby (Brimer)
Intergovernmental Relations
5/21/2003
Engrossed

DIGEST AND PURPOSE

Over the past few years, the legislature has created new filing fees. However, these fees have been primarily for dedicated purposes and not for the general support of the district clerks' offices, whose costs have risen considerably.

This is especially true in multi-plaintiff cases. The Office of Court Administration (OCA) studied this issue and recommended that the filing fees in multi-plaintiff cases be increased to cover the extra expenses associated with these cases. H.B. 3167 creates a sliding scale of fees for lawsuits involving more than 10 plaintiffs.

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 Section 51.317, Government Code, by amending Subsections (a) and (b) and adding Subsection (b-1), as follows:

- (a) Requires the district clerk to collect at the time the suit or action is filed the fees provided by Subsections (b) and (b-1) for services performed by the clerk.
- (b) Increases the fee for filing a suit from \$45 to \$50, except as provided by Subsection (b-1).
- (b-1) Provides that the fees for filing a suit, including an appeal from an inferior court, are:
 - (1) \$75, for a suit with at least 11 but not more than 25 plaintiffs;
 - (2) \$100, for a suit with at least 26 but not more than 100 plaintiffs;
 - (3) \$125, for a suit with at least 101 but not more than 500 plaintiffs;
 - (4) \$150, for a suit with at least 501 but not more than 1,000 plaintiffs; and
 - (5) \$200, for a suit with more than 1,000 plaintiffs.

SECTION 2. Effective date: September 1, 2003.

Makes application of Section 51.317(b), Government Code, as amended by this Act, and Section 51.317(b-1), Government Code, as added by this Act, prospective to September 1, 2003.