

BILL ANALYSIS

Senate Research Center

H.B. 3270
By: Gallego (Shapleigh)
Jurisprudence
5/16/2003
Engrossed

DIGEST AND PURPOSE

Currently, six of the 14 court of appeals districts have established funds under Chapter 22 of the Government Code. Funds collected from filing fees within the district are used to facilitate the operations of the court of appeals. These districts are located in the 1st and 14th (Houston), 2nd (Fort Worth), 4th (San Antonio), 5th (Dallas), and the 13th (Corpus Christi).

H.B. 3270 creates a similar appellate judicial system for the 8th Court of Appeals (El Paso).

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 22, Government Code, by adding Section 22.2091, as follows:

Sec. 22.2091. APPELLATE JUDICIAL SYSTEM. (a) Requires the commissioners court of each county in the Eighth Court of Appeals District, upon request of the chief justice of the court of appeals, to establish an appellate judicial system to perform certain tasks.

(b) Requires the commissioners court, to fund the system, to set a court costs fee of \$5 for each civil suit filed in a county court, county court at law, probate court, or district court in the county.

(c) Provides that the court costs fee does not apply to a suit filed by any governmental entity or to a suit for delinquent taxes.

(d) Requires the court costs fee to be taxed, collected, and paid as other court costs in a suit. Requires the clerk of the court to collect the court costs fee set under this section and pay it to the county officer who performs the county treasurer's function. Requires the commissioners court to establish and maintain the fund to assist the court of appeals district. Prohibits the fund from being used for any other purpose.

(e) Requires the commissioners court monthly to order the funds collected under this section to be forwarded to the clerk of the court of appeals for expenditure by the court of appeals for its judicial system.

(f) Requires the commissioners court to vest management of the system in the chief justice of the court of appeals.

SECTION 2. Effective date: September 1, 2003.