

BILL ANALYSIS

Senate Research Center
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S.B. 432
By: West
State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 77th Texas Legislature, passed H.B. 3586, which authorized an additional filing fee on all cases filed in Dallas County civil courts, including family district courts, probate courts, county courts at law, and justice courts, while excluding small claims courts.

Dallas County began collecting this fee and used the funding to build and renovate the George Allen Courthouse. The fee currently generates approximately \$1.4 million annually. The county is required to match the funds collected through the fee and must use it to construct, renovate, or improve facilities that house Dallas County civil courts. Section 51.705(h) of the Government Code states that a fee established under this section can be abolished by the earlier of a the date a resolution adopted by the commissioners court is rescinded or July 1, 2016.

Dallas County is currently transitioning to “pay-as-you-go” financing with the goal of being debt free by 2021. For fiscal year 2015, the county has one of the lowest debt per-capita ratios in both Texas and the United States at about \$53. The purpose of this legislation is to help Dallas County achieve the goal of being debt free by using the existing civil filing fee to pay for needed repairs in lieu of issuing bonds.

Currently, both the Records Building and the George Allen Courts Building need extensive and necessary repairs, totaling in excess of \$30 million. Accordingly, S.B. 432 changes the expiration date of this fee from July 1, 2016, to July 1, 2030. This should generate \$28 million in revenue that Dallas County will match in order to make current and future repairs to the facilities without having to issue bonds.

As proposed, S.B. 432 amends current law relating to continuation of an additional fee for filing civil cases in certain Dallas County 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 Sections 51.705(f) and (h), Government Code, as follows:

(f) Provides that a resolution adopted under Subsection (e) (relating to the requirements of the fees from the Dallas County civil court to which this section applies) continues from year to year until July 1, 2030, rather than July 1, 2016, allowing the county to collect fees under the terms of this section until the resolution is rescinded.

(h) Provides that a fee established under a particular resolution is abolished on the earlier of:

(1) the date a resolution adopted under Subsection (e) is rescinded as provided by Subsection (g); or

(2) July 1,2030, rather than July 1, 2016.

SECTION 2. Effective date: upon passage or September 1, 2015.