

BILL ANALYSIS

Senate Research Center

H.B. 787
By: Gallego (Ellis)
Jurisprudence
5-6-97
Engrossed

DIGEST

Currently, fees are collected by the 14 courts of appeals from parties for the filing of cases and deposited as unappropriated revenue equally in Fund 540 (50 percent) and Fund 573 (50 percent). The fees have not been increased since 1983. This bill would increase the filing fees charged by courts of appeals.

PURPOSE

As proposed, H.B. 787 increases the filing fees charged by a court of appeals.

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 51.207(b), Government Code, to provide that the fee for cases appealed to and filed in the court of appeals from the district and county courts within its court of appeals district is \$100, rather than \$50. Provides that the fee for motion for leave to file petition for writ of mandamus, prohibition, injunction, and other similar proceedings originating in the court of appeals is \$50, rather than \$20. Provides that the additional fee, if the motion is granted under Subdivision (2), is \$75, rather than \$30. Provides that the fee for motion to file or to extend time to file record on appeal from district or county court is \$10, rather than \$5.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.