

BILL ANALYSIS

Senate Research Center

H.B. 3322
By: Keffer, Jim (Fraser)
Jurisprudence
5/16/2003
Engrossed

DIGEST AND PURPOSE

Currently, six of the 14 court of appeals districts have funds established under Chapter 22, Government Code, also known as appellate judicial systems. These funds are collected from filing fees within the district and are used to facilitate the operations of the court of appeals. The six districts that currently have Chapter 22 funds are the 1st and 14th (Houston), 2nd (Fort Worth), 4th (San Antonio), 5th (Dallas), and the 13th (Corpus Christi). H.B. 3322 creates a similar appellate system for the 11th Court of Appeals.

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 Subchapter C, Chapter 22, Government Code, by adding Section 22.2121, as follows:

- Sec. 22.2121. APPELLATE JUDICIAL SYSTEM. (a) Requires the commissioners court of each county in the Eleventh Court of Appeals District by order entered in its minutes to establish an appellate judicial system to perform certain acts.
- (b) Requires the commissioners court, to fund the system, to set a court costs fee of \$5 for each civil suit filed in county court, statutory county court, probate court, or district court in the county.
- (c) Provides that the court costs fee does not apply to a suit filed by the county 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 functions. Requires that officer to deposit the fee in a separate appellate justice system fund. 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) Provides that the commissioners court has the authority necessary to assist the court of appeals in the administration and management of the system and to contract with any private corporation or public corporation, or a combination of those corporations.
- (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.