

BILL ANALYSIS

Senate Research Center
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S.B. 1180
By: West
Jurisprudence
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DIGEST AND PURPOSE

Currently, court costs, fees, and penalties are scattered throughout Texas statutes. As a result, difficulty may occur for reference purposes, especially when several such costs are to be levied simultaneously. As proposed, S.B. 1180 creates one index of court costs, fees, and penalties to be located in the Government Code.

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 Title 2, Government Code, by adding Subtitle I, as follows:

SUBTITLE I. COURT FEES AND COSTS

CHAPTER 101. FILING FEES AND OTHER FEES AND COSTS IN CIVIL PROCEEDINGS SUBCHAPTER A. GENERAL PROVISIONS

Sec. 101.001. **APPLICABILITY OF OTHER LAW.** Provides that to the extent of any conflict between the provisions of this chapter and another state statute, the other statute prevails.

[Reserves Sections 101.002-101.020 for expansion.]

SUBCHAPTER B. SUPREME COURT

Sec. 101.021. **SUPREME COURT FEES AND COSTS.** Requires the clerk of the supreme court to collect certain fees and costs.

[Reserves Sections 101.022-101.040 for expansion.]

SUBCHAPTER C. COURTS OF APPEALS

Sec. 101.041. **COURT OF APPEALS FEES AND COSTS.** Requires the clerk of a court of appeals to collect certain fees and costs.

[Reserves Sections 101.042-101.060 for expansion.]

SUBCHAPTER D. DISTRICT COURTS

Sec. 101.061. **DISTRICT COURT FEES AND COSTS.** Requires the clerk of a district court to collect fees and costs.

[Reserves Sections 101.062-101.080 for expansion.]

SUBCHAPTER E. STATUTORY COUNTY COURTS

Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. Requires the clerk of a statutory county court to collect certain fees and costs.

[Reserves Sections 101.082-101.100 for expansion.]

SUBCHAPTER F. STATUTORY PROBATE COURTS

Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. Requires the clerk of a statutory probate court to collect certain fees and costs.

[Reserves Sections 101.102-101.120 for expansion.]

SUBCHAPTER G. COUNTY COURTS

Sec. 101.121. COUNTY COURT FEES AND COSTS. Requires the clerk of a constitutional county court to collect certain fees and costs.

Sec. 101.122. COUNTY COURT FEES AND COSTS IN PROBATE MATTERS. Requires a county judge to collect certain fees in probate matters.

[Reserves Sections 101.123-101.140 for expansion.]

SUBCHAPTER H. JUSTICE COURTS AND SMALL CLAIMS COURTS

Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND COSTS.
(a) Requires a clerk of a justice court to collect certain fees and costs.

(b) Requires a justice of the peace to collect certain fees.

[Reserves Sections 101.142-101.160 for expansion.]

SUBCHAPTER I. MUNICIPAL COURTS

Sec. 101.161. MUNICIPAL COURT FEES AND COSTS. Authorizes the clerk of a municipal court to collect certain fees and costs.

[Reserves Sections 101.162-101.180 for expansion.]

SUBCHAPTER J. MUNICIPAL COURTS OF RECORD

Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS. Requires the clerk of a municipal court of record to collect certain fees and costs.

CHAPTER 102. COURT COSTS ON CONVICTION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 102.001. APPLICABILITY OF OTHER LAW. Provides that to the extent of any conflict between the provisions of this chapter and another state statute, the other statute prevails.

[Reserves Sections 102.002-102.020 for expansion.]

SUBCHAPTER B. COURT COSTS ON CONVICTION

Sec. 102.021. COURT COSTS ON CONVICTION. Requires a person convicted of an offense to pay certain costs.

CHAPTER 103. ADDITIONAL COURT FEES AND COSTS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 103.001. APPLICABILITY OF OTHER LAW. Provides that to the extent of any conflict between the provisions of this chapter and another state statute, the other statute prevails.

[Reserves Sections 103.002-103.020 for expansion.]

SUBCHAPTER B. MISCELLANEOUS FEES AND COSTS

Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL CASES. Requires an accused or defendant to pay certain fees and costs.

Sec. 103.022. MISCELLANEOUS FEES AND COSTS. Requires certain fees and costs to be paid or collected.

SECTION 2. Effective date: upon passage or September 1, 2003.