

BILL ANALYSIS

Senate Research Center
83R24402 YDB-D

S.B. 1908
By: West
Jurisprudence
4/24/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Over the past few decades, numerous filing fees have been imposed across judicial jurisdictions. Many of these were put in place to provide the necessary resources to manage and archive paper documents filed with the clerk of the court. With the advent of the electronic age, existing filing fees related to paper documents need to be reexamined to determine if they are still needed.

S.B. 1908 requires the Office of Court Administration to conduct a study of filing fees associated with paper documents and publish this list on the Texas Register. The bill then repeals the fees on this list on January 1, 2016.

As proposed, S.B. 1908 amends current law relating to a study conducted by the Office of Court Administration of the Texas Judicial System and the repeal of certain court fees and costs.

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 72, Government Code, by adding Section 72.031, as follows:

Sec. 72.031. REPEAL OF CERTAIN COURT FEES AND COSTS. (a) Requires the Office of Court Administration of the Texas Judicial System (OCA), not later than December 1, 2015, to:

- (1) conduct a study on court fees and costs that identifies each statutory law imposing a fee or cost for filing a paper document with a court in this state;
- (2) determine whether each identified fee or cost is necessary;
- (3) compile a list of the identified fees and costs and of each fee or cost OCA determines is necessary; and
- (4) publish the list on OCA's Internet website and in the Texas Register.

(b) Provides that, notwithstanding any other law, a court fee or cost included in the list prepared under Subsection (a) that is not determined and listed as necessary by OCA is repealed on January 1, 2016.

(c) Requires the Texas Legislative Council to prepare for consideration by the 85th Legislature, Regular Session, a revision of the statutes of this state as necessary to reflect the state of the law after the list is published as required under this section. Provides that this subsection expires January 1, 2018.

SECTION 2. Effective date: September 1, 2013.