

BILL ANALYSIS

Senate Research Center

H.B. 2977
By: Coleman (Lucio)
Intergovernmental Relations
5/24/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2977 amends current law relating to counties and certain other political subdivisions and authorizes fees.

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 H, Chapter 51, Government Code, by adding Section 51.712, as follows:

Sec. 51.712. **ADDITIONAL FILING FEE FOR CIVIL CASES IN KAUFMAN COUNTY.** (a) Provides that this section applies only to district courts, statutory probate courts, county courts at law, and justice courts in Kaufman County.

(b) Requires the clerk of a court, except as otherwise provided by this section and in addition to all other fees authorized or required by other law, to collect a filing fee of not more than \$15 in each civil case filed in the court to be used for the construction, renovation, or improvement of the facilities that house the Kaufman courts collecting the fee.

(c) Requires that the court fees due under this section be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) Requires the clerk to send the fees collected under this section to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer at least as frequently as monthly. Requires the treasurer or other official to deposit the fees in a special account in the county treasury dedicated to the construction, renovation, or improvement of the facilities that house the courts collecting the fee.

(e) Provides that this section applies only to fees for a 12-month period beginning July 1, if the commissioners court adopts a resolution authorizing a fee of not more than \$15 and files the resolution with the county treasurer or with any other official who discharges the duties commonly assigned to the county treasurer not later than June 1 immediately preceding the first 12-month period during which the fees are to be collected.

(f) Provides that a resolution adopted under Subsection (e) continues from year to year until July 1, 2030, allowing the county to collect fees under the terms of this section until the resolution is rescinded.

(g) Authorizes the commissioners court to rescind a resolution adopted under Subsection (e) by adopting a resolution rescinding the resolution and submitting the rescission resolution to the county treasurer or to any other official who

discharges the duties commonly assigned to the county treasurer not later than June 1 preceding the beginning of the first day of the county fiscal year. Authorizes the commissioners court to adopt an additional resolution in the manner provided by Subsection (e) after rescinding a previous resolution under that subsection.

(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.

SECTION 2. Amends Subchapter D, Chapter 101, Government Code, by adding Section 101.061193, as follows:

Sec. 101.061193. **ADDITIONAL DISTRICT COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE.** Requires the clerk of a district court in Kaufman County to collect an additional filing fee of not more than \$15 under Section 51.712, Government Code, in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 3. Amends Subchapter E, Chapter 101, Government Code, by adding Section 101.081196, as follows:

Sec. 101.081196. **ADDITIONAL STATUTORY COUNTY COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE.** Requires the clerk of a statutory county court in Kaufman County to collect an additional filing fee of not more than \$15 under Section 51.712, Government Code, in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 4. Amends Subchapter F, Chapter 101, Government Code, by adding Section 101.101191, as follows:

Sec. 101.101191. **ADDITIONAL STATUTORY PROBATE COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE.** Requires the clerk of a statutory probate court in Kaufman County to collect an additional filing fee of not more than \$15 under Section 51.712, Government Code, in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 5. Amends Subchapter H, Chapter 101, Government Code, by adding Section 101.143, as follows:

Sec. 101.143. **ADDITIONAL JUSTICE COURT FEE FOR COURT FACILITIES COLLECTED BY CLERK.** Requires the clerk of a justice court in Kaufman County to collect an additional filing fee of not more than \$15 under Section 51.712, Government Code, in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 6. Amends Section 1001.201, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, by adding Subdivisions (4) to define “school district employee” and (5) to define ‘school resource officer.’”

SECTION 7. Amends Sections 1001.203(a) and (c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, as follows:

(a) Requires the Department of State Health Services (DSHS), to the extent funds are appropriated to DSHS for that purpose, to make grants to local mental health authorities to provide an approved mental health first aid training program, administered by mental health first aid trainers, at no cost to school district employees and school resource officers, rather than at no cost to educators.

(c) Makes a conforming change.

SECTION 8. Amends Section 1001.205, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, as follows:

Sec. 1001.205. REPORTS. (a) Requires a local mental health authority, not later than August 31 of each year, rather than not later than July 1 of each year, to provide to DSHS the number of:

(1) employees and contractors of the authority who were trained as mental health first aid trainers under Section 1001.202 (Grants for Training of Mental Health First Aid Trainers) during the preceding calendar year;

(2) educators, school district employees other than educators, and school resource officers who completed a mental health first aid training program offered by the authority under Section 1001.203 (Grants for Training Certain Educators in Mental Health First Aid) during the preceding calendar year; and

(3) individuals who are not school district employees or school resource officers, rather than individuals who are not educators, who completed a mental health first aid training program offered by the authority during the preceding calendar year.

(b) Requires DSHS, not later than September 30 of each year, rather than not later than August 1 of each year, to compile the information submitted by local mental health authorities as required by Subsection (a) and submit a report to the legislature containing the number of:

(1) authority employees and contractors trained as mental health first aid trainers during the preceding calendar year;

(2) educators, school district employees other than educators, and school resource officers who completed a mental health first aid training program provided by an authority during the preceding calendar year; and

(3) individuals who are not school district employees or school resource officers, rather than individuals who are not educators, who completed a mental health first aid training program provided by an authority during the preceding calendar year.

SECTION 9. Amends Section 263.152, Local Government Code, by adding Subsection (c) to authorize disposal under Subsection (a)(3) (authorizing the commissioners court of a county to order any of the property to be destroyed or otherwise disposed of as worthless if the commissioners court undertakes to sell that property and is unable to do so because no bids are made) to be accomplished through a recycling program under which the property is collected, separated, or processed and returned to use in the form of raw materials in the production of new products.

SECTION 10. (a) Amends Subchapter E, Chapter 1054, Special District Local Laws Code, by adding Section 1054.2025, as follows:

Sec. 1054.2025. GENERAL OBLIGATION BOND ELECTION. (a) Authorizes the Lynn County Hospital District (district) to issue general obligation bonds only

if the bonds are authorized by a majority of the district voters voting at an election held for that purpose.

(b) Requires that the order calling the election provide for clerks as in county elections and specify:

(1) the date of the election;

(2) the location of the polling places;

(3) the presiding and alternate election judges for each polling place;

(4) the amount of the bonds to be authorized;

(5) the maximum interest rate of the bonds; and

(6) the maximum maturity of the bonds.

(c) Requires that notice of a bond election be given as provided by Section 1251.003 (Conduct of Election), Government Code.

(b) Provides that Section 1054.2025, Special District Local Laws Code, as added by this section, applies only to general obligation bonds issued by the Lynn County Hospital District on or after the effective date of this section.

(c) Effective date, this section, notwithstanding any other provision of this Act: upon passage or September 1, 2015.

SECTION 11. Amends Subchapter A, Chapter 311, Transportation Code, by adding Section 311.009, as follows:

Sec. 311.009. COUNTY REQUEST FOR CLOSING OF ALLEY IN CERTAIN MUNICIPALITIES. (a) Provides that this section applies only to a municipality with a population of more than 10,000 but less than 25,000 that has land area of less than four square miles and is located wholly within a county that has a population of more than 2.3 million and a total area of less than 1,000 square miles.

(b) Requires a municipality that receives a request for the abandonment of an alley located in any portion of the county, if not otherwise restricted by a county, not later than the 30th day after the date the request was submitted, to issue a final decision to grant or deny the request.

(c) Provides that a request for which a final decision is not issued in the period described by Subsection (b) is considered to be granted.

(d) Authorizes a decision of the municipality under Subsection (b) to be appealed to a district or county court.

SECTION 12. Effective date: September 1, 2015.