

BILL ANALYSIS

Senate Research Center
87R20051 CAE-F

C.S.S.B. 41
By: Zaffirini
Jurisprudence
4/22/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Office of Court Administration of the Texas Judicial System, there are 223 distinct civil court filing fees. This system is needlessly complex to administer and track. Specifically, it is labor intensive for state and local personnel to ensure that the proper portion of each fee is retained locally, remitted to the state, or deposited in the appropriate dedicated revenue account. What's more, some courts have held that several civil filing fees are unconstitutional, threatening the ability of vital programs to retain funding from filing fees.

S.B. 41 would consolidate civil court filing fees and establish a streamlined system while remaining revenue neutral to the greatest extent possible. The new system would be simpler for local officials to administer, the state to audit, and litigants to navigate and would cure current constitutional issues.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 41 amends current law relating to the consolidation and allocation of state civil court costs; increases certain civil court costs; 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

ARTICLE 1. CONSOLIDATED CIVIL FILING FEES

SECTION 1.01. Amends Section 133.004, Local Government Code, as follows:

Sec. 133.004. CIVIL FEES. Provides that Chapter 133 (Criminal and Civil Fees Payable to the Comptroller) applies to the following civil fees:

- (1) the consolidated fee, rather than the consolidated fee on filing in district court, imposed under Section 133.151;
- (2) the filing fee, rather than the filing fee in district court, for basic civil legal services for indigents imposed under Section 133.152 (Additional Filing Fees for Certain Actions and Proceedings in District Court For Basic Civil Legal Services for Indigents);
- (3) redesignates existing subdivision (6) as subdivision (3) and makes no further changes;
- (4) redesignates existing subdivision (7) as subdivision (4) and makes no further changes;
- (5) redesignates existing subdivision (8) as subdivision (5) and makes no further changes;

(6) redesignates existing subdivision (9) as subdivision (6) and makes a nonsubstantive change; and

Deletes existing text providing the filing fee in courts other than district court for basic civil legal services for indigents imposed under Section 133.153 (Additional Filing Fees for Certain Actions and Proceedings in Courts Other Than District Court for Basic Civil Legal Services for Indigents); and that Chapter 133 applies to civil filing fees for the judicial fund imposed in certain statutory county courts under Section 51.702 (Additional Fees in Statutory County Courts), Government Code; the filing fees for the judicial fund imposed in certain county courts under Section 51.703 (Additional Fees in Certain County Courts), Government Code; and the filing fee for the judicial fund imposed in district court, statutory county court, and county court under Section 133.154 (Additional Filing Fee in District Court, Statutory County Court, or County Court for Support of Judiciary). Makes nonsubstantive changes.

SECTION 1.02. Amends the heading to Section 133.151, Local Government Code, to read as follows:

Sec. 133.151. CONSOLIDATED CIVIL FEE ON FILING A CIVIL SUIT.

SECTION 1.03. Amends Section 133.151, Local Government Code, by amending Subsections (a) and (c) and adding Subsections (a-1) and (c-1), as follows:

(a) Requires the clerk of a district court, statutory county court, or county court collect a fee in the amount of \$137 on the filing of any civil suit. Deletes existing text requiring clerk of a district court to collect the following fees on the filing of any civil suit: \$45 for family law cases and proceedings as defined by Section 25.0002 (Definitions), Government Code; and \$50 for any other case.

(a-1) Requires the clerk of a justice court to collect a fee in the amount of \$21 on the filing of any civil suit.

(c) Requires the Comptroller of Public Accounts of the State of Texas (comptroller) to allocate the fees received under Subsection (a), rather than under this section, to the following accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the fees for the accounts and funds had been collected and reported separately, except that the account or fund is prohibited from receiving less than the following percentages:

(1) the judicial fund to be used for court-related purposes for the support of the judiciary 59.854 percent;

(2) the basic civil legal services account of the judicial fund for use in programs approved by the supreme court that provide basic civil legal services to an indigent 14.5985 percent;

(3) the statewide electronic filing system fund 21.8978 percent; and

(4) the judicial and court personnel training fund 3.6497 percent.

(c-1) Requires the comptroller to allocate the fees received under Subsection (a-1) to the following accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the fees for the accounts and funds had been collected and reported separately, except that the account or fund is prohibited receiving less than the following percentages:

(1) the basic civil legal services account of the judicial fund for use in programs approved by the Supreme Court of Texas that provide basic civil legal services to an indigent 28.5714 percent;

(2) the statewide electronic filing system fund 47.6191 percent; and

(3) the judicial and court personnel training fund 23.8095 percent.

SECTION 1.04. Amends Subtitle C, Title 4, Local Government Code, by adding Chapter 135, as follows:

CHAPTER 135. CIVIL FEES PAYABLE TO LOCAL GOVERNMENT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 135.001. PURPOSE. Provides that the purpose of Chapter 135 is to consolidate and standardize collection of fees payable to a local government in civil matters by:

(1) an officer of a court for deposit in a county treasury; or

(2) an officer of a county for deposit in the county treasury.

Sec. 135.002. DEFINITIONS. Defines "fee" and "treasurer" for Chapter 135.

Sec. 135.003. CIVIL FEES. Provides that Chapter 135 applies to the civil fees imposed under Sections 135.101 and 135.102.

SUBCHAPTER B. COLLECTION AND REMITTANCE OF LOCAL CRIMINAL FEES

Sec. 135.051. COLLECTION, REMITTANCE, AND DEPOSIT OF FEES. (a) Requires a court clerk to collect and remit to the county or municipal treasurer, as applicable, all fees in the manner provided by this section.

(b) Requires an officer collecting a fee in a case in municipal court to remit the money to the municipal treasurer for deposit in the municipal treasury.

(c) Requires an officer collecting a fee in a justice, county, or district court to remit the money to the county treasurer for deposit in the county treasury.

(d) Requires a court clerk collecting a fee to remit the money to the municipal or county treasurer, as applicable, for deposit in the municipal or county treasury, as appropriate.

Sec. 135.052. ALLOCATION OF DEPOSITED FEES. (a) Requires that money collected under Subchapter C as civil fees imposed on or after January 1, 2020, be allocated according to the percentages provided by Sections 135.101 and 135.102, as applicable.

(b) Requires that money collected under Subchapter C as civil fees before January 1, 2020, be distributed using historical data so that each account or fund receives the same amount of money the account or fund would have received if the fee for the accounts and funds had been collected and reported separately.

SUBCHAPTER C. LOCAL CIVIL FEES

Sec. 135.101. LOCAL CONSOLIDATED CIVIL FEE FOR DISTRICT COURT, STATUTORY COUNTY COURT, OR COUNTY COURT. (a) Requires a person to pay a local consolidated filing fee of \$208 on filing of a civil action in a district court, statutory county court, or county court in addition to all other fee and court costs.

(b) Requires the treasurer to allocate the fees received under this section to the following accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the fees for the accounts and funds had been collected and reported separately, except that the account or fund is prohibited from receiving less than the following percentages:

- (1) the appellate judicial system fund 2.4039 percent;
- (2) the court facility fee fund 7.2115 percent;
- (3) the clerk of the court account 24.0385 percent;
- (4) the county records management and preservation account 14.4231 percent;
- (5) the court reporter service fund 12.0192 percent;
- (6) the county law library fund 16.8269 percent;
- (7) the courthouse security fund 9.6154 percent;
- (8) the language access fund 1.4423 percent;
- (9) the county jury fund 4.8077 percent; and
- (10) the county dispute resolution fund 7.2115 percent.

(c) Requires that the money allocated under Subsection (b)(10), if a county has not established an alternative dispute resolution system under Chapter 152 (Alternative Dispute Resolution System Established by Counties), Civil Practice and Remedies Code, to be allocated to the statewide electronic filing system fund.

Sec. 135.102. LOCAL CONSOLIDATED CIVIL FEE FOR JUSTICE COURT. (a) Requires a person to pay a local consolidated filing fee of \$33 on filing of a civil action in a justice court in addition to all other fee and court costs.

(b) Requires the treasurer to allocate the fees received under this section to the following accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the fees for the accounts and funds had been collected and reported separately, except that the account or fund from receiving less than the following percentages:

- (1) the justice court support fund 75.7576 percent;
- (2) the county dispute resolution fund 15.1515 percent; and
- (3) the language access fund 9.0909 percent.

(c) Requires that the money allocated under Subsection (b)(2), if a county has not established an alternative dispute resolution system under Chapter 152, Civil Practice and Remedies Code, be allocated to the statewide electronic filing system fund.

SUBCHAPTER D. ALLOCATION AND USE OF CERTAIN CIVIL FEES

Sec. 135.151. MAINTENANCE OF FUNDS AND ACCOUNTS. (a) Requires a county treasurer to maintain in the county treasury a fund or account to which money is allocated under Section 135.101 or 135.102, to the extent that the fund or account is not required

by other law. Provides that money in an account maintained under this section is authorized to be used only for the purposes provided by Subchapter D.

(b) Authorizes an account or fund maintained under this section in a county treasury to be administered by or at the direction of the county commissioners court.

Sec. 135.152. COURT FACILITY FEE FUND. Provides that money allocated under Section 135.101 to the court facility fee fund maintained in the county treasury as required by Section 135.151 is authorized to be used by a county only to fund the construction, renovation, or improvement of facilities that house the courts or to pay the principal of, interest on, and costs of issuance of bonds, including refunding bonds, issued for the construction, renovation, or improvement of the facilities.

Sec. 135.153. CLERK OF THE COURT ACCOUNT. Provides that money allocated under Section 135.101 to the clerk of the court account maintained in the county treasury as required by Section 135.151 is authorized to be used by a county only to defray costs of services provided by a county or district clerk.

Sec. 135.154. COUNTY RECORDS MANAGEMENT AND PRESERVATION ACCOUNT. Provides that money allocated under Section 135.101 to the county records management and preservation account maintained in the county treasury as required by Section 135.151 is authorized to be used by a county only to fund records management and preservation services performed by the court clerk.

Sec. 135.155. LANGUAGE ACCESS FUND. Provides that money allocated under Section 135.101 or 135.102 to the language access fund maintained in the county treasury as required by Section 135.151 is authorized to be used by a county only to provide language access services for individuals appearing before the court or receiving court services.

Sec. 135.156. COUNTY JURY FUND. Provides that money allocated under Section 135.101 to the county jury fund maintained in the county treasury as required by Section 135.151 is authorized to be used by a county only to fund juror reimbursements and otherwise finance jury services.

Sec. 135.157. COUNTY DISPUTE RESOLUTION FUND. (a) Provides that money allocated under Section 135.101 or 135.102 to the county dispute resolution fund maintained in the county treasury as required by Section 135.151 is authorized to only be used by a county to establish and maintain an alternative dispute resolution system in accordance with Chapter 152, Civil Practice and Remedies Code.

(b) Provides that the money allocated under Subsection (a), if a county has not established an alternative dispute resolution system under Chapter 152, Civil Practice and Remedies Code, is required to be remitted to the comptroller and the comptroller is required to allocate the money allocated to the statewide electronic filing system fund.

Sec. 135.158. JUSTICE COURT SUPPORT FUND. Provides that money allocated under Section 135.102 to the justice court support fund maintained in the county treasury as required by Section 135.151 is authorized to be used by a county only to defray the costs of services provided by a justice court.

SECTION 1.05. Amends the heading to Section 51.601, Government Code, to read as follows:

Sec. 51.601. COURT REPORTER SERVICE FUND.

ARTICLE 2. GOVERNMENT CODE

SECTION 2.01. Amends Sections 22.2021(b) and (d), Government Code, as follows:

(b) Requires the commissioners court of each county in the First or Fourteenth Court of Appeals District to set a court costs fee of not more than \$5 for each civil suit filed in probate court in the county. Deletes existing text requiring the commissioners court to set a court costs fee of not more than \$5 for each civil suit filed in county court, county court at law, probate court, or district court in the county.

(d) Makes a nonsubstantive change to this subsection.

SECTION 2.02. Amends Section 22.2031(b), Government Code, to require the commissioners court to set a court costs fee of \$5 for each civil suit filed in statutory probate court in the county. Deletes existing text requiring 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, statutory probate court, or district court in the county.

SECTION 2.03. Amends Section 22.2041(b), Government Code, to make conforming changes.

SECTION 2.04. Amends Section 22.2051(b), Government Code, to make conforming changes.

SECTION 2.05. Amends Sections 22.2061(b) and (d), Government Code, to make conforming and nonsubstantive changes.

SECTION 2.06. Amends Section 22.2071(b), Government Code, to make conforming changes.

SECTION 2.07. Amends Section 22.2081(b), Government Code, to make conforming changes.

SECTION 2.08. Amends Section 22.2091(b), Government Code, to make conforming changes.

SECTION 2.09. Amends Section 22.2101(b), Government Code, to make conforming changes.

SECTION 2.10. Amends Subchapter C, Chapter 22, Government Code, by adding Section 22.2111, as follows:

Sec. 22.2111. APPELLATE JUDICIAL SYSTEM. (a) Requires the commissioners court of each county in the Tenth Court of Appeals District, by order entered in its minutes, to establish an appellate judicial system to:

(1) assist the court of appeals for the county in the processing of appeals filed with the court of appeals from the county court, county courts at law, probate courts, and district courts; and

(2) defray costs and expenses incurred by the county under Section 22.211 (Tenth Court of Appeals).

(b) Requires the commissioners court to set a court costs fee of not more than \$5 for each civil suit filed in a probate court in the county.

(c) Requires that the court costs fee 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 judicial system fund. Requires the commissioners court to administer the fund to establish and maintain a fund system to assist the court of appeals in the district. Prohibits the fund from being used for any other purpose.

(d) Provides that the commissioners court has the authority necessary to assist the court of appeals in the administration of the system and the system's judicial and staff education program, including the authority to contract with any private nonprofit corporation, public corporation, or combination of those corporations.

(e) Requires the commissioners court to vest management of the system in the chief justice of the court of appeals in the district.

SECTION 2.11. Amends Sections 22.2121(b) and (d), Government Code, to make conforming changes.

SECTION 2.12. Amends Section 22.2131(b), Government Code to make conforming changes.

SECTION 2.13. Amends Section 22.2141(b), Government Code, to make conforming changes.

SECTION 2.14. Amends Section 26.007(a), Government Code, as follows:

(a) Requires the state, beginning on the first day of the state fiscal year, to annually compensate each county, rather than each county that collects the additional fees under Section 51.703 (Additional Fees in Certain County Courts), in an amount equal to \$5,000 if the county judge is entitled to an annual salary supplement from the state under Section 26.006 (Salary Supplement From State for Certain County Judges).

SECTION 2.15. Amends Section 26.008(a), Government Code, as follows:

(a) Requires the comptroller, at the end of each state fiscal year, to determine the amounts deposited in the judicial fund under Section 133.151, Local Government Code, rather than Section 51.703, and the amounts paid to the counties under Section 26.007 (State Contribution). Requires the state, if the total amount paid under Section 133.151, Local Government Code, rather than Section 51.703 by all counties that collect fees under that section, exceeds the total amount paid to the counties under Section 26.007, to remit the excess to the counties that collect fees under Section 133.151, Local Government Code, proportionately based on the percentage of the total paid by each county. Makes a conforming change.

SECTION 2.16. Amends Section 51.305, Government Code, as follows:

Sec. 51.305. New heading: DISTRICT COURT RECORDS TECHNOLOGY ACCOUNT. (a) Defines "court document," "deterioration," "preservation," and "restoration" in this section.

(b) Authorizes the commissioners court of a county, for preservation and restoration services performed in connection with maintaining a district court records archive, to establish a district court records technology account in the general fund of the county. Deletes existing text authorizing the commissioners court of a county to adopt a district court records archive fee of not more than \$10 for the filing of a suit, including an appeal from an inferior court, or a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition, in any court in the county for which the district clerk accepts filings as part of the county's annual budget and requiring that the fee be set and itemized in the county's budget as part of the budget preparation process and is required to be approved in a public meeting.

Deletes existing text requiring the county treasurer, or the official who discharges the duties commonly delegated to the county treasurer, in a county that adopts a fee under Subsection (b), to establish a district court records technology fund in the general fund of the county for deposit of fees paid under Section 51.317(f) (relating to the requirement of the district clerk to pay a certain fee to the county treasurer or to certain other officials).

(c) Creates this subsection from existing text. Provides that, subject to Subsection (e), rather than Subsection (f), money deposited into the account, rather than money generated from the fee imposed under this section, is authorized to be expended only for the preservation and restoration of the district court records archive.

(d) Creates this subsection from existing text and makes no further changes.

(e) Creates this subsection from existing text. Requires the district clerk in a county that establishes an account, rather than adopts a fee, under this section, to prepare an annual written plan for the preservation and restoration of the district court records archive. Makes conforming changes.

(f) Creates this subsection from existing text. Authorizes funds remaining, rather than money remaining from the collection of fees imposed under this section, after completion of a district court records archive preservation and restoration project to be expended for records management and preservation purposes.

Deletes existing text authorizing the fees to be expended in the manner provided by Section 51.317(d) (relating to the authorization of a certain fee deposited to be used only to provide funds for certain purposes) and prohibiting the commissioners court of a county from imposing a fee under this section after the district court records archive preservation and restoration project is complete. Deletes existing text requiring that a notice, if a county imposes a fee under this section, be posted in a conspicuous place in the district clerk's office and setting forth the language of the notice.

SECTION 2.17. Amends Section 51.318(b), Government Code, to set forth the fees for certain court office services.

SECTION 2.18. Amends Section 51.704(i), Government Code, to prohibit a clerk from collecting a fee under Section 51.704 (Additional fees in Statutory Probate Courts), rather than under this section and Section 51.701 or 51.702.

SECTION 2.19. Amends the heading to Section 51.708, Government Code, to read as follows:

Sec. 51.708. COURT RECORDS MANAGEMENT AND PRESERVATION ACCOUNT.

SECTION 2.20. Amends Section 51.708(c), Government Code, as follows:

(c) Provides that the fees collected under Section 133.151, Local Government Code, and deposited to the court record preservation account in the county treasury are authorized to be used only to digitize court records and preserve the records from natural disasters. Deletes existing text requiring the clerk at least monthly 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 and requiring the treasurer or other official to deposit the fees in a court record preservation account in the county treasury.

SECTION 2.21. Amends Section 51.851(b), Government Code, as follows:

(b) Deletes existing text providing that in addition to other fees authorized or required by law, the clerk of the Supreme Court of Texas, a court of appeals, a district court, a county court, a statutory county court, or a statutory probate court is required to collect a \$30 fee on the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee to be used as provided by Section 51.852.

SECTION 2.22. Amends Section 411.0745(b), Government Code, as follows:

(b) Deletes existing text requiring that the petition for an order of nondisclosure of criminal history record information be accompanied by payment of a \$28 fee to the clerk of the court in addition to any other fee that generally applies to the filing of a civil petition.

ARTICLE 3. LOCAL GOVERNMENT CODE

SECTION 3.01. Amends Sections 118.011(a) and (f), Local Government Code, to require the county clerk to collect certain fees for certain services rendered.

SECTION 3.02. Amends Section 118.052, Local Government Code, as follows:

Sec. 118.052. FEE SCHEDULE. Requires each clerk of a county court to collect certain fees for services rendered to any person for certain civil court actions, probate court actions, and certain other fees.

SECTION 3.03. Amends Section 118.0545, Local Government Code, by adding Subsection (b-1) and amending Subsection (e) as follows:

(b-1) Provides that the fee for "Preparation of the clerk's record for appeal" under Section 118.052(1) is for preparation of the clerk's record for appeal.

(e) Redefines "original action" for this section.

SECTION 3.04. Amends Section 118.0546, Local Government Code, as follows:

Sec. 118.0546. New heading: RECORDS MANAGEMENT AND PRESERVATION ACCOUNT. (a) Requires the commissioners court of a county to establish an account in the general fund of the county for the records management and preservation services performed by the county as required by Chapter 203 (Management and Preservation of Records). Deletes existing text providing that the fee for "Records Management and Preservation" under Section 118.052 is for the records management and preservation services performed by the county as required by Chapter 203.

(b) Provides that the account is to be called the records management and preservation account. Deletes existing text requiring that the fee be assessed as cost and be paid at the time of filing any civil case or ancillary pleading thereto.

(c) Requires that the account be used only for records management and preservation purposes in the county. Prohibits any expenditure from being made from this fund without prior approval of the commissioners court.

SECTION 3.05. Amends Section 118.059(c), Local Government Code, to redefine "document" to include a subpoena.

SECTION 3.06. Amends Subchapter C, Chapter 118, Local Government Code, by adding Section 118.070 as follows:

Sec. 118.070. FEE FOR SEARCH OF RECORDS. Requires the clerk of a county court to collect a fee for searching files or records to locate a cause when the docket number is not provided or to ascertain the existence of an instrument or record in the district clerk's office.

SECTION 3.07. Amends Section 118.121, Local Government Code, as follows:

Sec. 118.121. FEE SCHEDULE. Requires a justice of the peace to collect fees for certain services rendered.

SECTION 3.08. Amends Section 133.058(d), Local Government Code, as follows:

(d) Deletes existing text prohibiting a county from retaining a service fee on the collection of a fee or fine under Section 51.971 (Judicial and Court Personnel Training Fee), Government Code.

SECTION 3.09. Amends Section 203.003, Local Government Code, to make conforming changes.

SECTION 3.10. Amends Sections 323.023(a) and (b), Local Government Code, as follows:

(a) Requires the commissioners court to establish a law library fund. Provides that the county is not liable for the costs. Deletes existing text requiring that a sum set by the commissioners court not to exceed \$35 be taxed, collected, and paid as other costs in each civil case filed in a county or district court, except suits for delinquent taxes.

(b) Deletes existing text requiring the clerks of the respective courts to collect the costs and pay them to the county treasurer, or to any other official who discharges the duties commonly delegated to the county treasurer, for deposit in a fund to be known as the county law library fund.

ARTICLE 4. OTHER CONFORMING AMENDMENTS

SECTION 4.01. Amends Section 12.005(a), Civil Practice and Remedies Code, as follows:

(a) Provides that the fee for filing an action under this chapter is the fee that generally applies to the filing of a civil petition.

Deletes existing text providing that the fee for filing an action under this chapter is \$15 and requiring the plaintiff to pay the fee to the clerk of the court in which the action is filed. Deletes existing text providing that except as provided by Subsection (b), the plaintiff is prohibited from being assessed any other fee, cost, charge, or expense by the clerk of the court or other public official in connection with the action.

SECTION 4.02. Amends Sections 152.004(a) and (c), Civil Practice and Remedies Code, as follows:

(a) Authorizes the commissioners court to establish and maintain an alternative dispute resolution system to establish a dispute resolution fund. Deletes existing text authorizing the commissioners court to set a court cost in an amount not to exceed \$15 to be taxed, collected, and paid as other court costs in each civil case filed in a county or district court in the county, including a civil case relating to probate matters but not including a suit for delinquent taxes; a condemnation proceeding under Chapter 21 (Eminent Domain), Property Code; or a proceeding under Subtitle C (Texas Mental Health Code), Title 7 (Mental Health and Intellectual Disability), Health and Safety Code.

(c) Deletes existing text requiring the clerks of the courts in the county to collect and pay the costs to the county treasurer or, if the county does not have a treasurer, to the county officer who performs the functions of the treasurer, who is required to deposit the costs in a separate fund known as the alternative dispute resolution system fund.

SECTION 4.03. Amends Section 6.410, Family Code, as follows:

Sec. 6.410. REPORT TO ACCOMPANY PETITION. Requires the petitioner, at the time a petition for divorce or annulment of a marriage is filed, to also file a completed report that is authorized to be used by the district clerk, at the time the petition is granted, rather than to comply with Section 194.002 (Report of Divorce or Annulment), Health and Safety Code.

SECTION 4.04. Amends Section 54.041(a), Family Code, as follows:

(a) Deletes existing text authorizing the juvenile court, when a child has been found to have engaged in delinquent conduct or conduct indicating a need for supervision and the juvenile court has made a finding that the child is in need of rehabilitation or that the protection of the public or the child requires that disposition be made, on notice by any reasonable method to all persons affected, to after notice and a hearing of all persons affected order the child's parent or other person responsible for the child's support to pay

all or part of the reasonable costs of treatment programs in which the child is required to participate during the period of probation if the court finds the child's parent or person responsible for the child's support is able to pay the costs. Makes nonsubstantive changes.

SECTION 4.05. Amends Section 61.002(a), Family Code, as follows:

(a) Deletes existing text providing that Chapter 61 (Rights and Responsibilities of Parents and Other Eligible Persons), except as provided by Subsection (b) (relating to Subchapter A not applying to the entry and enforcement of a child support order under certain sections), applies to a proceeding to enter a juvenile court order for payment of graffiti eradication fees under Section 54.0461 (Payment of Juvenile Delinquency Prevention Fees), for payment of costs of court under Section 54.0411 (Juvenile Probation Diversion Fund) or other provisions of law, and for payment of fees under Section 54.0462 (Payment of Fees for Offenses Requiring DNA Testing). Makes nonsubstantive changes.

SECTION 4.06. Amends Section 231.202, Family Code, to delete existing text requiring a Title IV-D agency, in a Title IV-D case filed under Title 5 (The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship), including a case filed under Chapter 159 (Uniform Interstate Family Support Act), to pay filing fees and fees for issuance and service of process as provided by Sections 51.317(b)(1), (2), (3), and (b-1) (relating to fees that the district clerk is required to collect in certain amounts for certain filings and actions). Makes nonsubstantive changes.

SECTION 4.07. Amends Section 40.062, Human Resources Code, to delete existing text providing that the Department of Family and Protective Services is not required to pay a filing fee or fee for issuance or service of process imposed by Section 51.317 (Fees Due at Filing) or 51.318(b)(2) (relating to an \$8 fee for issuing certain documents, citations, writs, and processes), a court reporter fee imposed by Section 51.601 (Court Reporter Service Fee), Government Code, and a judicial fund fee imposed by Section 51.702 (Additional Fees in Statutory County Courts). Makes nonsubstantive changes.

SECTION 4.08. Amends Section 161.107(b), Human Resources Code, to delete existing text providing that the Department of Aging and Disability Services is not required to pay a filing fee or fee for issuance or service of process imposed by Section 51.317 or 51.318(b)(2), a court reporter service fee imposed by Section 51.601, Government Code, or a judicial fund fee imposed by Section 51.702, Government Code. Makes nonsubstantive changes.

SECTION 4.09. Amends Section 21.013(c), Property Code, to delete existing text requiring a filing fee for a condemnation petition to be due at the time of filing in accordance with Section 51.317, Government Code.

ARTICLE 5. REPEALERS

SECTION 5.01. Repealer: Section 12.005(b) (relating to prohibiting the fee for service of notice of an action charged to the plaintiff from exceeding certain amounts), Civil Practice and Remedies Code.

Repealer: Section 12.005(d) (relating to authorizing a court to order a defendant to pay to the court the differences between certain fees), Civil Practice and Remedies Code.

Repealer: Section 21.051 (Interpreter Fee), Civil Practice and Remedies Code.

Repealer: Section 126.012 (Certified Copy to Court), Civil Practice and Remedies Code.

Repealer: Section 152.004(b) (relating to providing that the county is not liable for the payment of a certain court cost), Civil Practice and Remedies Code.

Repealer: Section 152.005 (Additional Fee for Justice Courts), Civil Practice and Remedies Code.

Repealer: Section 54.032(e) (relating to a reimbursement fee paid by a child who requests a teen court program), Family Code.

Repealer: Section 54.032(g) (relating to additional costs paid by a child who requests a teen court program), Family Code.

Repealer: Section 54.032(h) (relating to a reimbursement fee charged by a juvenile court that is located in the Texas-Louisiana border region), Family Code.

Repealer: Section 54.0325(g) (relating to authorizing the court to require a child who participates in a teen dating violence court program to pay a fee), Family Code.

Repealer: Section 54.0325(h) (relating to an additional fee paid by a child who participates in a teen dating violence court program), Family Code.

Repealer: Section 54.0411 (Juvenile Probation Diversion Fund), Family Code.

Repealer: Section 54.0461 (Payment of Juvenile Delinquency Prevention Fees), Family Code.

Repealer: Section 54.0462 (Payment of Fees for Offenses Requiring DNA Testing), Family Code.

Repealer: Section 54.047(f) (relating to requiring the court to require the child's parent or a guardian of the child to pay the cost of attending a drug education program or alcohol awareness program), Family Code.

Repealer: Section 54.06(a) (relating to requiring the juvenile court to order the parent or other person to pay a reasonable sum for the support in whole or in part of a child), Family Code.

Repealer: Section 108.006 (Fees), Family Code.

Repealer: Section 22.2021(c) (relating to providing that the court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2031(c) (relating to providing that the court costs fee does not apply to a suit filed by any governmental entity or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2041(c) (relating to providing that the court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2051(c) (relating to providing that the court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2061(c) (relating to providing that the court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2071(c) (relating to providing that the court costs fee does not apply to a suit filed by any governmental entity or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2081(c) (relating to providing that the court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2091(c) (relating to providing that the court costs fee does not apply to a suit filed by any governmental entity or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2101(c) (relating to providing that the court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2121(c) (relating to providing that the court costs fee does not apply to a suit filed by any governmental entity or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2131(c) (relating to providing that the court costs fee does not apply to a suit filed by any governmental entity or to a suit for delinquent taxes), Government Code.

Repealer: Section 22.2141(c) (relating to providing that the court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes), Government Code.

Repealer: Section 25.0172(u) (relating to an annual salary the official court reporter of a county court at law is entitled to receive), Government Code.

Repealer: Section 25.0862(i) (relating to requiring the clerk to tax the official court reporter's fees as costs in civil actions in the same manner as the fee is taxed in civil cases in the district courts), Government Code.

Repealer: Section 25.1102 (Hidalgo County Court at Law Provisions), Government Code.

Repealer: Section 25.1572 (McLennan County Court at Law Provisions), Government Code.

Repealer: Section 25.1862(l) (relating to requiring that the official court reporter's fee be taxed as costs in civil actions in the same manner as that fee is taxed in civil cases in the district courts), Government Code.

Repealer: Section 25.2702 (1st Multicounty Court at Law Provisions), Government Code.

Repealer: Section 51.302(e) (relating to authorizing the commissioners court to establish a contingency fund), Government Code.

Repealer: Section 51.317 (Fees Due at Filing), Government Code.

Repealer: Section 51.601(a) (relating to requiring the clerk of each court that has an official court reporter to collect a court reporter service fee), Government Code.

Repealer: Section 51.601(a-1) (relating to requiring the clerk of each court that has an official court reporter and that serves a county that meets certain criteria to collect a court reporter service fee), Government Code.

Repealer: Section 51.601(b) (relating to requiring the clerk to collect this fee in the manner provided for other court costs and to deliver the fee to certain persons), Government Code.

Repealer: Section 51.604 (Jury Fee), Government Code.

Repealer: Section 51.702 (Additional Fees in Statutory County Courts), Government Code.

Repealer: Section 51.703 (Additional Fees in Certain County Courts), Government Code.

Repealer: Section 51.705 (Additional Filing Fee for Dallas County Civil Courts), Government Code.

Repealer: Section 51.706 (Additional Filing Fee for Civil Cases in Bexar County), Government Code.

Repealer: Section 51.707 (Additional Filing Fee for Civil Cases in Hays County), Government Code.

Repealer: Section 51.708(a) (relating to requiring the clerk of a county court, statutory county court, or district court to collect a filing fee), Government Code.

Repealer: Section 51.708(b) (relating to requiring that certain court fees due be collected in the same manner as other fees, fines, or costs are collected in the case), Government Code.

Repealer: Section 51.709 (Additional Filing Fee for Civil Cases in Rockwall County), Government Code.

Repealer: Section 51.710 (Additional Filing Fee for Civil Cases in Travis County), Government Code.

Repealer: Section 51.711 (Additional Filing Fee for Civil Cases in Hidalgo and Cameron County), Government Code.

Repealer: Section 51.713 (Additional Filing Fee for Civil Cases in Willacy and Starr County), Government Code.

Repealer: Section 51.851(c) (relating to requiring the clerk of a justice court to collect certain filing fees), Government Code.

Repealer: Section 51.851(g) (relating to requiring the clerk of a district court, a county court, a statutory county court, a statutory probate court, or a justice court to deposit the fees in the appropriate local treasury), Government Code.

Repealer: Subchapter M (Additional Filing Fee for Family Protection), Chapter 51 (Clerks), Government Code.

Repealer: Subchapter N (Additional Filing Fee for Judicial and Court Personnel Training), Chapter 51, Government Code.

Repealer: Section 54A.110 (Court Reporter; Record), Government Code.

Repealer: Section 411.077 (Disposition of Fee; Department of Public Safety Report), Government Code.

Repealer: Subtitle I (Court Fees and Costs), Title 2 (Judicial Branch), Government Code.

Repealer: Section 194.002 (Report of Divorce or Annulment), Health and Safety Code.

Repealer: Section 152.0492 (Collin County Support Payment Collection), Human Resources Code.

Repealer: Sections 152.1074(f) and (g) (relating to certain fees the Harris County Commissioners Court is authorized to collect), Human Resources Code.

Repealer: Section 152.1322 (Johnson County Support Payment Collection), Human Resources Code.

Repealer: Sections 152.1752 (b), (c), and (d) (relating to certain fees in Montague County courts), Human Resources Code.

Repealer: Sections 152.1844 (a) and (e) (relating to certain fees the Nueces County Commissioners Court is authorized to collect), Human Resources Code.

Repealer: Sections 152.1873 (a), (b), (c), and (e) (relating to certain court fees for certain filings and actions in Orange County), Human Resources Code.

Repealer: Sections 152.1874 (Orange County Adoption Investigation Fund), Human Resources Code.

Repealer: Section 152.2183 (Smith County Child Support Service Fee), Human Resources Code.

Repealer: Section 152.2496 (Wichita County Adoption Investigation Fund), Human Resources Code.

Repealer: Section 82.003 (Errors and Omissions Insurance; Contingency Fund), Local Government Code.

Repealer: Section 118.026 (Fee for County Records Technology and Infrastructure in Certain Counties), Local Government Code.

Repealer: Section 118.053 (Filing of Original Action), Local Government Code.

Repealer: Section 118.069 (Fee for County Records Technology and Infrastructure), Local Government Code.

Repealer: Section 118.101(14) (relating to \$2.00 fee for records technology and infrastructure collected by a county judge), Local Government Code.

Repealer: Section 118.102 (Fee for County Records Technology and Infrastructure), Local Government Code.

Repealer: Section 118.122 (Fees Before Entry of Judgement), Local Government Code.

Repealer: Section 291.008 (Fee for Security), Local Government Code.

Repealer: Section 291.009 (Webb County Security Fee), Local Government Code.

Repealer: Section 2308.457 (Filing Fee Authorized), Occupations Code.

Repealer: Section 21.047(c) (relating to a fee for court costs of an eminent domain proceeding), Property Code.

Repealer: Section 372.107(c) (relating to a filing fee for a hearing on nonpayment of tolls), Transportation Code.

Repealer: Article 7818 (Appeal), Revised Civil Statutes.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Effective date: September 1, 2021.