

BILL ANALYSIS

Senate Research Center
77R4576 SGA-F

H.B. 1364
By: Goodman (Harris)
Jurisprudence
4/24/2001
Engrossed

DIGEST AND PURPOSE

Currently, the commissioners court of a county may assess limited court costs to help fund alternative dispute resolution systems, such as offering mediation of disputes prior to court filing. Alternative dispute resolution systems have helped reduce court backlogs and save money for communities. However, expenses for alternative dispute resolution systems, such as personnel and office space, have increased. H.B. 1364 increases the amounts that a county may assess as court 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 Section 152.004(a), Civil Practice and Remedies Code, to increase from \$10 to \$15 the limit of the court cost a commissioners court is authorized to set for the purpose of establishing and maintaining an alternative dispute resolution system.

SECTION 2. Amends Section 152.005, Civil Practice and Remedies Code, as follows:

Sec. 152.005. New heading: ADDITIONAL FEE FOR JUSTICE COURTS. Deletes text establishing a population requirement for a county to establish and maintain an alternative dispute resolution system. Authorizes the commissioners court, for the purpose of establishing and maintaining an alternative dispute resolution system, to charge an additional court cost not to exceed \$5, rather than \$3, for civil cases filed in a justice court located in the county, with exceptions.

SECTION 3. Effective date: September 1, 2001.
Makes application of this Act prospective.