

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1436
By: West, Royce
Jurisprudence
4/24/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, certain facilities associated with the Dallas County court system are in dilapidated condition or are insufficient for the operation of that court system. C.S.S.B. 1436 adds provisions to the Government Code pertaining to the collection of additional fees for improvements to and renovations and new construction of Dallas County court system facilities.

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 Chapter 51H, Government Code, by adding Section 51.705, as follows:

Sec. 51.705. ADDITIONAL FILING FEE FOR DALLAS COUNTY CIVIL COURTS.

(a) Defines "Dallas County civil court."

(b) Requires the clerk of a Dallas County civil court, 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 Dallas County civil courts.

(c) Requires court fees due under this section to 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 at least as frequently as monthly. Requires the treasurer 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 Dallas County civil courts.

(e) Provides that this section applies only to fees for a 12-month period beginning July 1, if the commissioners court takes certain enumerated actions.

(f) Provides that a resolution adopted under Subsection (e) continues from year to year until July 1, 2016, allowing the county to collect fees under the terms of this section until the resolution is rescinded.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 rescinding resolution 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 is abolished if certain conditions exist.

(i) Authorizes the county to make the required expenditure described by Subsection (e) at any time, regardless of when the expenditure from the special account occurs.

SECTION 2. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from the original as follows:

- Amends the proposed definition of “Dallas County civil court” to include a justice court in Dallas County.
- Includes “improvement” with construction and renovation as a permissible use of the fee collection under this proposed section.
- Amends the conditions to be met by the commissioners court to make this proposed section applicable as provided in Subsection (e).
- Amends the proposed provisions regarding the abolition of a fee as set forth in Subsection (h).
- Adds the proposed Subsection (i).