

## **BILL ANALYSIS**

Senate Research Center  
82R9552 TJS-D

S.B. 1267  
By: Uresti  
Jurisprudence  
3/22/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Supreme Court of Texas made changes to the Texas Rules of Appellate Procedure in 1997, that altered certain appellate procedures and terminology.

The Texas Government Code sets out the filing fees to be charged in the Supreme Court of Texas and the courts of appeal. The terminology used in the statutes is outdated.

S.B. 1267 will amend the Government Code to reflect current terminology used in appellate procedures and documents.

As proposed, S.B. 1267 amends current law relating to applications for appeal filed with an appellate court.

### **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 51.005(b), Government Code, as follows:

(b) Provides that the fees for an appeal filed with an appellate court are:

- (1) \$50 for an application for petition for review, rather than application for writ of error.
- (2) \$75 for an additional fee if application for petition for review is granted.
- (3) and (4) Makes no changes to these subdivisions.
- (5) \$75 for a certified question from a federal court of appeals, rather than a court of appeals, to the Supreme Court of Texas (supreme court).
- (6) and (7) Makes no changes to these subdivisions.

SECTION 2. Amends Section 51.207(a), Government Code, to make a conforming change;

SECTION 3. Amends Section 101.021, Government Code, as follows:

Sec. 101.021. SUPREME COURT FEES AND COSTS: GOVERNMENT CODE.  
Requires the clerk of the supreme court to collect fees and costs as follows:

- (1) \$50 for an application for petition for review, rather than application for writ of error (Sec. 51.005, Government Code);
- (2) \$75 for an additional fee if application for petition for review is granted (Sec. 51.005, Government Code);

(3) and (4) Makes no changes to these subdivisions;

(5) \$75 for a certified question from a federal court of appeal, rather than a court of appeals, to the supreme court (Sec. 51.005, Government Code); and

(6)-(12) Makes no changes to these subdivisions.

SECTION 4. Effective date: September 1, 2011.