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AN ACT

relating to the creation, operation, and officers of certain courts and juvenile boards.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) Effective September 15, 2008, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.542 to read as follows:

Sec. 24.542. 397TH JUDICIAL DISTRICT (GRAYSON COUNTY). The 397th Judicial District is composed of Grayson County.

(b) The 397th Judicial District is created on September 15, 2008.

(c) Effective January 1, 2010, the heading to Section 24.106, Government Code, is amended to read as follows:

Sec. 24.106. 6TH JUDICIAL DISTRICT (~~[FANNIN]~~ LAMAR~~[]~~ AND RED RIVER COUNTIES).

(d) Effective January 1, 2010, Subsection (a), Section 24.106, Government Code, is amended to read as follows:

(a) The 6th Judicial District is composed of ~~[Fannin]~~ Lamar~~[]~~ and Red River counties.

(e) Effective January 1, 2010, Section 24.482, Government Code, is amended to read as follows:

Sec. 24.482. 336TH JUDICIAL DISTRICT (FANNIN COUNTY [~~AND GRAYSON COUNTIES~~]). [~~(a)~~] The 336th Judicial District is composed of Fannin County [~~and Grayson counties~~].

1 (f) The local administrative district judge for the 6th
2 Judicial District:

3 (1) shall transfer all cases from Fannin County that
4 are pending in the 6th District Court on January 1, 2010, to the
5 336th District Court; and

6 (2) may transfer any case from Fannin County that is
7 pending or filed in the 6th District Court on or after September 15,
8 2008, to the 336th District Court.

9 (g) When a case is transferred as provided by Subsection (f)
10 of this section, all processes, writs, bonds, recognizances, or
11 other obligations issued from the 6th District Court are returnable
12 to the 336th District Court as if originally issued by that court.
13 The obligees on all bonds and recognizances taken in and for the 6th
14 District Court and all witnesses summoned to appear in the 6th
15 District Court are required to appear before the 336th District
16 Court as if originally required to appear before that court.

17 (h) The local administrative district judge for the 336th
18 Judicial District:

19 (1) shall transfer all cases from Grayson County that
20 are pending in the 336th District Court on January 1, 2010, to the
21 397th District Court; and

22 (2) may transfer any case from Grayson County that is
23 pending or filed in the 336th District Court on or after September
24 15, 2008, to the 397th District Court.

25 (i) When a case is transferred as provided by Subsection (h)
26 of this section, all processes, writs, bonds, recognizances, or
27 other obligations issued from the 336th District Court are

1 returnable to the 397th District Court as if originally issued by
2 that court. The obligees on all bonds and recognizances taken in
3 and for the 336th District Court and all witnesses summoned to
4 appear in the 336th District Court are required to appear before the
5 397th District Court as if originally required to appear before
6 that court.

7 SECTION 2. (a) Subchapter C, Chapter 24, Government Code,
8 is amended by adding Section 24.562 to read as follows:

9 Sec. 24.562. 418TH JUDICIAL DISTRICT (MONTGOMERY COUNTY).

10 (a) The 418th Judicial District is composed of Montgomery County.

11 (b) The 418th District Court shall give preference to family
12 law matters.

13 (b) The 418th Judicial District is created on the effective
14 date of this section.

15 SECTION 3. (a) Effective October 1, 2007, Subchapter C,
16 Chapter 24, Government Code, is amended by adding Section 24.567 to
17 read as follows:

18 Sec. 24.567. 423RD JUDICIAL DISTRICT (BASTROP COUNTY). The
19 423rd Judicial District is composed of Bastrop County.

20 (b) The 423rd Judicial District is created October 1, 2007.

21 (c) Subsection (a), Section 44.111, Government Code, is
22 amended to read as follows:

23 (a) The criminal district attorney of Bastrop County shall
24 attend each term and session of the district courts [~~court~~] in
25 Bastrop County and each term and session of the inferior courts of
26 the county held for the transaction of criminal business. He shall
27 exclusively represent the state in all criminal matters before

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1 those courts and any other court in which Bastrop County has pending
2 business.

3 SECTION 4. (a) Effective January 1, 2009, Subchapter C,
4 Chapter 24, Government Code, is amended by adding Section 24.573 to
5 read as follows:

6 Sec. 24.573. 429TH JUDICIAL DISTRICT (COLLIN COUNTY). The
7 429th Judicial District is composed of Collin County.

8 (b) Effective January 1, 2009, the 429th Judicial District
9 is created.

10 SECTION 5. (a) Subchapter C, Chapter 24, Government Code,
11 is amended by adding Section 24.579 to read as follows:

12 Sec. 24.579. 435TH JUDICIAL DISTRICT (MONTGOMERY COUNTY).

13 (a) The 435th Judicial District is composed of Montgomery County.

14 (b) The 435th District Court shall give preference to:

15 (1) civil commitment proceedings under Chapter 841,
16 Health and Safety Code;

17 (2) criminal cases involving offenses under Section
18 841.085, Health and Safety Code, and Article 62.203, Code of
19 Criminal Procedure; and

20 (3) other matters that may be assigned by the
21 administrative judge.

22 (c) Notwithstanding any other law, the state shall pay the
23 salaries of and other expenses related to the court reporter
24 appointed for the 435th District Court under Section 52.041 and the
25 court coordinator appointed for the court under Section 74.101.
26 The salaries of the court reporter and court coordinator shall be
27 set in amounts commensurate with the salaries paid by other

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1 district courts for those positions.

2 (b) The 435th Judicial District is created on the effective
3 date of this section.

4 SECTION 6. (a) Subchapter C, Chapter 24, Government Code,
5 is amended by adding Section 24.589 to read as follows:

6 Sec. 24.589. 445TH JUDICIAL DISTRICT (CAMERON COUNTY).

7 (a) The 445th Judicial District is composed of Cameron County.

8 (b) The 445th District Court shall give preference to
9 criminal law cases.

10 (b) The 445th Judicial District is created on the effective
11 date of this section.

12 SECTION 7. (a) Subchapter C, Chapter 24, Government Code,
13 is amended by adding Section 24.592 to read as follows:

14 Sec. 24.592. 448TH JUDICIAL DISTRICT (EL PASO COUNTY). The

15 448th Judicial District is composed of El Paso County.

16 (b) The 448th Judicial District is created on the effective
17 date of this section.

18 SECTION 8. (a) Subchapter C, Chapter 24, Government Code,
19 is amended by adding Section 24.593 to read as follows:

20 Sec. 24.593. 449TH JUDICIAL DISTRICT (HIDALGO COUNTY).

21 (a) The 449th Judicial District is composed of Hidalgo County.

22 (b) The 449th District Court shall give preference to
23 juvenile matters.

24 (b) The 449th Judicial District is created on the effective
25 date of this section.

26 SECTION 9. (a) Subchapter C, Chapter 24, Government Code,
27 is amended by adding Section 24.5995 to read as follows:

1 Sec. 24.5995. 506TH JUDICIAL DISTRICT (GRIMES AND WALLER
2 COUNTIES). The 506th Judicial District is composed of Grimes and
3 Waller Counties.

4 (b) Section 24.109, Government Code, is amended to read as
5 follows:

6 Sec. 24.109. 9TH JUDICIAL DISTRICT (MONTGOMERY COUNTY [~~AND~~
7 ~~WALLER COUNTIES~~]). (a) The 9th Judicial District is composed of
8 Montgomery County [~~and Waller counties~~].

9 (b) [~~The 9th and 155th district courts have concurrent~~
10 ~~jurisdiction in Waller County.~~

11 [~~(c)~~] The terms of the 9th District Court begin[+]

12 [~~(1) in Montgomery County~~] on the first Monday in
13 January and the first Monday in July[+ ~~and~~

14 [~~(2) in Waller County on the first Monday in January~~
15 ~~and the first Monday in July~~].

16 (c) The local administrative district judge shall transfer
17 all cases from Waller County that are pending in the 9th District
18 Court to the 506th District Court on the date the 506th District
19 Court is created.

20 (d) When a case is transferred as provided by Subsection (c)
21 of this section, all processes, writs, bonds, recognizances, or
22 other obligations issued from the 9th District Court are returnable
23 to the 506th District Court as if originally issued by that court.
24 The obligees on all bonds and recognizances taken in and for the 9th
25 District Court and all witnesses summoned to appear in the 9th
26 District Court are required to appear before the 506th District
27 Court as if originally required to appear before that court.

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1 (e) The 506th Judicial District is created on the effective
2 date of this section.

3 (f) Effective September 1, 2008, Section 24.455, Government
4 Code, is amended to read as follows:

5 Sec. 24.455. 278TH JUDICIAL DISTRICT (~~GRIMES,~~ LEON,
6 MADISON, AND WALKER COUNTIES). The 278th Judicial District is
7 composed of ~~Grimes,~~ Leon, Madison, and Walker counties.

8 (g) The local administrative district judge shall transfer
9 all cases from Grimes County that are pending in the 278th District
10 Court on September 1, 2008, to the 506th District Court.

11 (h) When a case is transferred as provided by Subsection (g)
12 of this section, all processes, writs, bonds, recognizances, or
13 other obligations issued from the 278th District Court are
14 returnable to the 506th District Court as if originally issued by
15 that court. The obligees on all bonds and recognizances taken in
16 and for the 278th District Court and all witnesses summoned to
17 appear in the 278th District Court are required to appear before the
18 506th District Court as if originally required to appear before
19 that court.

20 (i) Subsection (e), Section 43.1745, Government Code, is
21 amended to read as follows:

22 (e) The district attorney must be at least 30 years of age,
23 must have been a practicing attorney in this state for at least five
24 years, and must have been a resident of Grimes County for at least
25 the time required under Section 141.001, Election Code ~~[three years~~
26 ~~immediately preceding election or appointment]~~.

27 (j) Effective September 1, 2008, Section 43.1745,

1 Government Code, is redesignated as Section 43.183, Government
2 Code, and amended to read as follows:

3 Sec. 43.183 [~~43.1745~~]. 506TH [~~278TH~~] JUDICIAL DISTRICT.

4 (a) The voters of Grimes County elect a district attorney for the
5 506th [~~278th~~] Judicial District who represents the state only in
6 that county.

7 (b) The district attorney shall attend each term and session
8 of the district courts and all other courts, except municipal
9 courts, in Grimes County and, unless otherwise provided by law,
10 shall exclusively represent the state in all criminal matters in
11 those courts.

12 (c) The district attorney has no power, duty, or privilege
13 relating to family law and juvenile matters, including matters
14 involving children's protective services, protective orders under
15 Chapter 71, Family Code, orders under Chapter 159, Family Code,
16 proceedings under Title 3, Family Code, civil commitment matters
17 under Subtitle C, Title 7, Health and Safety Code, or a quo warranto
18 or removal case, except, that if the county attorney fails or
19 refuses to act in a quo warranto or removal case, the district
20 attorney has the power, duty, and privilege to bring a removal of
21 quo warranto action.

22 (d) The district attorney has no power, duty, or privilege
23 in any civil matter pending before any court.

24 (e) The district attorney must be at least 30 years of age,
25 must have been a practicing attorney in this state for at least five
26 years, and must have been a resident of Grimes County for at least
27 the time required under Section 141.001, Election Code [~~three years~~

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1 ~~immediately preceding election or appointment]~~.

2 (f) The district attorney may not engage in the private
3 practice of law.

4 (g) The district attorney may, for the purpose of conducting
5 the affairs of the office, appoint assistant district attorneys,
6 investigators, and other necessary staff. The salaries of the
7 members of the staff of the district attorney's office shall be paid
8 from the officer's salary fund of the county with the approval of
9 the commissioners court.

10 (k) The person serving as district attorney for the 278th
11 Judicial District on September 1, 2008, unless otherwise removed
12 from office, continues to serve in that office as redesignated as
13 the district attorney for the 506th Judicial District for the term
14 to which elected or appointed.

15 (l) Subsection (d), Section 24.254, Government Code, is
16 repealed.

17 SECTION 10. (a) Subchapter D, Chapter 24, Government Code,
18 is amended by adding Section 24.640 to read as follows:

19 Sec. 24.640. 444TH JUDICIAL DISTRICT (CAMERON COUNTY). The
20 444th Judicial District is composed of Cameron County.

21 (b) The 444th Judicial District is created on the effective
22 date of this section.

23 SECTION 11. (a) Subchapter E, Chapter 24, Government Code,
24 is amended by adding Section 24.908 to read as follows:

25 Sec. 24.908. EL PASO COUNTY CRIMINAL JUDICIAL DISTRICT NO.
26 1. (a) The El Paso County Criminal Judicial District No. 1 is
27 composed of El Paso County.

1 **(b) The El Paso County Criminal District Court No. 1 shall**
2 **give primary preference to felony drug cases and associated civil**
3 **cases emanating from those felony drug cases. The criminal**
4 **district court shall give secondary preference to other criminal**
5 **cases and associated civil cases emanating from those criminal**
6 **cases.**

7 **(c) The terms of the El Paso County Criminal District Court**
8 **No. 1 begin on the third Mondays in April and September and the**
9 **first Mondays in January, July, and November.**

10 **(d) The El Paso County Criminal District Court No. 1 shall**
11 **have a seal similar to the seal of a district court with "El Paso**
12 **County Criminal District Court No. 1" engraved on the seal.**

13 (b) The El Paso County Criminal Judicial District No. 1 is
14 created on the effective date of this section.

15 SECTION 12. Section 43.119, Government Code, is amended to
16 read as follows:

17 Sec. 43.119. 33RD JUDICIAL DISTRICT. The voters of Blanco,
18 Burnet, Llano, and San Saba Counties [~~the 33rd Judicial District~~]
19 elect a district attorney for the 33rd and 424th Judicial
20 Districts.

21 SECTION 13. (a) Section 43.120, Government Code, is
22 amended by amending Subsections (d) and (f) and adding Subsections
23 (d-1), (d-2), and (g) to read as follows:

24 (d) The commissioners courts of Culberson and Hudspeth
25 Counties [~~counties~~] shall each pay to El Paso County the budgeted
26 prosecution costs, which may not exceed a total of \$90,000 for
27 Culberson and Hudspeth Counties per fiscal year [~~\$100 a month to be~~

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1 ~~expended, on sworn claims of the district attorney approved by the~~
 2 ~~Commissioners Court of El Paso County]~~, for the preparation and
 3 conduct of criminal affairs of the district attorney's office,
 4 including compensation for assistants and other employees of the
 5 district attorney, applicable to their respective county. Each
 6 year the district attorney's office shall:

7 (1) prepare a budget and financial statement for the
 8 upcoming fiscal year; and

9 (2) file the budget and financial statement with the
 10 commissioners courts of Hudspeth and Culberson Counties.

11 (d-1) The budget and financial statement required by
 12 Subsection (d) must contain:

13 (1) the budgeted prosecution costs for Culberson and
 14 Hudspeth Counties, with the costs for each county listed
 15 separately; and

16 (2) any additional information considered appropriate
 17 by the district attorney or required by the commissioners court of
 18 Culberson or Hudspeth County.

19 (d-2) Hudspeth and Culberson Counties shall remit
 20 one-fourth of the budgeted prosecution costs applicable to the
 21 respective county to El Paso County not later than the last day of
 22 each fiscal quarter.

23 (f) El Paso County is responsible for managing the funds
 24 expended by the district attorney for the preparation and conduct
 25 of criminal affairs of the district attorney's office, including
 26 funds to compensate assistants and other employees of the district
 27 attorney. Hudspeth and Culberson Counties shall remit one-fourth

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1 of the budgeted funds to El Paso County not later than the last day
2 of each fiscal quarter [~~The assistants and other employees of the~~
3 ~~district attorney are compensated by the Commissioners Court of El~~
4 ~~Paso County~~]. The Commissioners Court of El Paso County must
5 approve the number of assistants and other employees appointed by
6 the district attorney and the amount of compensation of those
7 employees.

8 (g) Nothing in this section prevents El Paso County from
9 entering into an interlocal agreement with Culberson or Hudspeth
10 County in lieu of budgeting costs as provided by this section or
11 Section 140.003, Local Government Code. An interlocal agreement
12 under this subsection may not exceed \$90,000 per fiscal year.

13 (b) This section takes effect October 1, 2007.

14 SECTION 14. Section 43.148, Government Code, is amended to
15 read as follows:

16 Sec. 43.148. 105TH JUDICIAL DISTRICT. (a) The voters of
17 Nueces County [~~the 105th Judicial District~~] elect a district
18 attorney for the 105th Judicial District who [~~The district~~
19 ~~attorney~~] has the same powers and duties as other district
20 attorneys and serves all the district, county, and justice courts
21 of Nueces County [~~and the district courts of Kleberg and Kenedy~~
22 ~~counties~~].

23 (b) The district attorney shall attend each term and session
24 of the district, county, and justice courts of Nueces County [~~and~~
25 ~~the district courts of Kleberg and Kenedy counties~~] and shall
26 represent the state in criminal cases pending in those courts. The
27 district attorney has control of any case heard on petition of writ

1 of habeas corpus before any district or inferior court in the
2 district.

3 (c) The commissioners court [~~courts~~] of Nueces County [~~the~~
4 ~~counties comprising the district~~] may supplement the state salary
5 of the district attorney. The amount of the supplement may not
6 exceed \$12,000 a year. [~~The supplemental salary must be paid~~
7 ~~proportionately by the commissioners court of each county according~~
8 ~~to the population of the county.~~] The supplemental salary may be
9 paid from the officers' salary fund of the [a] county. If that fund
10 is inadequate, the commissioners court may transfer the necessary
11 funds from the general fund of the county.

12 SECTION 15. Subchapter B, Chapter 43, Government Code, is
13 amended by adding Section 43.182 to read as follows:

14 Sec. 43.182. DISTRICT ATTORNEY FOR KLEBERG AND KENEDY
15 COUNTIES. (a) The voters of Kleberg and Kenedy Counties elect a
16 district attorney. The district attorney has the same powers and
17 duties as other district attorneys and serves the district courts
18 of Kleberg and Kenedy Counties.

19 (b) The district attorney shall attend each term and session
20 of the district courts of Kleberg and Kenedy Counties and shall
21 represent the state in criminal cases pending in those courts. The
22 district attorney has control of any case heard on petition of writ
23 of habeas corpus before any district or inferior court in the
24 district.

25 (c) The commissioners courts of the counties comprising the
26 district may supplement the state salary of the district attorney.
27 The amount of the supplement may not exceed \$12,000 a year. The

1 supplemental salary must be paid proportionately by the
2 commissioners court of each county according to the population of
3 the county. The supplemental salary may be paid from the officers'
4 salary fund of a county. If that fund is inadequate, the
5 commissioners court may transfer the necessary funds from the
6 general fund of the county.

7 SECTION 16. Section 46.002, Government Code, is amended to
8 read as follows:

9 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter
10 applies to all county prosecutors and to the following state
11 prosecutors:

12 (1) the district attorneys for Kenedy and Kleberg
13 Counties and for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd,
14 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th,
15 39th, 42nd, 43rd, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th,
16 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th, 97th,
17 100th, 105th, 106th, 110th, 112th, 118th, 119th, 123rd, 142nd,
18 145th, 156th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th,
19 235th, 253rd, 258th, 259th, 266th, 268th, 271st, 278th, 286th,
20 329th, 349th, and 355th judicial districts;

21 (2) the criminal district attorneys for the counties
22 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,
23 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,
24 Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo, Jasper,
25 Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro, Newton,
26 Panola, Polk, Randall, Rockwall, San Jacinto, Smith, Tarrant,
27 Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller,

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1 Wichita, Wood, and Yoakum; and

2 (3) the county attorneys performing the duties of
3 district attorneys in the counties of Andrews, Callahan, Cameron,
4 Castro, Colorado, Crosby, Ellis, Falls, Fannin, Freestone, Lamar,
5 Lamb, Lampasas, Lee, Limestone, Marion, Milam, Morris, Ochiltree,
6 Orange, Rains, Red River, Robertson, Rusk, Terry, Webb, and
7 Willacy.

8 SECTION 17. Effective September 1, 2008, Section 46.002,
9 Government Code, is amended to read as follows:

10 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter
11 applies to all county prosecutors and to the following state
12 prosecutors:

13 (1) the district attorneys for Kenedy and Kleberg
14 Counties and for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd,
15 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th,
16 39th, 42nd, 43rd, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th,
17 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th, 97th,
18 100th, 105th, 106th, 110th, 112th, 118th, 119th, 123rd, 142nd,
19 145th, 156th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th,
20 235th, 253rd, 258th, 259th, 266th, 268th, 271st, [~~278th~~], 286th,
21 329th, 349th, [~~and~~] 355th, and 506th judicial districts;

22 (2) the criminal district attorneys for the counties
23 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,
24 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,
25 Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo, Jasper,
26 Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro, Newton,
27 Panola, Polk, Randall, Rockwall, San Jacinto, Smith, Tarrant,

1 Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller,
2 Wichita, Wood, and Yoakum; and

3 (3) the county attorneys performing the duties of
4 district attorneys in the counties of Andrews, Callahan, Cameron,
5 Castro, Colorado, Crosby, Ellis, Falls, Fannin, Freestone, Lamar,
6 Lamb, Lampasas, Lee, Limestone, Marion, Milam, Morris, Ochiltree,
7 Orange, Rains, Red River, Robertson, Rusk, Terry, Webb, and
8 Willacy.

9 SECTION 18. Effective January 1, 2009, Section 46.002,
10 Government Code, is amended to read as follows:

11 Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter
12 applies to all county prosecutors and to the following state
13 prosecutors:

14 (1) the district attorneys for Kenedy and Kleberg
15 Counties and for the 1st, 2nd, 8th, 9th, 12th, 18th, 21st, 23rd,
16 25th, 26th, 27th, 29th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th,
17 39th, 42nd, 43rd, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th,
18 66th, 69th, 70th, 76th, 81st, 83rd, 84th, 85th, 88th, 90th, 97th,
19 100th, 105th, 106th, 110th, 112th, 118th, 119th, 123rd, 142nd,
20 145th, 156th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th,
21 235th, 253rd, 258th, 259th, 266th, 268th, 271st, [~~278th~~] 286th,
22 329th, 344th, 349th, [~~and~~] 355th, and 506th judicial districts;

23 (2) the criminal district attorneys for the counties
24 of Anderson, Austin, Bastrop, Bexar, Bowie, Brazoria, Caldwell,
25 Calhoun, Cass, Collin, Comal, Dallas, Deaf Smith, Denton, Eastland,
26 Galveston, Grayson, Gregg, Harrison, Hays, Hidalgo, Jasper,
27 Jefferson, Kaufman, Lubbock, McLennan, Madison, Navarro, Newton,

1 Panola, Polk, Randall, Rockwall, San Jacinto, Smith, Tarrant,
2 Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller,
3 Wichita, Wood, and Yoakum; and

4 (3) the county attorneys performing the duties of
5 district attorneys in the counties of Andrews, Callahan, Cameron,
6 Castro, Colorado, Crosby, Ellis, Falls, Fannin, Freestone, Lamar,
7 Lamb, Lampasas, Lee, Limestone, Marion, Milam, Morris, Ochiltree,
8 Orange, Rains, Red River, Robertson, Rusk, Terry, Webb, and
9 Willacy.

10 SECTION 19. (a) Subchapter H, Chapter 51, Government Code,
11 is amended by adding Section 51.707 to read as follows:

12 Sec. 51.707. ADDITIONAL FILING FEE FOR CIVIL CASES IN HAYS
13 COUNTY. (a) This section applies only to district courts, probate
14 courts, county courts at law, and justice courts in Hays County.

15 (b) Except as otherwise provided by this section and in
16 addition to all other fees authorized or required by other law, the
17 clerk of a court shall collect a filing fee of not more than \$15 in
18 each civil case filed in the court to be used for the construction,
19 renovation, or improvement of the facilities that house the Hays
20 County civil courts.

21 (c) Court fees due under this section shall be collected in
22 the same manner as other fees, fines, or costs are collected in the
23 case.

24 (d) The clerk shall send the fees collected under this
25 section to the county treasurer or to any other official who
26 discharges the duties commonly assigned to the county treasurer at
27 least as frequently as monthly. The treasurer or other official

1 shall deposit the fees in a special account in the county treasury
2 dedicated to the construction, renovation, or improvement of the
3 facilities that house the courts collecting the fee.

4 (e) This section applies only to fees for a 12-month period
5 beginning July 1, if the commissioners court:

6 (1) adopts a resolution authorizing a fee of not more
7 than \$15;

8 (2) adopts a resolution requiring the county to spend
9 one dollar for the construction, renovation, or improvement of the
10 court facilities for each dollar spent from the special account
11 dedicated to that purpose; and

12 (3) files the resolutions with the county treasurer or
13 with any other official who discharges the duties commonly assigned
14 to the county treasurer not later than June 1 immediately preceding
15 the first 12-month period during which the fees are to be collected.

16 (f) A resolution adopted under Subsection (e) continues
17 from year to year until July 1, 2022, allowing the county to collect
18 fees under the terms of this section until the resolution is
19 rescinded.

20 (g) The commissioners court may rescind a resolution
21 adopted under Subsection (e) by adopting a resolution rescinding
22 the resolution and submitting the rescission resolution to the
23 county treasurer or to any other official who discharges the duties
24 commonly assigned to the county treasurer not later than June 1
25 preceding the beginning of the first day of the county fiscal year.
26 The commissioners court may adopt an additional resolution in the
27 manner provided by Subsection (e) after rescinding a previous

1 resolution under that subsection.

2 (h) A fee established under a particular resolution is
3 abolished on the earlier of:

4 (1) the date a resolution adopted under Subsection (e)
5 is rescinded as provided by Subsection (g); or

6 (2) July 1, 2022.

7 (i) The county may make the required expenditure described
8 by Subsection (e)(2) at any time, regardless of when the
9 expenditure from the special account occurs.

10 (b) Section 101.061, Government Code, is amended to read as
11 follows:

12 Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a
13 district court shall collect fees and costs as follows:

14 (1) filing fee in action with respect to a fraudulent
15 court record or fraudulent lien or claim filed against property
16 (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

17 (2) fee for service of notice of action with respect to
18 a fraudulent court record or fraudulent lien or claim filed against
19 property (Sec. 12.005, Civil Practice and Remedies Code) . . . not
20 to exceed \$20, if notice delivered in person, or the cost of
21 postage, if service is by registered or certified mail;

22 (3) court cost in certain civil cases to establish and
23 maintain an alternative dispute resolution system, if authorized by
24 the county commissioners court (Sec. 152.004, Civil Practice and
25 Remedies Code) . . . not to exceed \$10;

26 (4) appellate judicial system filing fees for:

27 (A) First or Fourteenth Court of Appeals District

1 (Sec. 22.2021, Government Code) . . . not more than \$5;

2 (B) Second Court of Appeals District (Sec.
3 22.2031, Government Code) . . . not more than \$5;

4 (C) Fourth Court of Appeals District (Sec.
5 22.2051, Government Code) . . . not more than \$5;

6 (D) Fifth Court of Appeals District (Sec.
7 22.2061, Government Code) . . . not more than \$5; and

8 (E) Thirteenth Court of Appeals District (Sec.
9 22.2141, Government Code) . . . not more than \$5;

10 (5) additional filing fees:

11 (A) for each suit filed for insurance contingency
12 fund, if authorized by the county commissioners court (Sec. 51.302,
13 Government Code) . . . not to exceed \$5;

14 (B) for each civil suit filed, for court-related
15 purposes for the support of the judiciary and for civil legal
16 services to an indigent:

17 (i) for family law cases and proceedings as
18 defined by Section 25.0002, Government Code (Sec. 133.151, Local
19 Government Code) . . . \$45; or

20 (ii) for any case other than a case
21 described by Subparagraph (i) (Sec. 133.151, Local Government Code)
22 . . . \$50;

23 (C) to fund the improvement of Dallas County
24 civil court facilities, if authorized by the county commissioners
25 court (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

26 (D) on the filing of any civil action or
27 proceeding requiring a filing fee, including an appeal, and on the

1 filing of any counterclaim, cross-action, intervention,
2 interpleader, or third-party action requiring a filing fee, to fund
3 civil legal services for the indigent:

4 (i) for family law cases and proceedings as
5 defined by Section 25.0002, Government Code (Sec. 133.152, Local
6 Government Code) . . . \$5; or

7 (ii) for any case other than a case
8 described by Subparagraph (i) (Sec. 133.152, Local Government Code)
9 . . . \$10; and

10 (E) to fund the improvement of Hays County court
11 facilities, if authorized by the county commissioners court (Sec.
12 51.707, Government Code) . . . not more than \$15;

13 (6) for filing a suit, including an appeal from an
14 inferior court:

15 (A) for a suit with 10 or fewer plaintiffs (Sec.
16 51.317, Government Code) . . . \$50;

17 (B) for a suit with at least 11 but not more than
18 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

19 (C) for a suit with at least 26 but not more than
20 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

21 (D) for a suit with at least 101 but not more than
22 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

23 (E) for a suit with at least 501 but not more than
24 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

25 (F) for a suit with more than 1,000 plaintiffs
26 (Sec. 51.317, Government Code) . . . \$200;

27 (7) for filing a cross-action, counterclaim,

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1 intervention, contempt action, motion for new trial, or third-party
2 petition (Sec. 51.317, Government Code) . . . \$15;

3 (8) for issuing a citation or other writ or process not
4 otherwise provided for, including one copy, when requested at the
5 time a suit or action is filed (Sec. 51.317, Government Code) . . .
6 \$8;

7 (9) for records management and preservation (Sec.
8 51.317, Government Code) . . . \$10;

9 (10) for issuing a subpoena, including one copy (Sec.
10 51.318, Government Code) . . . \$8;

11 (11) for issuing a citation, commission for
12 deposition, writ of execution, order of sale, writ of execution and
13 order of sale, writ of injunction, writ of garnishment, writ of
14 attachment, or writ of sequestration not provided for in Section
15 51.317, or any other writ or process not otherwise provided for,
16 including one copy if required by law (Sec. 51.318, Government
17 Code) . . . \$8;

18 (12) for searching files or records to locate a cause
19 when the docket number is not provided (Sec. 51.318, Government
20 Code) . . . \$5;

21 (13) for searching files or records to ascertain the
22 existence of an instrument or record in the district clerk's office
23 (Sec. 51.318, Government Code) . . . \$5;

24 (14) for abstracting a judgment (Sec. 51.318,
25 Government Code) . . . \$8;

26 (15) for approving a bond (Sec. 51.318, Government
27 Code) . . . \$4;

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1 (16) for a certified copy of a record, judgment,
2 order, pleading, or paper on file or of record in the district
3 clerk's office, including certificate and seal, for each page or
4 part of a page (Sec. 51.318, Government Code) . . . \$1;

5 (17) for a noncertified copy, for each page or part of
6 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

7 (18) jury fee (Sec. 51.604, Government Code) . . .
8 \$30;

9 (19) for filing a report of divorce or annulment (Sec.
10 194.002, Health and Safety Code) . . . \$1;

11 (20) for filing a suit in Comal County (Sec. 152.0522,
12 Human Resources Code) . . . \$4;

13 (21) additional filing fee for family protection on
14 filing a suit for dissolution of a marriage under Chapter 6, Family
15 Code, if authorized by the county commissioners court (Sec. 51.961,
16 Government Code) . . . not to exceed \$30;

17 (22) fee on filing a suit for dissolution of a marriage
18 for services of child support department in Harris County, if
19 authorized by the county commissioners court (Sec. 152.1074, Human
20 Resources Code) . . . not to exceed \$12;

21 (22-a) a child support service fee in Nueces County if
22 ordered by the commissioners court and assessed by the court (Sec.
23 152.1844, Human Resources Code) . . . not to exceed \$5 a month
24 payable annually in advance;

25 (22-b) a service fee to be paid by a person ordered by
26 a district court to pay child or spousal support:

27 (A) in Collin County if authorized by the

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1 juvenile board (Sec. 152.0492, Human Resources Code) . . . not to
2 exceed \$2.50 added to first support payment each month;

3 (B) in Johnson County if authorized by the
4 juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00
5 added to first support payment each month; and

6 (C) in Montague County (Sec. 152.1752, Human
7 Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50
8 cents if fee is ordered to be paid semimonthly or weekly;

9 (22-c) attorney's fees as an additional cost in
10 Montague County on a finding of contempt of court for failure to pay
11 child or spousal support if the contempt action is initiated by the
12 probation department (Sec. 152.1752, Human Resources Code) . . .
13 \$15;

14 (23) fee on filing a suit requesting an adoption in
15 Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;

16 (24) court cost on citation for contempt of court for
17 failure to comply with child support order in Nueces County, if
18 authorized by the commissioners court (Sec. 152.1844, Human
19 Resources Code) . . . not to exceed \$10;

20 (25) fee on filing a suit for divorce in Orange County
21 (Sec. 152.1873, Human Resources Code) . . . not less than \$5;

22 (26) court costs on citation for contempt of court in
23 Orange County for failure to comply with a child support order or
24 order providing for possession of or access to a child (Sec.
25 152.1873, Human Resources Code) . . . amount determined by district
26 clerk;

27 (27) fee on filing a suit requesting an adoption in

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1 Orange County (Sec. 152.1874, Human Resources Code) . . . not less
2 than \$25;

3 (28) fee on filing a suit requesting an adoption in
4 Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;

5 (29) additional filing fee to fund the courthouse
6 security fund, if authorized by the county commissioners court
7 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

8 (30) additional filing fee for filing documents not
9 subject to certain filing fees to fund the courthouse security
10 fund, if authorized by the county commissioners court (Sec.
11 291.008, Local Government Code) . . . \$1;

12 (31) additional filing fee to fund the courthouse
13 security fund in Webb County, if authorized by the county
14 commissioners court (Sec. 291.009, Local Government Code) . . . not
15 to exceed \$20;

16 (32) court cost in civil cases other than suits for
17 delinquent taxes to fund the county law library fund, if authorized
18 by the county commissioners court (Sec. 323.023, Local Government
19 Code) . . . not to exceed \$35;

20 (33) when administering a case for the Rockwall County
21 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
22 court costs as if the case had been filed in district court;

23 (34) at a hearing held by an associate judge in Dallas
24 County, a court cost to preserve the record, in the absence of a
25 court reporter, by other means (Sec. 54.509, Government Code) . . .
26 as assessed by the referring court or associate judge;

27 (35) at a hearing held by an associate judge in Duval

1 County, a court cost to preserve the record (Sec. 54.1151,
2 Government Code, as added by Chapter 1150, Acts of the 78th
3 Legislature, Regular Session, 2003) . . . as imposed by the
4 referring court or associate judge;

5 (36) court fees and costs, if ordered by the court, for
6 a suit filed by an inmate in which an affidavit or unsworn
7 declaration of inability to pay costs is filed by the inmate (Sec.
8 14.006, Civil Practice and Remedies Code) . . . the lesser of:

9 (A) 20 percent of the preceding six months'
10 deposits to the inmate's trust account administered by the Texas
11 Department of Criminal Justice under Section 501.014, Government
12 Code; or

13 (B) the total amount of court fees and costs;

14 (37) monthly payment for remaining court fees and
15 costs after the initial payment for a suit in which an affidavit or
16 unsworn declaration of inability to pay costs is filed by the inmate
17 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser
18 of:

19 (A) 10 percent of that month's deposit to the
20 inmate's trust account administered by the Texas Department of
21 Criminal Justice under Section 501.014, Government Code; or

22 (B) the total amount of court fees and costs that
23 remain unpaid;

24 (38) the following costs not otherwise charged to the
25 inmate under Section 14.006, Civil Practice and Remedies Code, if
26 the inmate has previously filed an action dismissed as malicious or
27 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

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1 (A) expenses of service of process;

2 (B) postage; and

3 (C) transportation, housing, or medical care
4 incurred in connection with the appearance of the inmate in the
5 court for any proceeding;

6 (39) fee for performing a service:

7 (A) related to the matter of the estate of a
8 deceased person (Sec. 51.319, Government Code) . . . the same fee
9 allowed the county clerk for those services;

10 (B) related to the matter of a minor (Sec.
11 51.319, Government Code) . . . the same fee allowed the county
12 clerk for the service;

13 (C) of serving process by certified or registered
14 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
15 constable is authorized to charge for the service under Section
16 118.131, Local Government Code; and

17 (D) prescribed or authorized by law but for which
18 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

19 (40) court costs, which may include expert witness
20 fees in Travis County in an action in which the plaintiff prevails
21 against an insurer for economic damages sustained by the plaintiff
22 as a result of unfair discrimination (Sec. 544.054, Insurance Code)
23 . . . court costs and reasonable and necessary expert witness fees;

24 (41) security deposit on filing, by any person other
25 than the personal representative of an estate, an application,
26 complaint, or opposition in relation to the estate, if required by
27 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the

1 proceeding;

2 (42) security deposit on filing, by any person other
3 than the guardian, attorney ad litem, or guardian ad litem, an
4 application, complaint, or opposition in relation to a guardianship
5 matter, if required by the clerk (Sec. 622, Texas Probate Code)
6 . . . probable cost of the guardianship proceeding; and

7 (43) fee for filing an additional petition for review
8 of an appraisal review board order relating to certain regulated
9 property running through or operating in more than one county after
10 the first petition for review relating to the same property is filed
11 for a tax year (Sec. 42.221, Tax Code) . . . \$5.

12 (c) Section 101.081, Government Code, is amended to read as
13 follows:

14 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The
15 clerk of a statutory county court shall collect fees and costs as
16 follows:

17 (1) court cost in certain civil cases to establish and
18 maintain an alternative dispute resolution system, if authorized by
19 the county commissioners court (Sec. 152.004, Civil Practice and
20 Remedies Code) . . . not to exceed \$10;

21 (2) appellate judicial system filing fees:

22 (A) First or Fourteenth Court of Appeals District
23 (Sec. 22.2021, Government Code) . . . not more than \$5;

24 (B) Second Court of Appeals District (Sec.
25 22.2031, Government Code) . . . not more than \$5;

26 (C) Fourth Court of Appeals District (Sec.
27 22.2051, Government Code) . . . not more than \$5;

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1 (D) Fifth Court of Appeals District (Sec.
2 22.2061, Government Code) . . . not more than \$5; and

3 (E) Thirteenth Court of Appeals District (Sec.
4 22.2141, Government Code) . . . not more than \$5;

5 (3) an official court reporter fee, County Court at
6 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

7 (4) a court reporter fee when testimony is taken in a
8 county court at law in McLennan County (Sec. 25.1572, Government
9 Code) . . . \$3;

10 (5) a stenographer fee, if a record or part of a record
11 is made:

12 (A) in a county court at law in Hidalgo County
13 (Sec. 25.1102, Government Code) . . . \$20; and

14 (B) in a county court at law in Nolan County (Sec.
15 25.1792, Government Code) . . . \$25;

16 (6) jury fee (Sec. 51.604, Government Code) . . . \$22;

17 (7) an additional filing fee:

18 (A) for each civil case filed to be used for
19 court-related purposes for the support of the judiciary, if
20 authorized by the county commissioners court (Sec. 51.702,
21 Government Code) . . . \$40;

22 (B) to fund the improvement of Dallas County
23 civil court facilities, if authorized by the county commissioners
24 court (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

25 (C) for filing any civil action or proceeding
26 requiring a filing fee, including an appeal, and on the filing of
27 any counterclaim, cross-action, intervention, interpleader, or

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1 third-party action requiring a filing fee, to fund civil legal
2 services for the indigent (Sec. 133.153, Local Government Code)
3 . . . \$5; and

4 (D) to fund the improvement of Hays County court
5 facilities, if authorized by the county commissioners court (Sec.
6 51.707, Government Code) . . . not more than \$15;

7 (8) for filing an application for registration of
8 death (Sec. 193.007, Health and Safety Code) . . . \$1;

9 (9) fee for judge's services on an application for
10 court-ordered mental health services (Sec. 574.031, Health and
11 Safety Code) . . . not to exceed \$50;

12 (10) fee for prosecutor's services on an application
13 for court-ordered mental health services (Sec. 574.031, Health and
14 Safety Code) . . . not to exceed \$50;

15 (11) for filing a suit in Comal County (Sec. 152.0522,
16 Human Resources Code) . . . \$4;

17 (12) additional filing fee to fund contingency fund
18 for liability insurance, if authorized by the county commissioners
19 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

20 (13) civil court actions (Sec. 118.052, Local
21 Government Code):

22 (A) filing of original action (Secs. 118.052 and
23 118.053, Local Government Code):

24 (i) garnishment after judgment (Sec.
25 118.052, Local Government Code) . . . \$15; and

26 (ii) all others (Sec. 118.052, Local
27 Government Code) . . . \$40;

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- 1 (B) filing of action other than original (Secs.
2 118.052 and 118.054, Local Government Code) . . . \$30; and
- 3 (C) services rendered after judgment in original
4 action (Secs. 118.052 and 118.0545, Local Government Code):
- 5 (i) abstract of judgment (Sec. 118.052,
6 Local Government Code) . . . \$5; and
- 7 (ii) execution, order of sale, writ, or
8 other process (Sec. 118.052, Local Government Code) . . . \$5;
- 9 (14) probate court actions (Sec. 118.052, Local
10 Government Code):
- 11 (A) probate original action (Secs. 118.052 and
12 118.055, Local Government Code):
- 13 (i) probate of a will with independent
14 executor, administration with will attached, administration of an
15 estate, guardianship or receivership of an estate, or muniment of
16 title (Sec. 118.052, Local Government Code) . . . \$40;
- 17 (ii) community survivors (Sec. 118.052,
18 Local Government Code) . . . \$40;
- 19 (iii) small estates (Sec. 118.052, Local
20 Government Code) . . . \$40;
- 21 (iv) declarations of heirship (Sec.
22 118.052, Local Government Code) . . . \$40;
- 23 (v) mental health or chemical dependency
24 services (Sec. 118.052, Local Government Code) . . . \$40; and
- 25 (vi) additional, special fee (Secs. 118.052
26 and 118.064, Local Government Code) . . . \$5;
- 27 (B) services in pending probate action (Secs.

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1 118.052 and 118.056, Local Government Code):

2 (i) filing an inventory and appraisement
3 after the 120th day after the date of the initial filing of the
4 action (Sec. 118.052, Local Government Code) . . . \$25;

5 (ii) approving and recording bond (Sec.
6 118.052, Local Government Code) . . . \$3;

7 (iii) administering oath (Sec. 118.052,
8 Local Government Code) . . . \$2;

9 (iv) filing annual or final account of
10 estate (Sec. 118.052, Local Government Code) . . . \$25;

11 (v) filing application for sale of real or
12 personal property (Sec. 118.052, Local Government Code) . . . \$25;

13 (vi) filing annual or final report of
14 guardian of a person (Sec. 118.052, Local Government Code) . . .
15 \$10; and

16 (vii) filing a document not listed under
17 this paragraph after the filing of an order approving the inventory
18 and appraisement or after the 120th day after the date of the
19 initial filing of the action, whichever occurs first (Secs. 118.052
20 and 191.007, Local Government Code), if more than 25 pages . . .
21 \$25;

22 (C) adverse probate action (Secs. 118.052 and
23 118.057, Local Government Code) . . . \$40; and

24 (D) claim against estate (Secs. 118.052 and
25 118.058, Local Government Code) . . . \$2;

26 (15) other fees (Sec. 118.052, Local Government Code):

27 (A) issuing document (Secs. 118.052 and 118.059,

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1 Local Government Code):

2 (i) original document and one copy (Sec.
3 118.052, Local Government Code) . . . \$4; and

4 (ii) each additional set of an original and
5 one copy (Sec. 118.052, Local Government Code) . . . \$4;

6 (B) certified papers (Secs. 118.052 and 118.060,
7 Local Government Code):

8 (i) for the clerk's certificate (Sec.
9 118.052, Local Government Code) . . . \$5; and

10 (ii) a fee per page or part of a page (Sec.
11 118.052, Local Government Code) . . . \$1;

12 (C) noncertified papers, for each page or part of
13 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
14 \$1;

15 (D) letters testamentary, letter of
16 guardianship, letter of administration, or abstract of judgment
17 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

18 (E) safekeeping of wills (Secs. 118.052 and
19 118.062, Local Government Code) . . . \$5;

20 (F) mail service of process (Secs. 118.052 and
21 118.063, Local Government Code) . . . same as sheriff; and

22 (G) records management and preservation fee
23 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
24 . . . \$5;

25 (16) additional filing fee to fund the courthouse
26 security fund, if authorized by the county commissioners court
27 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

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1 (17) additional filing fee for filing documents not
2 subject to certain filing fees to fund the courthouse security
3 fund, if authorized by the county commissioners court (Sec.
4 291.008, Local Government Code) . . . \$1;

5 (18) additional filing fee to fund the courthouse
6 security fund in Webb County, if authorized by the county
7 commissioners court (Sec. 291.009, Local Government Code) . . . not
8 to exceed \$20;

9 (19) court cost in civil cases other than suits for
10 delinquent taxes to fund the county law library fund, if authorized
11 by the county commissioners court (Sec. 323.023, Local Government
12 Code) . . . not to exceed \$35;

13 (20) fee for deposit of a will with the county clerk
14 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

15 (21) court cost for each special commissioner in an
16 eminent domain proceeding (Sec. 21.047, Property Code) . . . as
17 taxed by the court, \$10 or more;

18 (22) fee for county attorney in a suit regarding a
19 railroad company's failure to keep roadbed and right-of-way in
20 proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . .
21 \$10;

22 (23) court fees and costs, if ordered by the court, for
23 a suit filed by an inmate in which an affidavit or unsworn
24 declaration of inability to pay costs is filed by the inmate (Sec.
25 14.006, Civil Practice and Remedies Code) . . . the lesser of:

26 (A) 20 percent of the preceding six months'
27 deposits to the inmate's trust account administered by the Texas

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1 Department of Criminal Justice under Section 501.014, Government
2 Code; or

3 (B) the total amount of court fees and costs;

4 (24) monthly payment for remaining court fees and
5 costs after the initial payment for a suit in which an affidavit or
6 unsworn declaration of inability to pay costs is filed by the inmate
7 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser
8 of:

9 (A) 10 percent of that month's deposit to the
10 inmate's trust account administered by the Texas Department of
11 Criminal Justice under Section 501.014, Government Code; or

12 (B) the total amount of court fees and costs that
13 remain unpaid;

14 (25) the following costs not otherwise charged to the
15 inmate under Section 14.006, Civil Practice and Remedies Code, if
16 the inmate has previously filed an action dismissed as malicious or
17 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

18 (A) expenses of service of process;

19 (B) postage; and

20 (C) transportation, housing, or medical care
21 incurred in connection with the appearance of the inmate in the
22 court for any proceeding;

23 (26) the official court reporter's fee taxed as costs
24 in civil actions in a statutory county court:

25 (A) in Bexar County Courts at Law:

26 (i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12
27 (Sec. 25.0172, Government Code) . . . taxed in the same manner as

1 the fee is taxed in district court; and

2 (ii) No. 2 (Sec. 25.0172, Government Code)
3 . . . \$3;

4 (B) in Galveston County (Sec. 25.0862,
5 Government Code) . . . taxed in the same manner as the fee is taxed
6 in civil cases in the district courts; and

7 (C) in Parker County (Sec. 25.1862, Government
8 Code) . . . taxed in the same manner as the fee is taxed in civil
9 cases in the district courts;

10 (27) a stenographer's fee as costs in each civil,
11 criminal, and probate case in which a record is made by the official
12 court reporter in a statutory county court in Nolan County (Sec.
13 25.1792, Government Code) . . . \$25;

14 (28) in Brazoria County, in matters of concurrent
15 jurisdiction with the district court, fees (Sec. 25.0222,
16 Government Code) . . . as prescribed by law for district judges
17 according to the nature of the matter;

18 (29) in Nueces County, in matters of concurrent
19 jurisdiction with the district court, with certain exceptions, fees
20 (Sec. 25.1802, Government Code) . . . equal to those in district
21 court cases;

22 (30) security deposit on filing, by any person other
23 than the personal representative of an estate, an application,
24 complaint, or opposition in relation to the estate, if required by
25 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
26 proceeding;

27 (31) security deposit on filing, by any person other

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1 than the guardian, attorney ad litem, or guardian ad litem, an
2 application, complaint, or opposition in relation to a guardianship
3 matter, if required by the clerk (Sec. 622, Texas Probate Code)
4 . . . probable cost of the guardianship proceeding;

5 (32) for a hearing or proceeding under the Texas
6 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
7 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .
8 reasonable compensation to the following persons appointed under
9 the Texas Mental Health Code:

- 10 (A) attorneys;
- 11 (B) physicians;
- 12 (C) language interpreters;
- 13 (D) sign interpreters; and
- 14 (E) masters;

15 (33) for a hearing or proceeding under the Texas
16 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
17 costs (Sec. 571.018, Health and Safety Code):

- 18 (A) attorney's fees;
- 19 (B) physician examination fees;
- 20 (C) expense of transportation to a mental health
21 facility or to a federal agency not to exceed \$50 if transporting
22 within the same county and not to exceed the reasonable cost of
23 transportation if transporting between counties;
- 24 (D) costs and salary supplements authorized
25 under Section 574.031, Health and Safety Code; and
- 26 (E) prosecutors' fees authorized under Section
27 574.031, Health and Safety Code;

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1 (34) expenses of transporting certain patients from
2 the county of treatment to a hearing in the county in which the
3 proceedings originated (Sec. 574.008, Health and Safety Code) . . .
4 actual expenses unless certain arrangements are made to hold the
5 hearing in the county in which the patient is receiving services;

6 (35) expenses for expert witness testimony for an
7 indigent patient (Sec. 574.010, Health and Safety Code) . . . if
8 authorized by the court as reimbursement to the attorney ad litem,
9 court-approved expenses;

10 (36) fee for judge's services for holding a hearing on
11 an application for court-ordered mental health services (Sec.
12 574.031, Health and Safety Code) . . . as assessed by the judge, not
13 to exceed \$50;

14 (37) expenses to reimburse judge for holding a hearing
15 in a hospital or location other than the county courthouse (Sec.
16 574.031, Health and Safety Code) . . . reasonable and necessary
17 expenses as certified;

18 (38) fee for services of a prosecuting attorney,
19 including costs incurred for preparation of documents related to a
20 hearing on an application for court-ordered mental health services
21 (Sec. 574.031, Health and Safety Code) . . . as assessed by the
22 judge, not to exceed \$50; and

23 (39) a fee not otherwise listed in this section that is
24 required to be collected under Section 25.0008, Government Code
25 (Sec. 25.0008, Government Code), in a county other than Brazos,
26 Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore,
27 Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as

1 prescribed by law relating to county judges' fees.

2 (d) Section 101.101, Government Code, is amended to read as
3 follows:

4 Sec. 101.101. STATUTORY PROBATE COURT FEES AND COSTS. The
5 clerk of a statutory probate court shall collect fees and costs as
6 follows:

7 (1) court cost in certain civil cases to establish and
8 maintain an alternative dispute resolution system, if authorized by
9 the county commissioners court (Sec. 152.004, Civil Practice and
10 Remedies Code) . . . not to exceed \$10;

11 (2) appellate judicial system filing fees:

12 (A) First or Fourteenth Court of Appeals District
13 (Sec. 22.2021, Government Code) . . . not more than \$5;

14 (B) Second Court of Appeals District (Sec.
15 22.2031, Government Code) . . . not more than \$5;

16 (C) Fourth Court of Appeals District (Sec.
17 22.2051, Government Code) . . . not more than \$5;

18 (D) Fifth Court of Appeals District (Sec.
19 22.2061, Government Code) . . . not more than \$5; and

20 (E) Thirteenth Court of Appeals District (Sec.
21 22.2141, Government Code) . . . not more than \$5;

22 (3) additional filing fees as follows:

23 (A) for certain cases to be used for
24 court-related purposes for support of the judiciary, if authorized
25 by the county commissioners court (Sec. 51.704, Government Code)
26 . . . \$40;

27 (B) to fund the improvement of Dallas County

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1 civil court facilities, if authorized by the county commissioners
2 court (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

3 (C) for filing any civil action or proceeding
4 requiring a filing fee, including an appeal, and on the filing of
5 any counterclaim, cross-action, intervention, interpleader, or
6 third-party action requiring a filing fee to fund civil legal
7 services for the indigent (Sec. 133.153, Local Government Code)
8 . . . \$5; and

9 (D) to fund the improvement of Hays County court
10 facilities, if authorized by the county commissioners court (Sec.
11 51.707, Government Code) . . . not more than \$15;

12 (4) for filing an application for registration of
13 death (Sec. 193.007, Health and Safety Code) . . . \$1;

14 (5) fee for judge's services on an application for
15 court-ordered mental health services (Sec. 574.031, Health and
16 Safety Code) . . . not to exceed \$50;

17 (6) fee for prosecutor's services on an application
18 for court-ordered mental health services (Sec. 574.031, Health and
19 Safety Code) . . . not to exceed \$50;

20 (7) additional filing fee to fund contingency fund for
21 liability insurance, if authorized by the county commissioners
22 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

23 (8) probate court actions (Sec. 118.052, Local
24 Government Code):

25 (A) probate original action (Secs. 118.052 and
26 118.055, Local Government Code):

27 (i) probate of a will with independent

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- 1 executor, administration with will attached, administration of an
- 2 estate, guardianship or receivership of an estate, or muniment of
- 3 title (Sec. 118.052, Local Government Code) . . . \$40;
- 4 (ii) community survivors (Sec. 118.052,
- 5 Local Government Code) . . . \$40;
- 6 (iii) small estates (Sec. 118.052, Local
- 7 Government Code) . . . \$40;
- 8 (iv) declarations of heirship (Sec.
- 9 118.052, Local Government Code) . . . \$40;
- 10 (v) mental health or chemical dependency
- 11 services (Sec. 118.052, Local Government Code) . . . \$40; and
- 12 (vi) additional, special fee (Secs. 118.052
- 13 and 118.064, Local Government Code) . . . \$5;
- 14 (B) services in pending probate action (Secs.
- 15 118.052 and 118.056, Local Government Code):
- 16 (i) filing an inventory and appraisement
- 17 after the 120th day after the date of the initial filing of the
- 18 action (Sec. 118.052, Local Government Code) . . . \$25;
- 19 (ii) approving and recording bond (Sec.
- 20 118.052, Local Government Code) . . . \$3;
- 21 (iii) administering oath (Sec. 118.052,
- 22 Local Government Code) . . . \$2;
- 23 (iv) filing annual or final account of
- 24 estate (Sec. 118.052, Local Government Code) . . . \$25;
- 25 (v) filing application for sale of real or
- 26 personal property (Sec. 118.052, Local Government Code) . . . \$25;
- 27 (vi) filing annual or final report of

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1 guardian of a person (Sec. 118.052, Local Government Code) . . .
2 \$10; and

3 (vii) filing a document not listed under
4 this paragraph after the filing of an order approving the inventory
5 and appraisement or after the 120th day after the date of the
6 initial filing of the action, whichever occurs first (Secs. 118.052
7 and 191.007, Local Government Code), if more than 25 pages . . .
8 \$25;

9 (C) adverse probate action (Secs. 118.052 and
10 118.057, Local Government Code) . . . \$40; and

11 (D) claim against estate (Secs. 118.052 and
12 118.058, Local Government Code) . . . \$2;

13 (9) other fees (Sec. 118.052, Local Government Code):

14 (A) issuing document (Secs. 118.052 and 118.059,
15 Local Government Code):

16 (i) original document and one copy (Sec.
17 118.052, Local Government Code) . . . \$4; and

18 (ii) each additional set of an original and
19 one copy (Sec. 118.052, Local Government Code) . . . \$4;

20 (B) certified papers (Secs. 118.052 and 118.060,
21 Local Government Code):

22 (i) for the clerk's certificate (Sec.
23 118.052, Local Government Code) . . . \$5; and

24 (ii) a fee per page or part of a page (Sec.
25 118.052, Local Government Code) . . . \$1;

26 (C) noncertified papers, for each page or part of
27 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .

See
Dkt. 11

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1 \$1;

2 (D) letters testamentary, letter of
3 guardianship, letter of administration, or abstract of judgment
4 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

5 (E) safekeeping of wills (Secs. 118.052 and
6 118.062, Local Government Code) . . . \$5;

7 (F) mail service of process (Secs. 118.052 and
8 118.063, Local Government Code) . . . same as sheriff; and

9 (G) records management and preservation fee
10 (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5;

11 (10) fee for deposit of a will with the county clerk
12 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

13 (11) court costs for each special commissioner in an
14 eminent domain proceeding (Sec. 21.047, Property Code) . . . as
15 taxed by the court, \$10 or more;

16 (12) jury fee for civil case (Sec. 51.604, Government
17 Code) . . . \$22;

18 (13) court cost in civil cases other than suits for
19 delinquent taxes to fund the county law library fund, if authorized
20 by the county commissioners court (Sec. 323.023, Local Government
21 Code) . . . not to exceed \$35;

22 (14) the expense of preserving the record as a court
23 cost, if imposed on a party by the referring court or associate
24 judge (Sec. 54.612, Government Code) . . . actual cost;

25 (15) security deposit on filing, by any person other
26 than the personal representative of an estate, an application,
27 complaint, or opposition in relation to the estate, if required by

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1 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
2 proceeding;

3 (16) security deposit on filing, by any person other
4 than the guardian, attorney ad litem, or guardian ad litem, an
5 application, complaint, or opposition in relation to a guardianship
6 matter, if required by the clerk (Sec. 622, Texas Probate Code)
7 . . . probable cost of the guardianship proceeding;

8 (17) for a hearing or proceeding under the Texas
9 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
10 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .
11 reasonable compensation to the following persons appointed under
12 the Texas Mental Health Code:

- 13 (A) attorneys;
- 14 (B) physicians;
- 15 (C) language interpreters;
- 16 (D) sign interpreters; and
- 17 (E) masters;

18 (18) for a hearing or proceeding under the Texas
19 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
20 costs (Sec. 571.018, Health and Safety Code):

- 21 (A) attorney's fees;
- 22 (B) physician examination fees;
- 23 (C) expense of transportation to a mental health
24 facility or to a federal agency not to exceed \$50 if transporting
25 within the same county and not to exceed the reasonable cost of
26 transportation if transporting between counties;
- 27 (D) costs and salary supplements authorized

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1 under Section 574.031, Health and Safety Code; and

2 (E) prosecutors' fees authorized under Section
3 574.031, Health and Safety Code;

4 (19) expenses of transporting certain patients from
5 the county of treatment to a hearing in the county in which the
6 proceedings originated (Sec. 574.008, Health and Safety Code) . . .
7 actual expenses unless certain arrangements are made to hold the
8 hearing in the county in which the patient is receiving services;

9 (20) expenses for expert witness testimony for an
10 indigent patient (Sec. 574.010, Health and Safety Code) . . . if
11 authorized by the court as reimbursement to the attorney ad litem,
12 court-approved expenses;

13 (21) fee for judge's services for holding a hearing on
14 an application for court-ordered mental health services (Sec.
15 574.031, Health and Safety Code) . . . as assessed by the judge, not
16 to exceed \$50;

17 (22) expenses to reimburse judge for holding a hearing
18 in a hospital or location other than the county courthouse (Sec.
19 574.031, Health and Safety Code) . . . reasonable and necessary
20 expenses as certified;

21 (23) fee for services of a prosecuting attorney,
22 including costs incurred for preparation of documents related to a
23 hearing on an application for court-ordered mental health services
24 (Sec. 574.031, Health and Safety Code) . . . as assessed by the
25 judge, not to exceed \$50; and

26 (24) a fee not otherwise listed in this section that is
27 required to be collected under Section 25.0029, Government Code

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1 (Sec. 25.0029, Government Code) . . . as prescribed by law relating
2 to county judges' fees.

3 (e) Subsection (a), Section 101.141, Government Code, is
4 amended to read as follows:

5 (a) A clerk of a justice court shall collect fees and costs
6 as follows:

7 (1) additional court cost in certain civil cases to
8 establish and maintain an alternative dispute resolution system, if
9 authorized by the commissioners court of a county with a population
10 of at least 2.5 million (Sec. 152.005, Civil Practice and Remedies
11 Code) . . . not to exceed \$3;

12 (2) additional filing fees:

13 (A) to fund Dallas County civil court facilities
14 (Sec. 51.705, Government Code) . . . not more than \$15; ~~and~~

15 (B) for filing any civil action or proceeding
16 requiring a filing fee, including an appeal, and on the filing of
17 any counterclaim, cross-action, intervention, interpleader, or
18 third-party action requiring a filing fee, to fund civil legal
19 services for the indigent (Sec. 133.153, Local Government Code)
20 . . . \$2; and

21 (C) to fund the improvement of Hays County court
22 facilities, if authorized by the county commissioners court (Sec.
23 51.707, Government Code) . . . not more than \$15;

24 (3) for filing a suit in Comal County (Sec. 152.0522,
25 Human Resources Code) . . . \$1.50;

26 (4) fee for hearing on probable cause for removal of a
27 vehicle and placement in a storage facility if assessed by the court

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1 (Sec. 685.008, Transportation Code) . . . \$20;

2 (5) court fees and costs, if ordered by the court, for
3 a suit filed by an inmate in which an affidavit or unsworn
4 declaration of inability to pay costs is filed by the inmate (Sec.
5 14.006, Civil Practice and Remedies Code) . . . the lesser of:

6 (A) 20 percent of the preceding six months'
7 deposits to the inmate's trust account administered by the Texas
8 Department of Criminal Justice under Section 501.014, Government
9 Code; or

10 (B) the total amount of court fees and costs;

11 (6) monthly payment for remaining court fees and costs
12 after the initial payment for a suit in which an affidavit or
13 unsworn declaration of inability to pay costs is filed by the inmate
14 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser
15 of:

16 (A) 10 percent of that month's deposit to the
17 inmate's trust account administered by the Texas Department of
18 Criminal Justice under Section 501.014, Government Code; or

19 (B) the total amount of court fees and costs that
20 remain unpaid;

21 (7) the following costs not otherwise charged to the
22 inmate under Section 14.006, Civil Practice and Remedies Code, if
23 the inmate has previously filed an action dismissed as malicious or
24 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

25 (A) expenses of service of process;

26 (B) postage; and

27 (C) transportation, housing, or medical care

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1 incurred in connection with the appearance of the inmate in the
2 court for any proceeding; and

3 (8) the cost of a special program that a court may
4 order a child to attend after a finding that the child committed an
5 offense, if ordered by the court (Art. 45.057, Code of Criminal
6 Procedure) . . . costs of the program not to exceed \$100.

7 SECTION 20. (a) Section 53.001, Government Code, is
8 amended by adding Subsection (j) to read as follows:

9 (j) The judge of the 115th District Court shall appoint a
10 bailiff to serve the court only in Upshur County.

11 (b) Section 53.004, Government Code, is amended by adding
12 Subsection (g) to read as follows:

13 (g) A bailiff appointed by the judge of the 115th District
14 Court to serve the court in Upshur County must be:

15 (1) a resident of that county; and

16 (2) at least 18 years of age.

17 (c) Subsections (a) and (b), Section 53.007, Government
18 Code, are amended to read as follows:

19 (a) This section applies to:

20 (1) the 22nd, 34th, 70th, 71st, 86th, 97th, 142nd,
21 161st, 238th, 318th, 341st, 355th, and 385th district courts;

22 (2) the County Court of Harrison County;

23 (3) the criminal district courts of Tarrant County;

24 (4) the district courts in Taylor County;

25 (5) the courts described in Section 53.002(c), (d),
26 (e), or (f);

27 (6) the county courts at law of Taylor County; [~~and~~]

1 (7) the district courts in Tarrant County that give
2 preference to criminal cases; and

3 (8) the 115th District Court in Upshur County.

4 (b) On the request of the judge of a court to which this
5 section applies other than the 115th District Court, the sheriff of
6 each county in which the court sits shall deputize the bailiff or
7 grand jury bailiff appointed under this subchapter of that court,
8 in addition to other deputies authorized by law. On the request of
9 the judge of the 115th District Court, the sheriff of Upshur County
10 shall deputize the bailiff appointed by that judge under Section
11 53.001(j), in addition to other deputies authorized by law.

12 SECTION 21. Section 152.0721, Human Resources Code, is
13 amended by adding Subsection (f) to read as follows:

14 (f) The Duval County Juvenile Board and the juvenile boards
15 of one or more counties that are adjacent to or in close proximity
16 to Duval County may agree to operate together with respect to all
17 matters, or with respect to certain matters specified by the
18 juvenile boards. Juvenile boards operating together may appoint
19 one fiscal officer to receive and disburse funds for the boards.

20 SECTION 22. (a) Subchapter D, Chapter 152, Human Resources
21 Code, is amended by adding Section 152.1301 to read as follows:

22 Sec. 152.1301. JIM HOGG COUNTY. (a) The Jim Hogg County
23 Juvenile Board is composed of the county judge, the district judge
24 in Jim Hogg County, and a citizen of Jim Hogg County appointed by
25 the county judge and the district judge. The citizen member of the
26 board serves the same term of office as the district judge in Jim
27 Hogg County.

1 (b) The district judge is the chairman of the board and its
2 chief administrative officer.

3 (c) The commissioners court may pay the juvenile board
4 members an annual salary set by the commissioners court at not less
5 than \$1,200 or more than \$3,600 for the added duties imposed on the
6 members. The salary shall be paid in equal monthly installments
7 from the general fund of the county.

8 (d) The juvenile board shall appoint not more than five
9 persons to serve on an advisory council.

10 (e) The Jim Hogg County Juvenile Board and the juvenile
11 boards of one or more counties that are adjacent to or in close
12 proximity to Jim Hogg County may agree to operate together with
13 respect to all matters, or with respect to certain matters
14 specified by the juvenile boards. Juvenile boards operating
15 together may appoint one fiscal officer to receive and disburse
16 funds for the boards.

17 (f) Sections 152.0002, 152.0004, 152.0005, 152.0006,
18 152.0007, and 152.0008 do not apply to the juvenile board.

19 (b) The Jim Hogg County Juvenile Board is created on the
20 effective date of this Act.

21 SECTION 23. Section 152.2201, Human Resources Code, is
22 amended by amending Subsection (a) and adding Subsection (f) to
23 read as follows:

24 (a) The Starr County Juvenile Board is composed of the
25 county judge, the judge of the county court at law in Starr County,
26 and the district judges in Starr County.

27 (f) The Starr County Juvenile Board and the juvenile boards

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1 of one or more counties that are adjacent to or in close proximity
2 to Starr County may agree to operate together with respect to all
3 matters, or with respect to certain matters specified by the
4 juvenile boards. Juvenile boards operating together may appoint
5 one fiscal officer to receive and disburse funds for the boards.

6 SECTION 24. Section 54.602, Government Code, is repealed.

7 SECTION 25. Except as otherwise provided by this Act, this
8 Act takes effect September 1, 2007.

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me

S.B. No. 1951

David Dewhurst
President of the Senate

Jim Caddick
Speaker of the House

I hereby certify that S.B. No. 1951 passed the Senate on May 4, 2007, by the following vote: Yeas 30, Nays 0; May 25, 2007, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 2007, House granted request of the Senate; May 27, 2007, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

Arsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1951 passed the House, with amendments, on May 23, 2007, by the following vote: Yeas 142, Nays 2, one present not voting; May 26, 2007, House granted request of the Senate for appointment of Conference Committee; May 28, 2007, House adopted Conference Committee Report by the following vote: Yeas 144, Nays 0, two present not voting.

Robert Haney
Chief Clerk of the House

Approved:

15 JUN 07
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8 PM O'CLOCK

JUN 15 2007
Roger Williams
Secretary of State