

**62nd Texas County  
Auditors Annual  
Conference  
McLennan County, Texas**

Legislative Update  
by

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# Judicial Compensation



**SB 821** – Effective 6/15/07

Authorizes payment of statutory probate court associate judge's salary from excess contributions deposited in judicial fund and remitted to counties under § 25.00212, Gov't Code, upon recommendation by statutory probate judges and approval of commissioners court.

# County & District Clerks



**HB 2061** – Effective 3/28/07

Provides that county and district clerks are not liable under § 552.352, Gov't Code, for disclosing social security numbers contained in documents filed with the clerk. Requires, upon written request of an individual, the redaction, from documents specified by the individual, of all but the last four numbers of a social security number unless another law requires the full social security number to be maintained on the document. Requires clerks to accept documents for filing even if they contain social security numbers and does not require clerks to confirm that a document preparer actually redacted a social security number from a document. See § 552.147, Gov't Code and § 11.008, Prop. Code.



# Open Records

**HB 2564** – Effective 9/1/07

Allows a governmental body to set a limit on the amount of time it will spend copying or providing information under the Public Information Act (“PIA”) for inspection at no charge. Allows a governmental body to charge requestors for time spent in excess of the limit in complying with a request under the PIA. See § 552.275, Gov’t Code.





# Court Costs

**HB 530** – Effective 6/15/07

Requires drug courts to be created in counties with populations over 200,000. Creates a \$50 court cost upon conviction of a Class B misdemeanor or any higher category of offense under Chapter 49, Penal Code (Intoxication and Alcoholic Beverage Offenses) or Chapter 481, Health & Safety Code (Controlled Substances Act) to be used to fund the drug courts. See Art. 102.0178, Code of Crim. Proc.; Subchapter GG, Chap. 54, Gov't Code; and Ch. 469, Health & Safety Code.

# Court Costs

**HB 1295** – Effective 9/1/07

*(Court cost effective 1/01/08)*



Creates a \$20 supplemental court-initiated guardianship fee for support of judiciary in guardianships initiated under § 683 of the Probate Code. Provides that the fee is collected by the court clerk and is imposed in certain probate original actions and adverse probate actions. Provides that the fee is deposited in court-initiated guardianship fund in county treasury to supplement, not supplant, paying for compensation of a court-appointed guardian ad litem or of court-appointed attorney ad litem and to fund local guardianship programs that provide guardians for indigent incapacitated persons who do not have family members suitable and willing to serve as guardians. See Chapter 118, Loc. Gov't Code.

# Fees

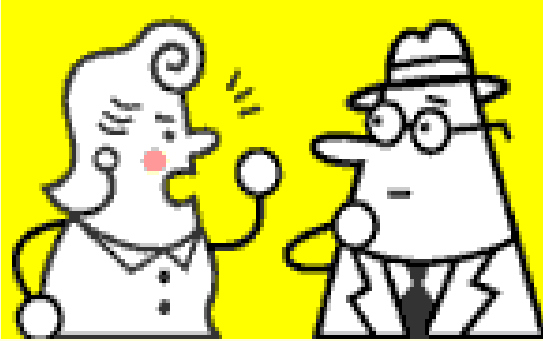


## **HB 2685** – Effective 9/1/08

Increases the marriage license fee from \$30 to \$60. Encourages marrying couples to take a minimum 8-hour premarital education course to include instruction in “key components of a successful marriage.”

Provides for a waiver of the 72-hour waiting period for those who complete the course.

See §§ 2.013, 2.204(b), Fam. Code and §§ 118.011(a), 118.018, 118.022, Loc. Gov’t Code.



# Fees

## **HB 764 – Effective 6/15/07**

Reduces the maximum amount of the family protection fee collected by the clerk of a district court on filing a suit for dissolution of a marriage from \$30 to \$15 and allows the county to retain the entire fee collected instead of remitting half of the fee to the state.  
See § 51.961, Gov't Code.

# Fees



**SB 600** – Effective 10/1/07

*(Fees effective 1/1/08)*

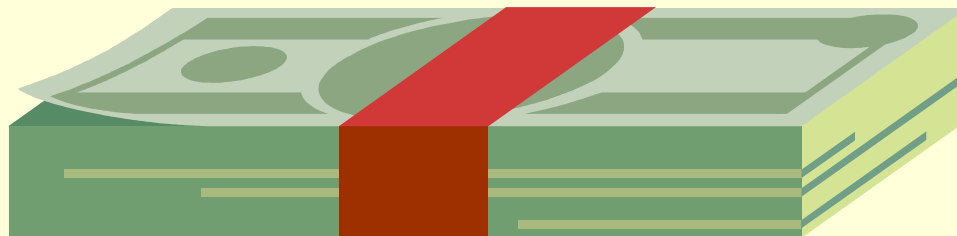
Increases the fee for filing civil suit in district court, statutory county court, or county court from \$37 to \$42. Increases the fee upon conviction for any non-parking and non-pedestrian offense from \$4 to \$6. Also increases compensation for statutory county court judges to an amount not less than \$1,000 less than a district court judge and requires state to pay 60% of that salary. See §§ 25.0005, 25.0003, and 25.0015, Gov't Code; §§ 133.154 and 133.105, Loc. Gov't Code.

# Fees

**HB 2151** – Effective 9/1/07

*(Fee effective 1/1/08)*

Requires defendants convicted of graffiti offenses (§ 28.08, Penal Code) in district or county-level courts to pay \$50 juvenile delinquency prevention fee. Eliminates existing \$5 graffiti eradication fee. See § 102.0171, Code of Crim. Proc.



# Fees



**SB 1412 – Effective 9/1/07**

*(Fee effective 1/1/08)*

Increases civil filing fee in justice court from \$15 to \$25 See § 101.141(b), Gov't Code; § 118.121, Loc. Gov't Code.



# Fees

**HB 2385** – Effective 9/1/07

Allows district attorney, criminal district attorney, or county attorney to collect fee of up to \$500 to be used to reimburse county for expenses related to defendant's participation in pretrial intervention program offered in that county. Fees collected are to be used solely to administer the pretrial intervention program. See Art. 102, Code Crim. Proc.; and § 103, Gov't Code.

# Indigent Defense

**HB 1267** – Effective 9/1/07

*(Court Cost effective 1/1/08)*

Allows counsel appointed to represent an indigent defendant to appeal a judge's failure to act on a request for payment within 60 days. Creates a new \$2 fee on criminal convictions to be used for indigent defense services, which is expected to generate about \$7.6 million in new revenue annually. See §§133.003 and 133.107, Loc. Gov't Code.



# Indigent Defense

**SB 168** – Effective 6/15/07

Continues the collection of \$65 legal services fee paid by Texas attorneys each year as part of bar dues by striking expiration clause for this subsection. See § 81.054, Gov't Code.



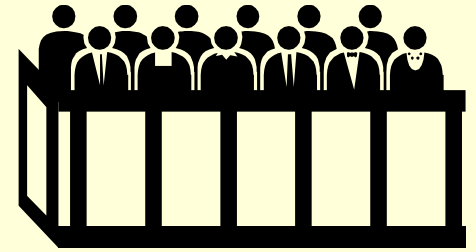


# Restitution

**HB 485 – Effective 9/01/07**

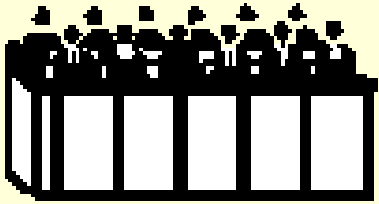
Makes peace officers of law enforcement agencies eligible to collect restitution from individual who has written bad checks if the officer executes a warrant against the defendant with the approval of the court in which the offense is filed. Increases maximum amount of restitution available to the victim from \$500 to \$5000. See § 32.14(e), Penal Code & Art. 45.041, Code of Crim. Proc.

# Juries



## **HB 1204 – Effective 9/1/07**

Allows jurors to specify an amount of their juror daily reimbursement to be donated to certain programs or funds. Under previous statute, a juror may designate the entire reimbursement, but no provision is made for designating part of the juror's reimbursement for donation purposes. See § 61.003(a), Gov't Code.



# Juries

## **SB 560** – Effective 9/1/07

Clarifies law regarding the proper reimbursement of persons for time served as jurors. Specifically, all persons who report for jury service and discharge their assigned duty for that day are to receive at least \$6 for the first such day and at least \$40 for all subsequent days. Permits jurors to donate a portion of their juror reimbursement money. Authorizes commissioners courts to approve programs offering post trial psychological counseling to jurors who served in cases involving graphic evidence. See §§ 61.001, 61.0011, 61.0015, 61.003 Gov't Code; §56.04, Code of Crim. Proc.

# Justice Courts

**SB 618** – Effective 9/1/07

Increases the upper jurisdictional limit of the justice court from \$5,000 to \$10,000. See §§ 26.042, 27.031 Gov't Code.



# Slow Down Hot Rod!

**HB 586** – Effective 9/1/07

Prohibits a defendant who is found guilty of driving at a speed higher than 95 miles per hour and issued a speeding ticket from taking a driving safety class to dismiss the ticket. See § 45.0511, Code Crim. Proc.

