

## CHAPTER 330

## S.B. No. 1409

## AN ACT

relating to authorization of county commissioners within certain counties within a population bracket to establish and finance systems to assist the administration of the judicial appellate process by the establishment of a court costs fee in certain cases.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. POWER TO ESTABLISH SYSTEM. In any county within a supreme judicial district in the state having a population of at least 1,900,000 persons according to the last preceding federal census and without an appellate judicial system, the commissioners court by order duly entered shall establish an appellate judicial system to assist the court of appeals within the supreme judicial district of which the county is a member in the processing of appeals filed with the court of appeals from the county courts, county courts at law, probate courts, and district courts, including those costs and expenses incurred by a county within said district pursuant to Section 22.206, Government Code.

SECTION 2. FINANCING THE SYSTEM. (a) To establish and maintain the appellate judicial system, a court costs fee shall be set by the commissioners court in an amount not to exceed \$5 which shall be taxed, collected, and paid as other court costs in each civil suit, except suits for delinquent taxes, filed in a county court, county court at law, probate court, or district court within the county or counties; however, the county is not liable for the payment of such fee in any civil suit filed by the county.

(b) The clerks of the respective courts in the counties shall collect and pay the above costs to the county treasurer or, if the county does not have a county treasurer, to the county officer who performs the county treasurer's functions, who shall deposit such fees into a separate fund to be known as the Appellate Justice System Fund. The fund shall be administered by the commissioners court for establishing and maintaining a fund system to assist the court of appeals within the district, and the funds may not be used for any other purpose.

SECTION 3. GENERAL POWERS. The commissioners court is hereby granted all necessary power to make the appellate judicial system effective, including the power to contract with any private nonprofit corporation, public corporation, or a combination thereof for the purpose of assisting the court of appeals in the administration of the system and the judicial and staff education program of the appellate judicial system to effectuate this Act. The commissioners court shall vest the management of the system in the chief justice of the court of appeals within the district.

SECTION 4. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 7, 1987, by the following vote: Yeas 31, Nays 0. Passed the House on May 29, 1987, by the following vote: Yeas 146, Nays 1, one present not voting.

Approved June 11, 1987.

Effective June 11, 1987.