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NOTICE

September 10, 2013

RE: HB 2302 Newly mandated Filing Fees

During the past legislative session, the Texas Legislature passed HB 2302, which amends Local Government Code § 51.851 requiring the implementation of newly-mandated filing fees. The legislation requires the clerk to "collect a \$20 fee on the filing of any civil action or proceeding requiring a filing fee... and on the filing of any counterclaim, cross action, intervention, interpleader, or third-party action requiring a filing fee. (d) In addition to other court costs, a person shall pay \$5 as a court cost on conviction of any criminal offense in a district court, county court, or statutory county court."

There has been conflicting opinions with regard to when the clerk must begin to charge these new fees. It was previously understood the fees should not be assessed until January 1, 2014; however, the Wilson County Attorney has recommended that we should begin collecting the fee immediately based on the Office Court of Administrations opinion that the fee should be assessed on September 1, 2013. Therefore, the Wilson County District Clerk will begin collecting the legislatively-mandated, \$20 fee on September 16, 2013, upon the filing of all new suits, and any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee in all civil matters as well as \$5 as a court cost on conviction of any criminal offense in a district court, county court, or statutory county court."

Sincerely,

Deborah Bryan