

AN ACT

relating to the funding of alternative dispute resolution systems.

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

SECTION 1. Section 152.004(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) To establish and maintain an alternative dispute resolution system, the commissioners court may set a court cost in an amount not to exceed \$15 [~~\$10~~] to be taxed, collected, and paid as other court costs in each civil case filed in a county or district court in the county, including a civil case relating to probate matters but not including:

(1) a suit for delinquent taxes;

(2) a condemnation proceeding under Chapter 21, Property Code; or

(3) a proceeding under Subtitle C, Title 7, Health and Safety Code.

SECTION 2. Section 152.005, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 152.005. ADDITIONAL FEE FOR JUSTICE COURTS [~~CERTAIN COUNTIES~~]. (a) To establish and maintain an alternative dispute resolution system, the commissioners court [~~of a county with a population of 2.5 million or more~~] may, in addition to the court cost authorized under Section 152.004, set a court cost in an amount not to exceed \$5 [~~\$3~~] for civil cases filed in a justice court

1 located in the county, but not including:

2 (1) a suit for delinquent taxes; or

3 (2) an eviction proceeding, including a forcible
4 detainer, a forcible entry and detainer, or a writ of re-entry.

5 (b) A clerk of the court shall collect and pay the court cost
6 in the manner prescribed by Section 152.004(c).

7 SECTION 3. Chapter 152, Civil Practice and Remedies Code,
8 is amended by adding Section 152.006 to read as follows:

9 Sec. 152.006. FEE FOR ALTERNATIVE DISPUTE RESOLUTION
10 CENTERS. An entity described by Section 152.002(b)(1) that
11 provides services for the resolution of disputes in a county with a
12 population of 250,000 or more but less than 290,000 may collect a
13 reasonable fee in any amount set by the commissioners court from a
14 person who receives the services. This section may not be construed
15 to affect the collection of a fee by any other entity described by
16 Section 152.002(b)(1).

17 SECTION 4. (a) Sections 1 and 2 of this Act apply only to a
18 civil case filed on or after the effective date of this Act.

19 (b) Section 3 of this Act applies only to alternative
20 dispute resolution services provided on or after the effective date
21 of this Act. Any alternative dispute resolution services provided
22 before the effective date of this Act are governed by the law in
23 effect immediately before that date, and that law is continued in
24 effect for that purpose.

25 SECTION 5. This Act takes effect September 1, 2005.

David Newburn

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 282 was passed by the House on March 22, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 282 on May 17, 2005, by a non-record vote.

Robert Honey
Chief Clerk of the House

I certify that H.B. No. 282 was passed by the Senate, with amendments, on May 13, 2005, by the following vote: Yeas 30, Nays 0.

Lutsey Spaw
Secretary of the Senate

APPROVED: 18 JUNE '05

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM CLOCK
JUN 18 2005
Roger Williams
Secretary of State