

PRELIMINARY STAFF MEASURE SUMMARY

House Committee On Revenue

Fiscal: Has minimal fiscal impact

Revenue: Revenue impact issued

Action Date:

Action:

Meeting Dates: 05/12

Prepared By: Mazen Malik, Senior Economist

WHAT THE MEASURE DOES:

Increases fee amounts charged by justice courts for various filings. Creates perpetuation deposition for material witnesses.

ISSUES DISCUSSED:

- Impacts on county courts
- fees to cover some but not all costs.
- the fee regarding trials.

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

House Bill 2316 A creates a process for taking the deposition testimony of a material witness. The petition for deposition must be granted or denied within 30 days of filing. The amendment specifies that the deposition of a material witness does not invalidate or otherwise affect the material witness order, but may be considered in connection with an application to vacate or modify an order. Additionally, House Bill 2316 A increases a variety of fees charged by a Justice of the Peace. For example, the first appearance of the parties will increase from \$40 to \$90. Fees for filing a small claim will increase from \$28 to \$35 in 2015, and from \$35 to \$37 in 2018. Small fees for taking affidavits or taking depositions are removed. Trial fees for small claims trials are prohibited. Other trial fees are increased to \$100 per day, payable by the plaintiff.