

By: Zaffirini

S.B. No. 29

A BILL TO BE ENTITLED

AN ACT

relating to court security, including the development of a court emergency management plan, the duties and composition of a court security committee, and increasing the criminal penalty for harassment of a court employee or judge.

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

SECTION 1. Article 102.017, Code of Criminal Procedure, is amended by adding Subsection (e-1) to read as follows:

(e-1) In administering or directing funds under Subsection (e), a commissioners court shall prioritize the recommendations provided by a court security committee under Section 74.092(b), Government Code, and the governing body of a municipality shall prioritize the recommendations provided by a court security committee under Sections 29.014(d) and 30.00007(c), Government Code.

SECTION 2. Section 29.014, Government Code, is amended by amending Subsections (c) and (d) and adding Subsection (e) to read as follows:

(c) The committee shall establish the policies and procedures necessary to provide adequate security to the municipal courts served by the presiding or municipal judge, as applicable, including by developing a court emergency management plan.

(d) A committee shall ~~may~~ recommend to the municipality the uses of resources and expenditures of money for courthouse

1 security, but may not direct the assignment of those resources or  
2 the expenditure of those funds.

3 (e) Notwithstanding Section 551.001, a court security  
4 committee established under this section is not a governmental body  
5 for the purposes of Chapter 551.

6 SECTION 3. Section 30.00007, Government Code, is amended by  
7 amending Subsections (b) and (c) and adding Subsection (d) to read  
8 as follows:

9 (b) The presiding judge shall:

10 (1) maintain a central docket for cases filed within  
11 the territorial limits of the municipality over which the municipal  
12 courts of record have jurisdiction;

13 (2) provide for the distribution of cases from the  
14 central docket to the individual municipal judges to equalize the  
15 distribution of business in the courts;

16 (3) request the jurors needed for cases that are set  
17 for trial by jury;

18 (4) temporarily assign judges or substitute judges to  
19 exchange benches and to act for each other in a proceeding pending  
20 in a court if necessary for the expeditious disposition of business  
21 in the courts;

22 (5) supervise and control the operation and clerical  
23 functions of the administrative department of each court, including  
24 the court's personnel, during the proceedings of the court; and

25 (6) establish a court security committee to adopt  
26 security policies and procedures for the courts served by the  
27 presiding judge, including by developing a court emergency

1 management plan, that is composed of:

2 (A) the presiding judge, or the presiding judge's  
3 designee, who serves as presiding officer of the committee;

4 (B) a representative of the law enforcement  
5 agency or other entity that provides the primary security for the  
6 court;

7 (C) a representative of the municipality; and

8 (D) any other person the committee determines  
9 necessary to assist the committee.

10 (c) A court security committee shall ~~may~~ recommend to the  
11 governing body the uses of resources and expenditures of money for  
12 courthouse security, but may not direct the assignment of those  
13 resources or the expenditure of those funds.

14 (d) Notwithstanding Section 551.001, a court security  
15 committee established under this section is not a governmental body  
16 for the purposes of Chapter 551.

17 SECTION 4. Section 72.015(c), Government Code, is amended  
18 to read as follows:

19 (c) The judicial security division shall:

20 (1) serve as a central resource for information on  
21 local and national best practices for court security and the safety  
22 of court personnel;

23 (2) provide an expert opinion on the technical aspects  
24 of court security; ~~and~~

25 (3) keep abreast of and provide training on recent  
26 court security improvements; and

27 (4) develop a model court emergency management plan as

1 a resource for court security committees.

2 SECTION 5. Section 74.092, Government Code, as amended by  
3 S.B. 664, Acts of the 89th Legislature, Regular Session, 2025, and  
4 effective September 1, 2025, is amended to read as follows:

5 Sec. 74.092. DUTIES OF LOCAL ADMINISTRATIVE JUDGE. (a) A  
6 local administrative judge, for the courts for which the judge  
7 serves as local administrative judge, shall:

8 (1) implement and execute the local rules of  
9 administration, including the assignment, docketing, transfer, and  
10 hearing of cases;

11 (2) appoint any special or standing committees  
12 necessary or desirable for court management and administration;

13 (3) promulgate local rules of administration if the  
14 other judges do not act by a majority vote;

15 (4) recommend to the regional presiding judge any  
16 needs for assignment from outside the county to dispose of court  
17 caseloads;

18 (5) supervise the expeditious movement of court  
19 caseloads, subject to local, regional, and state rules of  
20 administration;

21 (6) provide the supreme court and the office of court  
22 administration requested statistical and management information;

23 (7) set the hours and places for holding court in the  
24 county;

25 (8) supervise the employment and performance of  
26 nonjudicial personnel;

27 (8-a) supervise the performance of each master,

1 magistrate, referee, associate judge, or hearing officer who was  
2 appointed under Chapter 54 to serve a court for which the judge  
3 serves as a local administrative judge and whose duties include  
4 duties under Article 15.17, Code of Criminal Procedure;

5 (9) supervise the budget and fiscal matters of the  
6 local courts, subject to local rules of administration;

7 (10) coordinate and cooperate with any other local  
8 administrative judge in the district in the assignment of cases in  
9 the courts' concurrent jurisdiction for the efficient operation of  
10 the court system and the effective administration of justice;

11 (11) if requested by the courts the judge serves,  
12 establish and maintain the lists required by Section 37.003 and  
13 ensure appointments are made from the lists in accordance with  
14 Section 37.004;

15 (12) perform other duties as may be directed by the  
16 chief justice or a regional presiding judge; and

17 (13) establish a court security committee to adopt  
18 security policies and procedures for the trial courts served by the  
19 local administrative district judge, including by adopting a court  
20 emergency management plan, that is composed of:

21 (A) the local administrative district judge, or  
22 the judge's designee, who serves as presiding officer of the  
23 committee;

24 (B) a representative of the sheriff's office;

25 (C) a representative of a constable's office;

26 (D) a representative of the county commissioners  
27 court;

1                    (E) [~~(D)~~] one judge of each type of court in the  
2 county other than a municipal court or a municipal court of record;

3                    (F) [~~(E)~~] a representative of any county  
4 attorney's office, district attorney's office, or criminal district  
5 attorney's office that serves in the applicable courts; and

6                    (G) [~~(F)~~] any other person the committee  
7 determines necessary to assist the committee.

8            (b) A court security committee shall [~~may~~] recommend to the  
9 county commissioners court the uses of resources and expenditures  
10 of money for courthouse security, but may not direct the assignment  
11 of those resources or the expenditure of those funds.

12            (c) Notwithstanding Section 551.001, a court security  
13 committee established under this section is not a governmental body  
14 for the purposes of Chapter 551.

15            SECTION 6. Section 42.07(b), Penal Code, is amended by  
16 amending Subdivision (1) and adding Subdivision (1-a) to read as  
17 follows:

18                    (1) "Court employee" means an employee whose duties  
19 relate to court administration, including a court clerk, court  
20 coordinator, court administrator, law clerk, or staff attorney.  
21 The term does not include a judge.

22                    (1-a) "Electronic communication" means a transfer of  
23 signs, signals, writing, images, sounds, data, or intelligence of  
24 any nature transmitted in whole or in part by a wire, radio,  
25 electromagnetic, photoelectronic, or photo-optical system. The  
26 term includes:

27                    (A) a communication initiated through the use of

1 electronic mail, instant message, network call, a cellular or other  
2 type of telephone, a computer, a camera, text message, a social  
3 media platform or application, an Internet website, any other  
4 Internet-based communication tool, or facsimile machine; and

5 (B) a communication made to a pager.

6 SECTION 7. Section 42.07(c), Penal Code, as amended by S.B.  
7 482, Acts of the 89th Legislature, Regular Session, 2025, and  
8 effective September 1, 2025, is amended to read as follows:

9 (c) An offense under this section is a Class B misdemeanor,  
10 except that the offense is:

11 (1) a Class A misdemeanor if:

12 (A) ~~[(1)]~~ the actor has previously been  
13 convicted under this section;

14 (B) ~~[(2)]~~ the offense was committed under  
15 Subsection (a)(7) or (8) and:

16 (i) ~~[(A)]~~ the offense was committed against  
17 a child under 18 years of age with the intent that the child:

18 (a) ~~[(i)]~~ commit suicide; or

19 (b) ~~[(ii)]~~ engage in conduct causing  
20 serious bodily injury to the child; or

21 (ii) ~~[(B)]~~ the actor has previously  
22 violated a temporary restraining order or injunction issued under  
23 Chapter 129A, Civil Practice and Remedies Code; ~~[or]~~

24 (C) ~~[(3)]~~ the offense was committed against a  
25 person the actor knows or reasonably should know is an employee or  
26 agent of a utility while the person is performing a duty within the  
27 scope of that employment or agency; or

1                    (D) the offense was committed against a person  
2 the actor knows is a court employee;

3                    (2) a state jail felony if the offense was committed  
4 against a person the actor knows is:

5                    (A) a court employee and the actor has previously  
6 been convicted under this section; or

7                    (B) a judge; or

8                    (3) a felony of the third degree if the offense was  
9 committed against a person the actor knows is a judge and the actor  
10 has previously been convicted under this section.

11            SECTION 8. Section 42.07, Penal Code, as amended by this  
12 Act, applies only to an offense committed on or after the effective  
13 date of this Act. An offense committed before the effective date of  
14 this Act is governed by the law in effect on the date the offense was  
15 committed, and the former law is continued in effect for that  
16 purpose. For purposes of this section, an offense was committed  
17 before the effective date of this Act if any element of the offense  
18 occurred before that date.

19            SECTION 9. As soon as practicable after the effective date  
20 of this Act, a court security committee shall develop a court  
21 emergency management plan as required by Section 29.014, 30.00007,  
22 or 74.092, Government Code, as amended by this Act.

23            SECTION 10. This Act takes effect on the 91st day after the  
24 last day of the legislative session.