

By: Jones of Dallas, Casteel

H.B. No. 494

Substitute the following for H.B. No. 494:

By: Chisum

C.S.H.B. No. 494

A BILL TO BE ENTITLED

AN ACT

relating to security fees in certain civil and criminal cases.

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

SECTION 1. Section 291.008(a), Local Government Code, is amended to read as follows:

(a) The commissioners court may set a fee not to exceed \$10 [~~\$5~~] to be collected at the time of filing in each civil case filed in a county court, county court at law, or district court which shall be taxed as other costs. The county is not liable for the costs.

SECTION 2. Articles 102.017(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) A defendant convicted of a felony offense in a district court shall pay a \$10 [~~\$5~~] security fee as a cost of court.

(b) A defendant convicted of a misdemeanor offense in a justice court, county court, county court at law, or district court shall pay a \$10 [~~\$3~~] security fee as a cost of court. The governing body of a municipality by ordinance may create a municipal court building security fund and may require a defendant convicted of a misdemeanor offense in a municipal court to pay a \$3 security fee as a cost of court.

SECTION 3. (a) This Act takes effect September 1, 2003.

(b) This Act applies only to a civil case filed on or after the effective date of this Act.

1           (c) This Act applies in a criminal case only to a cost on  
2 conviction for an offense committed on or after the effective date  
3 of this Act. For purposes of this subsection, an offense is  
4 committed before the effective date of this Act if any element of  
5 the offense occurs before the effective date.

6           (d) A cost on conviction for an offense committed before the  
7 effective date of this Act is covered by the law in effect when the  
8 offense was committed, and the former law is continued in effect for  
9 this purpose.