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H.B. No. 1418

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the justice court technology fund and to requiring the
3 assessment of a technology fee on conviction of certain misdemeanor
4 offenses.

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

6 SECTION 1. Articles 102.0173(a) and (d), Code of Criminal
7 Procedure, are amended to read as follows:

8 (a) The commissioners court of a county by order shall ~~may~~
9 create a justice court technology fund. A defendant convicted of a
10 misdemeanor offense in justice court shall pay a \$4 justice court
11 technology fee as a cost of court for deposit in the fund ~~[and may~~
12 ~~require a defendant convicted of a misdemeanor offense in a justice~~
13 ~~court to pay a technology fee not to exceed \$4 as a cost of court].~~

14 (d) A fund designated by this article may be used only to
15 finance:

16 (1) the cost of continuing education and training for
17 justice court judges and clerks regarding technological
18 enhancements for justice courts; and

19 (2) the purchase and maintenance of technological
20 enhancements for a justice court, including:

- 21 (A) ~~[(1)]~~ computer systems;
22 (B) ~~[(2)]~~ computer networks;
23 (C) ~~[(3)]~~ computer hardware;
24 (D) ~~[(4)]~~ computer software;

- 1 (E) [~~(5)~~] imaging systems;
- 2 (F) [~~(6)~~] electronic kiosks;
- 3 (G) [~~(7)~~] electronic ticket writers; and
- 4 (H) [~~(8)~~] docket management systems.

5 SECTION 2. Section 102.101, Government Code, is amended to
6 read as follows:

7 Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN
8 JUSTICE COURT. A clerk of a justice court shall collect fees and
9 costs on conviction of a defendant as follows:

10 (1) a jury fee (Art. 102.004, Code of Criminal
11 Procedure) . . . \$3;

12 (2) a fee for withdrawing request for jury less than 24
13 hours before time of trial (Art. 102.004, Code of Criminal
14 Procedure) . . . \$3;

15 (3) a jury fee for two or more defendants tried jointly
16 (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of
17 \$3;

18 (4) a security fee on a misdemeanor offense (Art.
19 102.017, Code of Criminal Procedure) . . . \$3;

20 (5) a fee for technology fund on a misdemeanor offense
21 (Art. 102.0173, Code of Criminal Procedure) . . . [~~not to exceed~~
22 \$4; and

23 (6) a court cost on conviction in Comal County (Sec.
24 152.0522, Human Resources Code) . . . \$1.50.

25 SECTION 3. Article 102.0173(f), Code of Criminal Procedure,
26 is repealed.

27 SECTION 4. The change in law made by this Act applies only

1 to an offense committed on or after the effective date of this Act.
2 An offense committed before the effective date of this Act is
3 governed by the law in effect when the offense was committed, and
4 the former law is continued in effect for that purpose. For
5 purposes of this section, an offense was committed before the
6 effective date of this Act if any element of the offense was
7 committed before that date.

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