

AN ACT

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

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

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

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

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

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

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

- (A) ~~[(1)]~~ computer systems;
- (B) ~~[(2)]~~ computer networks;
- (C) ~~[(3)]~~ computer hardware;
- (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26 is repealed.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.

H.B. No. 1418

President of the Senate

Speaker of the House

I certify that H.B. No. 1418 was passed by the House on April 26, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 1418 was passed by the Senate on May 12, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor