

By: Gonzalez Toureilles

H.B. No. 1934

A BILL TO BE ENTITLED

AN ACT

relating to security fees for justice courts not housed in a county courthouse.

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

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

(b) A defendant convicted of a misdemeanor offense in a ~~[justice court]~~ county court, county court at law, or district court shall pay a \$3 security fee as a cost of court. A defendant convicted of a misdemeanor offense in a justice court shall pay a \$4 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.

(d) Except as provided by Subsection (d-1), the ~~[The]~~ clerks of the respective courts shall collect the costs and pay them to the county or municipal treasurer, as appropriate, or to any other official who discharges the duties commonly delegated to the county or municipal treasurer, as appropriate, for deposit in a fund to be known as the courthouse security fund or a fund to be known as the municipal court building security fund, as appropriate. A fund designated by this subsection may be used only to finance items when

1 used for the purpose of providing security services for buildings  
2 housing a district, county, justice, or municipal court, as  
3 appropriate, including:

4 (1) the purchase or repair of X-ray machines and  
5 conveying systems;

6 (2) handheld metal detectors;

7 (3) walkthrough metal detectors;

8 (4) identification cards and systems;

9 (5) electronic locking and surveillance equipment;

10 (6) bailiffs, deputy sheriffs, deputy constables, or  
11 contract security personnel during times when they are providing  
12 appropriate security services;

13 (7) signage;

14 (8) confiscated weapon inventory and tracking  
15 systems;

16 (9) locks, chains, alarms, or similar security  
17 devices;

18 (10) the purchase or repair of bullet-proof glass; and

19 (11) continuing education on security issues for court  
20 personnel and security personnel.

21 (d-1) The county treasurer shall deposit one-fourth of the  
22 cost of court collected under Subsection (b) in a justice court that  
23 is not housed in the county courthouse into a fund to be known as the  
24 justice court building security fund. A fund designated by this  
25 subsection may be used only for the purpose of providing security  
26 services as provided by Subsection (d) for a justice court that is  
27 not housed in the county courthouse.

1           (e) The courthouse security fund and the justice court  
2 building security fund shall be administered by or under the  
3 direction of the commissioners court. The municipal court building  
4 fund shall be administered by or under the direction of the  
5 governing body of the municipality.

6           SECTION 2. (a) The change in law made by this Act applies  
7 only to a cost on conviction for an offense committed on or after  
8 the effective date of this Act. A cost on conviction for an offense  
9 committed before the effective date of this Act is governed by the  
10 law in effect on the date the offense was committed, and the former  
11 law is continued in effect for that purpose.

12           (b) For purposes of this section, an offense was committed  
13 before the effective date of this Act if any element of the offense  
14 occurred before that date.

15           SECTION 3. This Act takes effect September 1, 2005.