

By: Gonzalez Toureilles, Brown of Brazos H.B. No. 1934
(Senate Sponsor - Gallegos)
(In the Senate - Received from the House May 10, 2005;
May 12, 2005, read first time and referred to Committee on
Jurisprudence; May 19, 2005, reported favorably by the following
vote: Yeas 4, Nays 0; May 19, 2005, sent to printer.)

A BILL TO BE ENTITLED
AN ACT

relating to security fees for justice courts.

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

SECTION 1. The heading to Article 102.017, Code of Criminal Procedure, is amended to read as follows:

Art. 102.017. COURT COSTS; COURTHOUSE SECURITY FUND; MUNICIPAL COURT BUILDING SECURITY FUND; JUSTICE COURT BUILDING SECURITY FUND.

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

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

(2) handheld metal detectors;

(3) walkthrough metal detectors;

(4) identification cards and systems;

(5) electronic locking and surveillance equipment;

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

(7) signage;

(8) confiscated weapon inventory and tracking systems;

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

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

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

(d-1)(1) This subsection applies only to a justice court located in a county in which one or more justice courts are located in a building that is not the county courthouse.

(2) The county treasurer shall deposit one-fourth of the cost of court collected under Subsection (b) in a justice court described by Subdivision (1) into a fund to be known as the justice court building security fund. A fund designated by this subsection may be used only for the purpose of providing for a justice court located in a building that is not the county courthouse security

2-1 services as described by Subsection (d).

2-2 (e) The courthouse security fund and the justice court
2-3 building security fund shall be administered by or under the
2-4 direction of the commissioners court. The municipal court building
2-5 fund shall be administered by or under the direction of the
2-6 governing body of the municipality.

2-7 SECTION 3. (a) The change in law made by this Act applies
2-8 only to a cost on conviction for an offense committed on or after
2-9 the effective date of this Act. A cost on conviction for an offense
2-10 committed before the effective date of this Act is governed by the
2-11 law in effect on the date the offense was committed, and the former
2-12 law is continued in effect for that purpose.

2-13 (b) For purposes of this section, an offense was committed
2-14 before the effective date of this Act if any element of the offense
2-15 occurred before that date.

2-16 SECTION 4. This Act takes effect September 1, 2005.

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