

By: McCall

H.B. No. 1380

A BILL TO BE ENTITLED

1 AN ACT

2 relating to court security and the use of money in courthouse
3 security and municipal court building security funds.

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

5 SECTION 1. Article 102.017, Code of Criminal Procedure, is
6 amended by amending Subsections (d) and (d-1) and adding
7 Subsections (d-2) and (f) to read as follows:

8 (d) Except as provided by Subsection (d-2) [~~(d-1)~~], the
9 clerks of the respective courts shall collect the costs and pay them
10 to the county or municipal treasurer, as appropriate, or to any
11 other official who discharges the duties commonly delegated to the
12 county or municipal treasurer, as appropriate, for deposit in a
13 fund to be known as the courthouse security fund or a fund to be
14 known as the municipal court building security fund, as
15 appropriate. Money deposited in a courthouse security fund may be
16 used only for security personnel, services, and items related to
17 buildings that house the operations of district, county, or justice
18 courts, and money deposited in a municipal court building security
19 fund may be used only for security personnel, services, and items
20 related to buildings that house the operations of municipal courts.
21 For purposes of this subsection, operations of a district, county,
22 or justice court include the activities of associate judges,
23 masters, magistrates, referees, hearing officers, criminal law
24 magistrate court judges, and masters in chancery appointed under:

- 1 (1) Section 61.311, Alcoholic Beverage Code;
- 2 (2) Section 51.04(g) or Chapter 201, Family Code;
- 3 (3) Section 574.0085, Health and Safety Code;
- 4 (4) Section 33.71, Tax Code;
- 5 (5) Chapter 54, Government Code; or
- 6 (6) Rule 171, Texas Rules of Civil Procedure.

7 (d-1) For purposes of this article, the term "security
8 personnel, services, and items" includes [A fund designated by this
9 subsection may be used only to finance security personnel for a
10 district, county, justice, or municipal court, as appropriate, or
11 to finance items when used for the purpose of providing security
12 services for buildings housing a district, county, justice, or
13 municipal court, as appropriate, including]:

- 14 (1) the purchase or repair of X-ray machines and
15 conveying systems;
- 16 (2) handheld metal detectors;
- 17 (3) walkthrough metal detectors;
- 18 (4) identification cards and systems;
- 19 (5) electronic locking and surveillance equipment;
- 20 (6) bailiffs, deputy sheriffs, deputy constables, or
21 contract security personnel during times when they are providing
22 appropriate security services;
- 23 (7) signage;
- 24 (8) confiscated weapon inventory and tracking
25 systems;
- 26 (9) locks, chains, alarms, or similar security
27 devices;

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

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

5 (d-2) [~~(d-1)~~](1) This subsection applies only to a justice
6 court located in a county in which one or more justice courts are
7 located in a building that is not the county courthouse.

8 (2) The county treasurer shall deposit one-fourth of
9 the cost of court collected under Subsection (b) in a justice court
10 described by Subdivision (1) into a fund to be known as the justice
11 court building security fund. A fund designated by this subsection
12 may be used only for the purpose of providing security personnel,
13 services, and items for a justice court located in a building that
14 is not the county courthouse [~~security services as described by~~
15 ~~Subsection (d)~~].

16 (f) A local administrative judge shall provide to the Office
17 of Court Administration of the Texas Judicial System a written
18 report regarding any security incident involving court security
19 that occurs in or around a building housing a court for which the
20 judge serves as local administrative judge not later than the third
21 business day after the date the incident occurred.

22 SECTION 2. This Act takes effect September 1, 2007.