

By: Haggerty

H.B. No. 3549

A BILL TO BE ENTITLED

AN ACT

relating to court costs imposed on conviction and deposited to the courthouse security fund for a county.

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

SECTION 1. Articles 102.017(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) A defendant convicted of a felony offense in a district court shall pay a \$10 [~~\$5~~] security fee as a cost of court.

(b) A defendant convicted of a misdemeanor offense in a 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 an \$8 [~~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.

SECTION 2. Section 102.041, Government Code, is amended to read as follows:

Sec. 102.041. ADDITIONAL COURT COSTS ON CONVICTION IN DISTRICT COURT. The clerk of a district court shall collect fees and costs on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

1           (2) a fee for clerk of the court services (Art.  
2 102.005, Code of Criminal Procedure) . . . \$40;

3           (3) a records management and preservation services fee  
4 (Art. 102.005, Code of Criminal Procedure) . . . \$25;

5           (4) a security fee on a felony offense (Art. 102.017,  
6 Code of Criminal Procedure) . . . \$10 [~~\$5~~];

7           (5) a security fee on a misdemeanor offense (Art.  
8 102.017, Code of Criminal Procedure) . . . \$3;

9           (6) a graffiti eradication fee (Art. 102.0171, Code of  
10 Criminal Procedure) . . . \$5; and

11           (7) a court cost on conviction in Comal County (Sec.  
12 152.0522, Human Resources Code) . . . \$4.

13           SECTION 3. Section 102.101, Government Code, as amended by  
14 Chapters 240 and 949, Acts of the 79th Legislature, Regular  
15 Session, 2005, is reenacted and amended to read as follows:

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

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

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

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

26           (4) a security fee on a misdemeanor offense (Art.  
27 102.017, Code of Criminal Procedure) . . . \$8 [~~\$3~~];

1           (5) a fee for technology fund on a misdemeanor offense  
2 (Art. 102.0173, Code of Criminal Procedure) . . . \$4;

3           (6) a court cost on conviction in Comal County (Sec.  
4 152.0522, Human Resources Code) . . . \$1.50; and

5           (7) a juvenile case manager fee (Art. 102.0174, Code  
6 of Criminal Procedure) . . . \$5.

7           SECTION 4. The change in law made by this Act applies only  
8 to court costs imposed on conviction of an offense committed on or  
9 after the effective date of this Act. For purposes of this section,  
10 an offense is committed before the effective date of this Act if any  
11 element of the offense occurs before that date. Court costs imposed  
12 on conviction of an offense committed before the effective date of  
13 this Act are governed by the law in effect on the date the offense  
14 was committed, and the former law is continued in effect for that  
15 purpose.

16           SECTION 5. This Act takes effect September 1, 2007.