

1-1 By: Haggerty (Senate Sponsor - Hinojosa) H.B. No. 3549
1-2 (In the Senate - Received from the House May 11, 2007;
1-3 May 15, 2007, read first time and referred to Committee on
1-4 Jurisprudence; May 19, 2007, reported favorably by the following
1-5 vote: Yeas 4, Nays 0; May 19, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to court costs imposed on conviction and deposited to the
1-9 courthouse security fund for a county.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Articles 102.017(a) and (b), Code of Criminal
1-12 Procedure, are amended to read as follows:

1-13 (a) A defendant convicted of a felony offense in a district
1-14 court shall pay a \$10 [~~\$5~~] security fee as a cost of court.

1-15 (b) A defendant convicted of a misdemeanor offense in a
1-16 county court, county court at law, or district court shall pay a \$3
1-17 security fee as a cost of court. A defendant convicted of a
1-18 misdemeanor offense in a justice court shall pay an \$8 [~~a \$4~~]
1-19 security fee as a cost of court. The governing body of a
1-20 municipality by ordinance may create a municipal court building
1-21 security fund and may require a defendant convicted of a
1-22 misdemeanor offense in a municipal court to pay a \$3 security fee as
1-23 a cost of court.

1-24 SECTION 2. Section 102.041, Government Code, is amended to
1-25 read as follows:

1-26 Sec. 102.041. ADDITIONAL COURT COSTS ON CONVICTION IN
1-27 DISTRICT COURT. The clerk of a district court shall collect fees
1-28 and costs on conviction of a defendant as follows:

1-29 (1) a jury fee (Art. 102.004, Code of Criminal
1-30 Procedure) . . . \$20;

1-31 (2) a fee for clerk of the court services (Art.
1-32 102.005, Code of Criminal Procedure) . . . \$40;

1-33 (3) a records management and preservation services fee
1-34 (Art. 102.005, Code of Criminal Procedure) . . . \$25;

1-35 (4) a security fee on a felony offense (Art. 102.017,
1-36 Code of Criminal Procedure) . . . \$10 [~~\$5~~];

1-37 (5) a security fee on a misdemeanor offense (Art.
1-38 102.017, Code of Criminal Procedure) . . . \$3;

1-39 (6) a graffiti eradication fee (Art. 102.0171, Code of
1-40 Criminal Procedure) . . . \$5; and

1-41 (7) a court cost on conviction in Comal County (Sec.
1-42 152.0522, Human Resources Code) . . . \$4.

1-43 SECTION 3. Section 102.101, Government Code, as amended by
1-44 Chapters 240 and 949, Acts of the 79th Legislature, Regular
1-45 Session, 2005, is reenacted and amended to read as follows:

1-46 Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN
1-47 JUSTICE COURT. A clerk of a justice court shall collect fees and
1-48 costs on conviction of a defendant as follows:

1-49 (1) a jury fee (Art. 102.004, Code of Criminal
1-50 Procedure) . . . \$3;

1-51 (2) a fee for withdrawing request for jury less than 24
1-52 hours before time of trial (Art. 102.004, Code of Criminal
1-53 Procedure) . . . \$3;

1-54 (3) a jury fee for two or more defendants tried jointly
1-55 (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

1-56 (4) a security fee on a misdemeanor offense (Art.
1-57 102.017, Code of Criminal Procedure) . . . \$8 [~~\$3~~];

1-58 (5) a fee for technology fund on a misdemeanor offense
1-59 (Art. 102.0173, Code of Criminal Procedure) . . . \$4;

1-60 (6) a court cost on conviction in Comal County (Sec.
1-61 152.0522, Human Resources Code) . . . \$1.50; and

1-62 (7) a juvenile case manager fee (Art. 102.0174, Code
1-63 of Criminal Procedure) . . . \$5.

1-64 SECTION 4. The change in law made by this Act applies only

2-1 to court costs imposed on conviction of an offense committed on or
2-2 after the effective date of this Act. For purposes of this section,
2-3 an offense is committed before the effective date of this Act if any
2-4 element of the offense occurs before that date. Court costs imposed
2-5 on conviction of an offense committed before the effective date of
2-6 this Act are governed by the law in effect on the date the offense
2-7 was committed, and the former law is continued in effect for that
2-8 purpose.

2-9 SECTION 5. This Act takes effect September 1, 2007.

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