

BILL ANALYSIS

H.B. 2344
By: Castro
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Information technology can assist law enforcement agencies serving Texas communities. Due to the rapid advancement in computer and telecommunications technologies, funding regular updates for law enforcement agencies can be difficult. H.B. 2344 seeks to allow a commissioners court of a county to create a law enforcement technology fund to finance the purchase and maintenance of technological enhancements for a county law enforcement agency.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2344 amends the Code of Criminal Procedure to authorize the commissioners court of a county by order to create a law enforcement technology fund and to require a defendant convicted of a misdemeanor offense in a justice court or county court at law, if a fund is created, to pay a \$2 law enforcement technology fee as a cost of court. The bill establishes that a person is considered convicted if a sentence is imposed on the person; the person is placed on community supervision, including deferred adjudication community supervision; or the court defers final disposition of the person's case. The bill requires the clerk of a justice court or county court at law to collect the fee and pay the fee to the county treasurer, or to any other official who discharges the duties commonly delegated to the county treasurer, for deposit in the law enforcement technology fund. The bill limits the use of the fund only to finance the purchase and maintenance of technological enhancements for a county law enforcement agency and requires the fund to be administered by or under the direction of the commissioners court of the county.

H.B. 2344 reenacts and amends Section 102.061, Government Code, as amended by Chapters 87 (S.B. 1969), 1172 (H.B. 3389), and 1183 (H.B. 3637), Acts of the 81st Legislature, Regular Session, 2009, and further amends the Government Code to make nonsubstantive and conforming changes relating to the collection of the law enforcement technology fee. The bill makes another conforming change.

H.B. 2344 establishes that, to the extent of any conflict, the bill's provisions prevail over another act of the 82nd Legislature, Regular Session, 2011, relating to nonsubstantive additions to and corrections in enacted codes.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.