

BILL ANALYSIS

S.B. 1521
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Article 102.017 (Court Costs; Courthouse Security Fund; Municipal Court Building Security Fund; Justice Court Building Security Fund), Code of Criminal Procedure, authorizes a municipal court to create a municipal court building security fund and to charge a defendant convicted of a misdemeanor a \$3 security fee as a cost of the court. The fee may be used to create a municipal court building security fund to be used for security personnel, services, and items related to the buildings that house the municipal court.

A warrant officer is considered an officer of the municipal court and, simultaneously, commissioned by the police department. The warrant officer's core duties include searching for and arresting individuals with outstanding warrants issued by the municipal court. Consequently, as an officer of the court, the warrant officer should be allowed to use the municipal court building security fund for expenditures related to his or her personal security when completing primary job duties in the field. In essence, the "field" becomes an extension of the municipal court building for the warrant officer and justifies equal protection.

S.B. 1521 seeks to amend the Code of Criminal Procedure to include warrant officers and related equipment in the definition of security personnel, services, and items related to the buildings that house the municipal court.

As proposed, S.B. 1521 amends current law relating to the distribution of money appropriated from a municipal court building security fund

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 102.017, Code of Criminal Procedure, by amending Subsection (d-1) to redefine the term "security personnel, services, and items" to include warrant officers and related equipment. Makes nonsubstantive changes.

EFFECTIVE DATE

Upon passage or September 1, 2011.