

By: Gonzalez, Gonzales of Hidalgo

H.B. No. 777

A BILL TO BE ENTITLED

AN ACT

relating to court costs imposed on conviction and deposited to the appropriate courthouse security fund or court building security fund.

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 an \$8 [~~a \$3~~] security fee as a cost of court. A defendant convicted of a misdemeanor offense in a justice court shall pay a \$9 [~~\$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 an \$8 [~~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: CODE OF CRIMINAL PROCEDURE. The clerk of a district court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal

Procedure) . . . \$20;

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

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

(4) a county and district court technology fee
(Art. 102.0169, Code of Criminal Procedure) . . . \$4;

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

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

(7) a juvenile delinquency prevention and graffiti
eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .
\$50.

SECTION 3. Section 102.101, Government Code, is amended to
read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN
JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice
court shall collect fees and costs under the Code of Criminal
Procedure on conviction of a defendant as follows:

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

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

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

1 \$3;

2 (4) a security fee on a misdemeanor offense
3 (Art. 102.017, Code of Criminal Procedure) . . . \$9 [~~\$4~~];

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

6 (6) a juvenile case manager fee (Art. 102.0174, Code
7 of Criminal Procedure) . . . not to exceed \$5;

8 (7) a fee on conviction of certain offenses involving
9 issuing or passing a subsequently dishonored check (Art. 102.0071,
10 Code of Criminal Procedure) . . . not to exceed \$30;

11 (8) a court cost on conviction of a Class C misdemeanor
12 in a county with a population of 3.3 million or more, if authorized
13 by the county commissioners court (Art. 102.009, Code of Criminal
14 Procedure) . . . not to exceed \$7; and

15 (9) a civil justice fee (Art. 102.022, Code of
16 Criminal Procedure) . . . \$0.10.

17 SECTION 4. Section 102.121, Government Code, is amended to
18 read as follows:

19 Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN
20 MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a
21 municipal court shall collect fees and costs on conviction of a
22 defendant as follows:

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

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

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

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

6 (5) a fee for technology fund on a misdemeanor offense
7 (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4;

8 (6) a juvenile case manager fee (Art. 102.0174, Code
9 of Criminal Procedure) . . . not to exceed \$5; and

10 (7) a civil justice fee (Art. 102.022, Code of
11 Criminal Procedure) . . . \$0.10.

12 SECTION 5. The change in law made by this Act applies only
13 to court costs imposed on conviction of an offense committed on or
14 after January 1, 2012. For purposes of this section, an offense is
15 committed before January 1, 2012, if any element of the offense
16 occurs before that date. Court costs imposed on conviction of an
17 offense committed before January 1, 2012, are governed by the law in
18 effect immediately before the effective date of this Act, and the
19 former law is continued in effect for that purpose.

20 SECTION 6. This Act takes effect September 1, 2011.