

By: Gonzalez

H.B. No. 777

A BILL TO BE ENTITLED

AN ACT

relating to court costs imposed on conviction and deposited to the courthouse 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 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 \$3;

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

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

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

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

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

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

16          SECTION 4. The change in law made by this Act applies only  
17 to court costs imposed on conviction of an offense committed on or  
18 after January 1, 2012. For purposes of this section, an offense is  
19 committed before January 1, 2012, if any element of the offense  
20 occurs before that date. Court costs imposed on conviction of an  
21 offense committed before January 1, 2012, are governed by the law in  
22 effect on the date the offense was committed, and the former law is  
23 continued in effect for that purpose.

24          SECTION 5. This Act takes effect September 1, 2011.