

By: Thompson

H.B. No. 904

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to court costs imposed on conviction and deposited to the  
3 municipal court building security fund.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article 102.017(b), Code of Criminal Procedure,  
6 is amended to read as follows:

7 (b) A defendant convicted of a misdemeanor offense in a  
8 county court, county court at law, or district court shall pay a \$3  
9 security fee as a cost of court. A defendant convicted of a  
10 misdemeanor offense in a justice court shall pay a \$4 security fee  
11 as a cost of court. The governing body of a municipality by  
12 ordinance may create a municipal court building security fund and  
13 may require a defendant convicted of a misdemeanor offense in a  
14 municipal court to pay a \$4 [~~\$3~~] security fee as a cost of court.

15 SECTION 2. Section 102.121, Government Code, is amended to  
16 read as follows:

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

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

23 (2) a fee for withdrawing request for jury less than 24  
24 hours before time of trial (Art. 102.004, Code of Criminal

1 Procedure) . . . \$3;

2 (3) a jury fee for two or more defendants tried jointly  
3 (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of  
4 \$3;

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

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

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

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

13 SECTION 3. (a) Section 51.607, Government Code, does not  
14 apply to the imposition or change in the amount of a court cost  
15 assessed under Article 102.017(b), Code of Criminal Procedure, as  
16 amended by this Act, or under Section 102.121, Government Code, as  
17 amended by this Act.

18 (b) The change in law made by this Act applies only to court  
19 costs imposed on conviction in a municipal court of an offense  
20 committed on or after the effective date of an ordinance of the  
21 governing body of the municipality that requires a defendant  
22 convicted of the offense to pay the cost. Court costs imposed on  
23 conviction of an offense committed before that date are governed by  
24 the law in effect on the date the offense was committed, and the  
25 former law is continued in effect for that purpose.

26 SECTION 4. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2011.