

By: Rodriguez

S.B. No. 607

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the assessment of court costs on conviction of a Class C
3 misdemeanor in certain justice courts.

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

5 SECTION 1. Article 102.009, Code of Criminal Procedure, is
6 amended to read as follows:

7 Art. 102.009. COURT COSTS IN CERTAIN COUNTIES. In counties
8 with a population of 100,000 [~~3.3 million~~] or more, the
9 commissioners court may set court costs for persons convicted of a
10 Class C misdemeanor in the justice courts. Court costs set as
11 provided by this article may not exceed \$7 for each conviction.

12 SECTION 2. Section 102.101, Government Code, is amended to
13 read as follows:

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

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

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

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

1 (4) a security fee on a misdemeanor offense (Art.
2 102.017, Code of Criminal Procedure) . . . \$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 100,000 [~~3.3 million~~] or more, if
12 authorized by the county commissioners court (Art. 102.009, Code of
13 Criminal Procedure) . . . not to exceed \$7; and

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

16 SECTION 3. (a) Section 51.607, Government Code, does not
17 apply to the imposition or change in the amount of a court cost
18 assessed under Article 102.009, Code of Criminal Procedure, as
19 amended by this Act, or under Section 102.101, Government Code, as
20 amended by this Act.

21 (b) The change in law made by this Act applies only to court
22 costs imposed on conviction in a justice court of an offense
23 committed on or after the effective date of an order of the
24 commissioners court of the county that requires a defendant
25 convicted of the offense to pay the cost. Court costs imposed on
26 conviction of an offense committed before that date are governed by
27 the law in effect on the date the offense was committed, and the

1 former law is continued in effect for that purpose.

2 SECTION 4. This Act takes effect September 1, 2011.