

BILL ANALYSIS

C.S.H.B. 1448
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the commissioners court of each county is required to create a justice court technology fund that is funded by a \$4 fee paid by each defendant convicted of a misdemeanor offense in justice court. The fund is designated for use in financing the cost of continuing education and training in technological enhancements for justice court judges and clerks, as well as financing the cost of purchasing and maintaining technological enhancements for a justice court.

County constables work closely with justice court judges and clerks, and interested parties assert that it would be beneficial for certain Texas counties to expand and improve constable access to technological enhancements. C.S.H.B. 1448 seeks to enable such expansion and improvement through the use of money deposited to the justice court technology fund of certain counties.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1448 amends the Code of Criminal Procedure to authorize a justice court, subject to the approval of the county commissioners court, to use a justice court technology fund to assist a constable's office or other county department with the cost of continuing education and training regarding a technological enhancement or the purchase and maintenance of a technological enhancement if the enhancement directly relates to the operation or efficiency of the justice court. The bill limits the application of its provisions to a county that has a population of 125,000 or more, that is not adjacent to a county of two million or more, that contains a portion of the Guadalupe River, and that contains a portion of Interstate Highway 10.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1448 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Article 102.0173(d), Code of Criminal Procedure, is amended to read as

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

follows:

(d) A fund designated by this article may be used only to finance:

(1) the cost of continuing education and training for justice court judges and clerks and constables regarding technological enhancements for justice courts; ~~and~~

(2) the purchase and maintenance of technological enhancements for a justice court, including:

(A) computer systems;

(B) computer networks;

(C) computer hardware;

(D) computer software;

(E) imaging systems;

(F) electronic kiosks;

(G) electronic ticket writers; and

(H) docket management systems; and

(3) the purchase and maintenance of technological enhancements for constables.

No equivalent provision.

SECTION 1. Article 102.0173, Code of Criminal Procedure, is amended by adding Subsection (f) to read as follows:

(f) A justice court may, subject to the approval of the commissioners court, use a fund designated by this article to assist a constable's office or other county department with a technological enhancement, or cost related to the enhancement, described by Subsection (d)(1) or (2) if the enhancement directly relates to the operation or efficiency of the justice court. This subsection applies only to a county that:

(1) has a population of 125,000 or more;

(2) is not adjacent to a county of two million or more;

(3) contains a portion of the Guadalupe River; and

(4) contains a portion of Interstate Highway 10.

SECTION 2. This Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.