

By: Rodriguez of Bexar

H.B. No. 1552

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of the commissioners court of a county to  
3 create a law enforcement technology fund and to require certain  
4 defendants to pay court costs for deposit in the fund; authorizing a  
5 fee.

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

7 SECTION 1. Subchapter A, Chapter 102, Code of Criminal  
8 Procedure, is amended by adding Article 102.0175 to read as  
9 follows:

10 Art. 102.0175. COURT COSTS; LAW ENFORCEMENT TECHNOLOGY  
11 FUND. (a) The commissioners court of a county by order may create a  
12 law enforcement technology fund.

13 (b) If a fund is created as described by Subsection (a), a  
14 defendant convicted of a misdemeanor offense in a justice court or  
15 county court at law shall pay a \$2 law enforcement technology fee as  
16 a cost of court.

17 (c) In this article, a person is considered convicted if:

18 (1) a sentence is imposed on the person;

19 (2) the person is placed on community supervision,  
20 including deferred adjudication community supervision; or

21 (3) the court defers final disposition of the person's  
22 case.

23 (d) The clerks of the courts described by Subsection (b)  
24 shall collect the fee and pay the fee to the county treasurer, or to

1 any other official who discharges the duties commonly delegated to  
2 the county treasurer, for deposit in the law enforcement technology  
3 fund.

4 (e) A fund created under this article may be used only to  
5 finance the purchase and maintenance of technological enhancements  
6 for a county law enforcement agency and shall be administered by or  
7 under the direction of the commissioners court of the county.

8 SECTION 2. Section 102.061, Government Code, is amended to  
9 read as follows:

10 Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN  
11 STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of  
12 a statutory county court shall collect fees and costs under the Code  
13 of Criminal Procedure on conviction of a defendant as follows:

14 (1) a jury fee (Art. 102.004, Code of Criminal  
15 Procedure) . . . \$20;

16 (2) a fee for services of the clerk of the court (Art.  
17 102.005, Code of Criminal Procedure) . . . \$40;

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

20 (4) a county and district court technology fee (Art.  
21 102.0169, Code of Criminal Procedure) . . . \$4;

22 (5) a security fee on a misdemeanor offense (Art.  
23 102.017, Code of Criminal Procedure) . . . \$3;

24 (6) a juvenile delinquency prevention and graffiti  
25 eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .  
26 \$50;

27 (7) a juvenile case manager fee (Art. 102.0174, Code

1 of Criminal Procedure) . . . not to exceed \$5 if the court employs a  
2 juvenile case manager; ~~and~~

3 (8) a civil justice fee (Art. 102.022, Code of  
4 Criminal Procedure) . . . \$0.10; and

5 (9) a law enforcement technology fee, if authorized by  
6 the county commissioners court (Art. 102.0175, Code of Criminal  
7 Procedure) . . . \$2.

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

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

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

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

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

21 (4) a security fee on a misdemeanor offense (Art.  
22 102.017, Code of Criminal Procedure) . . . \$4;

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

25 (6) a juvenile case manager fee (Art. 102.0174, Code  
26 of Criminal Procedure) . . . not to exceed \$5 if the court employs a  
27 juvenile case manager;

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

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

8           (9) a civil justice fee (Art. 102.022, Code of  
9 Criminal Procedure) . . . \$0.10; and

10           (10) a law enforcement technology fee, if authorized  
11 by the county commissioners court (Art. 102.0175, Code of Criminal  
12 Procedure) . . . \$2.

13           SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2013.