

By: Gooden

H.B. No. 2327

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;

- 1 (2) a fee for clerk of the court services
2 (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- 3 (3) a records management and preservation services fee
4 (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- 5 (4) a county and district court technology fee
6 (Art. 102.0169, Code of Criminal Procedure) . . . \$4;
- 7 (5) a security fee on a felony offense (Art. 102.017,
8 Code of Criminal Procedure) . . . \$10 [~~\$5~~];
- 9 (6) a security fee on a misdemeanor offense
10 (Art. 102.017, Code of Criminal Procedure) . . . \$8 [~~\$3~~]; and
- 11 (7) a juvenile delinquency prevention and graffiti
12 eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .
13 \$50.

14 SECTION 3. Section 102.061, Government Code, is amended to
15 read as follows:

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

- 20 (1) a jury fee (Art. 102.004, Code of Criminal
21 Procedure) . . . \$20;
- 22 (2) a fee for services of the clerk of the court (Art.
23 102.005, Code of Criminal Procedure) . . . \$40;
- 24 (3) a records management and preservation services fee
25 (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- 26 (4) a county and district court technology fee (Art.
27 102.0169, Code of Criminal Procedure) . . . \$4;

1 (5) a security fee on a misdemeanor offense (Art.
2 102.017, Code of Criminal Procedure) . . . \$8 [~~\$3~~];

3 (6) a juvenile delinquency prevention and graffiti
4 eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .
5 \$50;

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

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

11 SECTION 4. Section 102.081, Government Code, is amended to
12 read as follows:

13 Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN
14 COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county
15 court shall collect fees and costs under the Code of Criminal
16 Procedure on conviction of a defendant as follows:

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

19 (2) a fee for clerk of the court services (Art.
20 102.005, Code of Criminal Procedure) . . . \$40;

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

23 (4) a county and district court technology fee (Art.
24 102.0169, Code of Criminal Procedure) . . . \$4;

25 (5) a security fee on a misdemeanor offense (Art.
26 102.017, Code of Criminal Procedure) . . . \$8 [~~\$3~~];

27 (6) a juvenile delinquency prevention and graffiti

1 eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .
2 \$50;

3 (7) a juvenile case manager fee (Art. 102.0174, Code
4 of Criminal Procedure) . . . not to exceed \$5 if the court employs a
5 juvenile case manager; and

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

8 SECTION 5. 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) . . . \$9 [~~\$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.

10 SECTION 6. The change in law made by this Act applies only
11 to court costs imposed on conviction of an offense committed on or
12 after January 1, 2014. For purposes of this section, an offense is
13 committed before January 1, 2014, if any element of the offense
14 occurs before that date. Court costs imposed on conviction of an
15 offense committed before January 1, 2014, are governed by the law in
16 effect immediately before the effective date of this Act, and the
17 former law is continued in effect for that purpose.

18 SECTION 7. This Act takes effect September 1, 2013.