

By: West  
(Herrero)

S.B. No. 967

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality or county to retain certain fees.

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

SECTION 1. Subsection (e), Section 133.058, Local Government Code, is amended to read as follows:

(e) A municipality or county may not retain a service fee if, during an audit under Article 103.0033(j), Code of Criminal Procedure, the Office of Court Administration of the Texas Judicial System determines that the municipality or county is not in compliance with Article 103.0033, Code of Criminal Procedure, and ~~[in the case of a municipality if]~~ the municipality or county is unable to reestablish compliance on or before the 180th day after the date the municipality or county receives written notice of noncompliance from the office. After any period in which the municipality or county becomes unable to retain a service fee under this subsection, the municipality or county may begin once more to retain the fee only on receipt of a written confirmation from the office that the municipality or county is in compliance with Article 103.0033, Code of Criminal Procedure.

SECTION 2. Subsection (c-1), Section 133.103, Local Government Code, is amended to read as follows:

(c-1) The treasurer shall send to the comptroller 100 percent of the fees collected under this section if, during an audit

1 under Article 103.0033(j), Code of Criminal Procedure, the Office  
2 of Court Administration of the Texas Judicial System determines  
3 that the municipality or county is not in compliance with Article  
4 103.0033, Code of Criminal Procedure, and [~~in the case of a~~  
5 ~~municipality if the municipality~~] is unable to reestablish  
6 compliance on or before the 180th day after the date the  
7 municipality or county receives written notice of noncompliance  
8 from the office. After any period in which the treasurer is  
9 required under this subsection to send 100 percent of the fees  
10 collected under this section to the comptroller, the municipality  
11 or county shall begin once more to dispose of fees as otherwise  
12 provided by this section on receipt of a written confirmation from  
13 the office that the municipality or county is in compliance with  
14 Article 103.0033, Code of Criminal Procedure.

15 SECTION 3. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2013.