

By: Kuempel, Flynn

H.B. No. 3927

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of the constable technology fund;
3 authorizing a fee.

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

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

8 Art. 102.0175. COURT COSTS; CONSTABLE TECHNOLOGY FUND. (a)
9 The commissioners court of a county by order shall create a
10 constable technology fund. A defendant convicted of a misdemeanor
11 offense in justice court shall pay a \$4 constable technology fee as
12 a cost of court for deposit in the fund.

13 (b) In this article, a person is considered convicted if:

14 (1) a sentence is imposed on the person; or

15 (2) the court defers final disposition of the person's
16 case.

17 (c) The justice court clerk shall collect the costs and pay
18 the funds to the county treasurer, or to any other official who
19 discharges the duties commonly delegated to the county treasurer,
20 for deposit in a fund to be known as the constable technology fund.

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

23 (1) the cost of continuing education and training for
24 constables, deputy constables, and support staff regarding

- 1 technological enhancements for the office of constable; and
2 (2) the purchase and maintenance of technological
3 enhancements for the office of constable, including:
4 (A) computer systems;
5 (B) computer networks;
6 (C) computer hardware;
7 (D) computer software;
8 (E) electronic transmission hardware or
9 software;
10 (F) imaging and recording systems and equipment;
11 (G) court integration equipment; and
12 (H) records management systems.

13 (e) The constable technology fund shall be administered by or
14 under the direction of the commissioners court of the county.

15 SECTION 2. Section 102.101, Government Code, is amended to
16 read as follows:

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

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

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

26 (3) a jury fee for two or more defendants tried jointly
27 (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 if the court employs a
7 juvenile case manager;

8 (7) a fee on conviction of certain offenses involving
9 issuing or passing a subsequently dishonored check or similar sight
10 order (Art. 102.0071, Code of Criminal Procedure) . . . not to
11 exceed \$30;

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

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

18 (10) a fee for constable technology fund on a
19 misdemeanor offense (Art. 102.0175, Code of Criminal
20 Procedure) . . . \$4.

21 SECTION 3. The change in law made by this Act applies only
22 to an offense committed on or after the effective date of this Act.
23 An offense committed before the effective date of this Act is
24 governed by the law in effect when the offense was committed, and
25 the former law is continued in effect for that purpose. For purposes
26 of this section, an offense was committed before the effective date
27 of this Act if any element of the offense was committed before that

1 date.

2 SECTION 4. This Act takes effect September 1, 2015.