

By: Hefner

H.B. No. 3992

A BILL TO BE ENTITLED

1 AN ACT

2 relating to court costs imposed on conviction and deposited to the  
3 courthouse security fund or the municipal court building security  
4 fund; increasing fees.

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

6 SECTION 1. Articles 102.017(a) and (b), Code of Criminal  
7 Procedure, are amended to read as follows:

8 (a) A defendant convicted of a felony offense in a district  
9 court shall pay a \$10 [~~\$5~~] security fee as a cost of court.

10 (b) A defendant convicted of a misdemeanor offense in a  
11 county court, county court at law, or district court shall pay a \$5  
12 [~~\$3~~] security fee as a cost of court. A defendant convicted of a  
13 misdemeanor offense in a justice court shall pay a \$5 [~~\$4~~] security  
14 fee as a cost of court. The governing body of a municipality by  
15 ordinance may create a municipal court building security fund and  
16 may require a defendant convicted of a misdemeanor offense in a  
17 municipal court to pay a \$5 [~~\$3~~] security fee as a cost of court.

18 SECTION 2. Section 102.041, Government Code, is amended to  
19 read as follows:

20 Sec. 102.041. ADDITIONAL COURT COSTS ON CONVICTION IN  
21 DISTRICT COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a  
22 district court shall collect fees and costs under the Code of  
23 Criminal Procedure on conviction of a defendant as follows:

24 (1) a jury fee (Art. 102.004, Code of Criminal

1 Procedure) . . . \$40;

2 (2) a fee for clerk of the court services (Art.  
3 102.005, Code of Criminal Procedure) . . . \$40;

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

6 (4) a county and district court technology fee (Art.  
7 102.0169, Code of Criminal Procedure) . . . \$4;

8 (5) a security fee on a felony offense (Art. 102.017,  
9 Code of Criminal Procedure) . . . \$10 [~~\$5~~];

10 (6) a security fee on a misdemeanor offense (Art.  
11 102.017, Code of Criminal Procedure) . . . \$5 [~~\$3~~]; and

12 (7) a juvenile delinquency prevention and graffiti  
13 eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .  
14 \$50.

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

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

21 (1) a jury fee (Art. 102.004, Code of Criminal  
22 Procedure) . . . \$40;

23 (2) a fee for services of the clerk of the court (Art.  
24 102.005, Code of Criminal Procedure) . . . \$40;

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

27 (4) a county and district court technology fee (Art.

1 102.0169, Code of Criminal Procedure) . . . \$4;

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

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

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

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

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

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

18 (1) a jury fee (Art. 102.004, Code of Criminal  
19 Procedure) . . . \$40;

20 (2) a fee for clerk of the court services (Art.  
21 102.005, Code of Criminal Procedure) . . . \$40;

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

24 (4) a county and district court technology fee (Art.  
25 102.0169, Code of Criminal Procedure) . . . \$4;

26 (5) a security fee on a misdemeanor offense (Art.  
27 102.017, Code of Criminal Procedure) . . . \$5 [~~\$3~~];

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

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

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

9           SECTION 5. Section 102.101, Government Code, is amended to  
10 read as follows:

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

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

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

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

22           (4) a security fee on a misdemeanor offense (Art.  
23 102.017, Code of Criminal Procedure) . . . \$5 [~~\$4~~];

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

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

1 juvenile case manager;

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

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

8 SECTION 6. Section 102.121, Government Code, is amended to  
9 read as follows:

10 Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN  
11 MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a  
12 municipal court shall collect fees and costs on conviction of a  
13 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) . . . \$5 [~~\$3~~];

23 (5) a fee for technology fund on a misdemeanor offense  
24 (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4;

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

1           (7) a civil justice fee (Art. [102.022](#), Code of  
2 Criminal Procedure) . . . \$0.10.

3           SECTION 7. The change in law made by this Act applies only  
4 to court costs imposed on conviction of an offense committed on or  
5 after January 1, 2020. For purposes of this section, an offense is  
6 committed before January 1, 2020, if any element of the offense  
7 occurs before that date. Court costs imposed on conviction of an  
8 offense committed before January 1, 2020, are governed by the law in  
9 effect immediately before the effective date of this Act, and the  
10 former law is continued in effect for that purpose.

11           SECTION 8. This Act takes effect September 1, 2019.