

By: Hinojosa

S.B. No. 1840

A BILL TO BE ENTITLED

AN ACT

relating to the assistance and technology fund and use of money in the fund.

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

SECTION 1. Article 102.0173, Code of Criminal Procedure, is amended to read as follows:

Art. 102.0173. COURT COSTS; JUSTICE COURT ASSISTANCE AND TECHNOLOGY FUND. (a) The commissioners court of a county by order shall create a justice court assistance and technology fund. A defendant convicted of a misdemeanor offense in justice court shall pay a \$4 justice court assistance and technology fee as a cost of court for deposit in the fund.

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

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

(2) the person receives deferred adjudication; or

(3) the court defers final disposition of the person's

case.

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

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

1           (1) the cost of providing court personnel, including  
2 salaries and benefits for the court personnel;

3           (2) the cost of continuing education and training for  
4 justice court judges and court personnel [~~clerks regarding~~  
5 ~~technological enhancements for justice courts~~]; and

6           (3) [~~(2)~~] the purchase and maintenance of  
7 technological enhancements for a justice court, including:

- 8           (A) computer systems;
- 9           (B) computer networks;
- 10          (C) computer hardware;
- 11          (D) computer software;
- 12          (E) imaging systems;
- 13          (F) electronic kiosks;
- 14          (G) electronic ticket writers; and
- 15          (H) docket management systems.

16          (e) The justice court assistance and technology fund shall  
17 be administered by or under the direction of the commissioners  
18 court of the county.

19          (f) A justice court may, subject to the approval of the  
20 commissioners court, use a fund designated by this article to  
21 assist a constable's office or other county department with a  
22 technological enhancement, or cost related to the enhancement,  
23 described by Subsection (d)(3) [~~(d)(1) or (2)~~] if the enhancement  
24 directly relates to the operation or efficiency of the justice  
25 court. [~~This subsection applies only to a county that:~~

26           ~~[(1) has a population of 125,000 or more;~~

27           ~~[(2) is not adjacent to a county of two million or~~

1 ~~more;~~

2 ~~[(3) contains a portion of the Guadalupe River; and~~

3 ~~[(4) contains a portion of Interstate Highway 10.]~~

4 SECTION 2. Section 102.101, Government Code, is amended to  
5 read as follows:

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

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

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

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

17 (4) a security fee on a misdemeanor offense (Art.  
18 102.017, Code of Criminal Procedure) . . . \$4;

19 (5) a fee for assistance and technology fund on a  
20 misdemeanor offense (Art. 102.0173, Code of Criminal Procedure)  
21 . . . \$4;

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

25 (7) a fee on conviction of certain offenses involving  
26 issuing or passing a subsequently dishonored check or similar sight  
27 order (Art. 102.0071, Code of Criminal Procedure) . . . not to

1 exceed \$30; and

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

4 SECTION 3. This Act takes effect September 1, 2019.