87R17240 TSS-D

By:  Dominguez H.B. No. 1106

Substitute the following for H.B. No. 1106:

By:  Smith C.S.H.B. No. 1106

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of a supplemental court security fee on conviction of certain criminal offenses and the use of revenue from that fee.

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

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

(a)  The courthouse security fund is a fund in the county treasury, and the municipal court building security fund is a fund in the municipal treasury. The funds consist of:

(1)  money allocated to the funds under Sections 134.101, 134.102, and 134.103, Local Government Code; and

(2)  money deposited to the funds under Section 134.104, Local Government Code.

(b)  Money allocated or deposited in a courthouse security fund may be used only for security personnel, services, and items related to buildings that house the operations of district, county, or justice courts or a county tax assessor-collector, and money allocated or deposited in a municipal court building security fund may be used only for security personnel, services, and items related to buildings that house the operations of municipal courts. For purposes of this subsection, operations of a district, county, or justice court include the activities of associate judges, masters, magistrates, referees, hearing officers, criminal law magistrate court judges, and masters in chancery appointed under:

(1)  [~~Section 61.311, Alcoholic Beverage Code;~~

[~~(2)~~]  Section 51.04(g) or Chapter 201, Family Code;

(2) [~~(3)~~]  Section 574.0085, Health and Safety Code;

(3) [~~(4)~~]  Section 33.71, Tax Code;

(4) [~~(5)~~]  Chapter 54A, Government Code; or

(5) [~~(6)~~]  Rule 171, Texas Rules of Civil Procedure.

(d)  This subsection applies only to a justice court located in a county in which one or more justice courts are located in a building that is not the county courthouse. The county treasurer shall deposit one-fourth of the money allocated or deposited to the courthouse security fund under Sections [~~Section~~] 134.103 and 134.104, Local Government Code, in a fund to be known as the justice court building security fund. A fund designated by this subsection may be used only for the purpose of providing security personnel, services, and items for a justice court located in a building that is not the county courthouse.

SECTION 2.  Section 134.002(a)(1), Local Government Code, is amended to read as follows:

(1)  "Fee" means a criminal fee described by [~~listed under~~] Section 134.003.

SECTION 3.  Section 134.003, Local Government Code, is amended to read as follows:

Sec. 134.003.  CRIMINAL FEES. This chapter applies to the criminal fees imposed under Subchapter C [~~Sections 134.101, 134.102, and 134.103~~].

SECTION 4.  Section 134.052(a), Local Government Code, is amended to read as follows:

(a)  Money collected under Subchapter C as court costs [~~imposed on offenses committed on or after January 1, 2020,~~] shall be:

(1)  allocated according to the percentages provided by Sections 134.101, 134.102, and 134.103, as applicable; or

(2)  deposited as provided by Section 134.104.

SECTION 5.  Subchapter C, Chapter 134, Local Government Code, is amended by adding Section 134.104 to read as follows:

Sec. 134.104.  SUPPLEMENTAL SECURITY FEE. (a) In addition to any other fee paid under this subchapter, a person convicted of a misdemeanor or felony offense whose sentence on conviction of the offense includes the imposition of a fine shall pay a $1 supplemental security fee as a cost of court.

(b)  The treasurer shall deposit the court costs collected under Subsection (a) to the courthouse security fund or municipal court building security fund, as appropriate.

SECTION 6.  This Act takes effect September 1, 2021.