

By: Smithee

H.B. No. 4502

A BILL TO BE ENTITLED

AN ACT

relating to the development and implementation of an all-hazards court security plan, composition and recommendations of court security committees, and increasing the penalty for certain criminal offenses committed against an employee of a court or the office.

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

SECTION 1. Section [29.014](#), Government Code, is amended by amending Subsections (c) and (d) and adding Subsection (e) to read as follows:

(c) The committee shall establish the policies and procedures including a court emergency management plan necessary to provide adequate security to the municipal courts served by the presiding or municipal judge, as applicable.

(d) A committee shall ~~may~~ recommend to the municipality the uses of resources and expenditures of money for courthouse security, but may not direct the assignment of those resources or the expenditure of those funds. The municipality shall give preference to the court security committee's recommendations regarding the expenditures of funds when considering use of funds collected under the Code of Criminal Procedure Art. [102.017](#).

(e) A court security committee established under Sec. [74.092](#)(13) is not a governmental body as defined under Sec. [551.001](#)(3).

SECTION 2. Section 30.00007, Government Code, is amended by amending Subsections (b) and (c) and adding Subsection (d) to read as follows:

(b) The presiding judge shall:

(1) maintain a central docket for cases filed within the territorial limits of the municipality over which the municipal courts of record have jurisdiction;

(2) provide for the distribution of cases from the central docket to the individual municipal judges to equalize the distribution of business in the courts;

(3) request the jurors needed for cases that are set for trial by jury;

(4) temporarily assign judges or substitute judges to exchange benches and to act for each other in a proceeding pending in a court if necessary for the expeditious disposition of business in the courts;

(5) supervise and control the operation and clerical functions of the administrative department of each court, including the court's personnel, during the proceedings of the court; and

(6) establish a court security committee to adopt security policies and procedures including a court emergency management plan for the courts served by the presiding judge that is composed of:

(A) the presiding judge, or the presiding judge's designee, who serves as presiding officer of the committee;

(B) a representative of the law enforcement agency or other entity that provides the primary security for the

1 court;

2 (C) a representative of the municipality; and

3 (D) any other person the committee determines
4 necessary to assist the committee.

5 (c) A court security committee shall ~~[may]~~ recommend to the
6 governing body the uses of resources and expenditures of money for
7 courthouse security, but may not direct the assignment of those
8 resources or the expenditure of those funds. The municipality
9 shall give preference to the court security committee's
10 recommendations regarding the expenditures of funds when
11 considering use of funds collected under Code of Criminal Procedure
12 Art. 102.017.

13 (d) A court security committee established under Sec.
14 74.092(13) is not a governmental body as defined under Sec.
15 551.001(3).

16 SECTION 3. Section 72.015(c), Government Code, is amended
17 to read as follows:

18 (c) The judicial security division shall:

19 (1) serve as a central resource for information on
20 local and national best practices for court security and the safety
21 of court personnel;

22 (2) provide an expert opinion on the technical aspects
23 of court security; ~~[and]~~

24 (3) keep abreast of and provide training on recent
25 court security improvements; and

26 (4) develop a model court emergency management plan as
27 a resource for court security committees.

SECTION 4. Section 74.092, Government Code, is amended to read as follows:

Sec. 74.092. DUTIES OF LOCAL ADMINISTRATIVE JUDGE. (a) A local administrative judge, for the courts for which the judge serves as local administrative judge, shall:

(1) implement and execute the local rules of administration, including the assignment, docketing, transfer, and hearing of cases;

(2) appoint any special or standing committees necessary or desirable for court management and administration;

(3) promulgate local rules of administration if the other judges do not act by a majority vote;

(4) recommend to the regional presiding judge any needs for assignment from outside the county to dispose of court caseloads;

(5) supervise the expeditious movement of court caseloads, subject to local, regional, and state rules of administration;

(6) provide the supreme court and the office of court administration requested statistical and management information;

(7) set the hours and places for holding court in the county;

(8) supervise the employment and performance of nonjudicial personnel;

(9) supervise the budget and fiscal matters of the local courts, subject to local rules of administration;

(10) coordinate and cooperate with any other local

1 administrative judge in the district in the assignment of cases in
2 the courts' concurrent jurisdiction for the efficient operation of
3 the court system and the effective administration of justice;

4 (11) if requested by the courts the judge serves,
5 establish and maintain the lists required by Section 37.003 and
6 ensure appointments are made from the lists in accordance with
7 Section 37.004;

8 (12) perform other duties as may be directed by the
9 chief justice or a regional presiding judge; and

10 (13) establish a court security committee to adopt
11 security policies and procedures including a court emergency
12 management plan for the state and county trial courts in the county
13 ~~[courts served by the local administrative district judge]~~ that is
14 composed of:

15 (A) the local administrative district judge, or
16 the judge's designee, who serves as presiding officer of the
17 committee;

18 (B) a representative of the sheriff's office;

19 (C) a representative of a constable's office;

20 (D) a representative of the county commissioners
21 court;

22 (E) ~~[(D)]~~ one judge of each type of court in the
23 county other than a municipal court or a municipal court of record;

24 (F) ~~[(E)]~~ a representative of any county
25 attorney's office, district attorney's office, or criminal district
26 attorney's office that serves in the applicable courts; and

27 (G) ~~[(F)]~~ any other person the committee

determines necessary to assist the committee.

(b) A court security committee shall ~~[may]~~ recommend to the county commissioners court the uses of resources and expenditures of money for courthouse security, but may not direct the assignment of those resources or the expenditure of those funds. The commissioners court shall give preference to a court security committee's recommendations regarding the expenditures of funds when considering use of funds collected under Code of Criminal Procedure Art. 102.017.

(c) A court security committee established under Sec. 74.092(13) is not a governmental body as defined under Sec. 551.001(3).

SECTION 5. Section 1.07(a), Penal Code, is amended by adding Subdivision (14-a) to read as follows:

(14-a) "Court personnel" is an employee whose duties are performed on behalf of the administration of a court, including but not limited to a court clerk, court coordinator, court administrator, law clerk, and staff attorney.

SECTION 6. Section 42.07, Penal Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Notwithstanding Subsection (c), an offense under this section is:

(1) a Class A misdemeanor if the offense was committed against court personnel;

(2) a state jail felony if the offense was committed:
(A) against court personnel and the actor has been previously convicted under this section; or

1 (B) against a judge; or

2 (3) a third-degree felony if the offense was committed
3 against a judge and the actor has been previously convicted under
4 this section.

5 SECTION 7. The changes in law made by this Act to Sections
6 1.07(a) and 42.07, Penal Code, apply only to an offense committed on
7 or after the effective date of this Act. An offense committed
8 before the effective date of this Act is governed by the law in
9 effect on the date the offense was committed, and the former law is
10 continued in effect for that purpose. For purposes of this section,
11 an offense was committed before the effective date of this Act if
12 any element of the offense occurred before that date.

13 SECTION 8. As soon as practicable after the effective date
14 of this Act, a court security committee shall develop an
15 all-hazards court security plan as required by Section 29.014,
16 30.00007, or 74.092, Government Code, as amended by this Act.

17 SECTION 9. To the extent of any conflict, this Act prevails
18 over another Act of the 89th Legislature, Regular Session, 2025,
19 relating to nonsubstantive additions to and corrections in enacted
20 codes.

21 SECTION 10. This Act takes effect September 1, 2025.