

- SUBJECT:** Increasing certain court fees to improve municipal court technology
- COMMITTEE:** Judicial Affairs — committee substitute recommended
- VOTE:** 9 ayes — Thompson, Hartnett, Capelo, Deshotel, Garcia, Hinojosa, Shields, Jim Solis, Uresti
- 0 nays
- WITNESSES:** For — Quentin Porter, Texas Court Clerks Association; Rebecca Stark, City of Fort Worth
- Against — None
- BACKGROUND:** In 1995, the 74th Legislature authorized municipal courts to implement the use of computer technology to expedite court business and make it more efficient.
- DIGEST:** CSHB 1623 would amend the Code of Criminal Procedure by authorizing a municipality to establish by ordinance a municipal court technology fund. To finance the new fund, the governing board of the municipality could require a defendant convicted of a misdemeanor offense in a municipal court or municipal court of record to pay a technology fee not to exceed \$4.
- A person would be considered convicted if the person were sentenced or placed on community supervision, including deferred adjudication community supervision, or if the court deferred final disposition of the person's case.
- The bill would require the municipal court clerk to collect the costs and to pay the funds to the municipal treasurer or other similar official for deposit in the municipal court technology fund, to be administered by the municipal governing body.
- The fund could be used to pay only for the purchase of technological enhancements for a municipal court or municipal court of record, including computer systems and networks, hardware and software, imaging systems, electronic kiosks and ticket writers, and docket management systems.

CSHB 1623 would take effect September 1, 1999. The new assessment for court costs would apply only to convictions for offenses committed on or after that date. The bill's provisions would be sunsetted on September 1, 2005.

**SUPPORTERS
SAY:**

Many cities need new computer hardware, software, and court management systems to implement recent advances in court-related technology. The approximate cost to implement computer imaging in a major city court system runs between \$1.5 million and \$2.5 million. Other technological improvements useful to expedite a court's business, such as handheld ticket writers and other related items, may increase the total cost to more than \$3.5 million. For many cities, these costs, while necessary, are beyond the reach of existing budgets.

CSHB 1623 would establish a reasonable fee for court costs specifically tied to technology improvement to finance these necessities in accordance with the intent of the Legislature. In the long run, improved technology will save administrative costs for cities as well as increasing the efficiency of court operations. The technology fee would be sunsetted after six years to ensure that it would not become a permanent levy.

**OPPONENTS
SAY:**

Court fines should be based on the court's necessary administrative costs. The proposed technology fee is yet another state levy that has no substantial connection to necessary costs.

NOTES:

The original bill would have set the technology fee at not to exceed \$10. The committee substitute added the September 1, 2005, sunset provision.

The companion bill, SB 601 by Moncrief, passed the Senate on April 26 and was reported favorably as substituted by the House Judicial Affairs Committee on May 7.