

BILL ANALYSIS

Senate Research Center
79R13021 RMB-D

H.B. 1934
By: Gonzalez Toureilles et al. (Gallegos)
Jurisprudence
5/16/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law mandates a defendant convicted of a misdemeanor offense in a justice court, county court, county court at law, or district court pay a \$3 security fee as a cost of the court. This fee is collected by the county or municipal treasurer. H.B. 1934 states that this fund may only be used for measures specified in Article 102.017(d), Code of Criminal Procedure. It also requires a defendant convicted of a misdemeanor offense in a justice court to pay a \$4 security fee as a cost of court.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Article 102.017, Code of Criminal Procedure, to read as follows:

Art. 102.017. COURT COSTS; COURTHOUSE SECURITY FUND; MUNICIPAL COURT BUILDING SECURITY FUND; JUSTICE COURT BUILDING SECURITY FUND.

SECTION 2. Amends Article 102.017, Code of Criminal Procedure, by amending Subsections (b), (d), and (e) and adding Subsection (d-1), as follows:

(b) Requires a defendant convicted of a misdemeanor offense in a justice court to pay a \$4 security fee as a cost of court. Deletes existing text requiring a defendant convicted in a justice court to pay a \$3 security fee.

(d) Provides an exception as created by Subsection (d-1).

(d-1)(1) Provides that 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.

(2) Requires the county treasurer to deposit one-fourth of the cost collected under Subsection (b) in a justice court building security fund. Authorizes a fund designated by this subsection to be used only for the purpose of providing for a justice court located in a building that is not the county courthouse security services as described by Subsection (d).

(e) Makes a conforming change.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2005.