

1 AN ACT  
2 relating to security fees for justice courts.

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

4 SECTION 1. The heading to Article 102.017, Code of Criminal  
5 Procedure, is amended to read as follows:

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

9 SECTION 2. Article 102.017, Code of Criminal Procedure, is  
10 amended by amending Subsections (b), (d), and (e) and adding  
11 Subsection (d-1) to read as follows:

12 (b) A defendant convicted of a misdemeanor offense in a  
13 [~~justice court,~~] county court, county court at law, or district  
14 court shall pay a \$3 security fee as a cost of court. A defendant  
15 convicted of a misdemeanor offense in a justice court shall pay a \$4  
16 security fee as a cost of court. The governing body of a  
17 municipality by ordinance may create a municipal court building  
18 security fund and may require a defendant convicted of a  
19 misdemeanor offense in a municipal court to pay a \$3 security fee as  
20 a cost of court.

21 (d) Except as provided by Subsection (d-1), the [~~The~~] clerks  
22 of the respective courts shall collect the costs and pay them to the  
23 county or municipal treasurer, as appropriate, or to any other  
24 official who discharges the duties commonly delegated to the county

1 or municipal treasurer, as appropriate, for deposit in a fund to be  
2 known as the courthouse security fund or a fund to be known as the  
3 municipal court building security fund, as appropriate. A fund  
4 designated by this subsection may be used only to finance items when  
5 used for the purpose of providing security services for buildings  
6 housing a district, county, justice, or municipal court, as  
7 appropriate, including:

- 8 (1) the purchase or repair of X-ray machines and  
9 conveying systems;
- 10 (2) handheld metal detectors;
- 11 (3) walkthrough metal detectors;
- 12 (4) identification cards and systems;
- 13 (5) electronic locking and surveillance equipment;
- 14 (6) bailiffs, deputy sheriffs, deputy constables, or  
15 contract security personnel during times when they are providing  
16 appropriate security services;
- 17 (7) signage;
- 18 (8) confiscated weapon inventory and tracking  
19 systems;
- 20 (9) locks, chains, alarms, or similar security  
21 devices;
- 22 (10) the purchase or repair of bullet-proof glass; and  
23 (11) continuing education on security issues for court  
24 personnel and security personnel.

25 (d-1)(1) This subsection applies only to a justice court  
26 located in a county in which one or more justice courts are located  
27 in a building that is not the county courthouse.

1           (2) The county treasurer shall deposit one-fourth of  
2 the cost of court collected under Subsection (b) in a justice court  
3 described by Subdivision (1) into a fund to be known as the justice  
4 court building security fund. A fund designated by this subsection  
5 may be used only for the purpose of providing for a justice court  
6 located in a building that is not the county courthouse security  
7 services as described by Subsection (d).

8           (e) The courthouse security fund and the justice court  
9 building security fund shall be administered by or under the  
10 direction of the commissioners court. The municipal court building  
11 fund shall be administered by or under the direction of the  
12 governing body of the municipality.

13           SECTION 3. (a) The change in law made by this Act applies  
14 only to a cost on conviction for an offense committed on or after  
15 the effective date of this Act. A cost on conviction for an offense  
16 committed before the effective date of this Act is governed by the  
17 law in effect on the date the offense was committed, and the former  
18 law is continued in effect for that purpose.

19           (b) For purposes of this section, an offense was committed  
20 before the effective date of this Act if any element of the offense  
21 occurred before that date.

22           SECTION 4. This Act takes effect September 1, 2005.

David Newkirk

President of the Senate

Jim Coakley

Speaker of the House

I certify that H.B. No. 1934 was passed by the House on May 9, 2005, by a non-record vote.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 1934 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Patsy Spaul

Secretary of the Senate

APPROVED:

18 JUNE '05

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
12:20 PM O'CLOCK

Roger Williams  
Secretary of State