

BILL ANALYSIS

Senate Research Center

S.B. 182
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Intergovernmental Relations
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As Filed

DIGEST

Currently, a defendant convicted in a trial for a misdemeanor or felony offense in certain courts must pay a security fee as a cost of court. This fee is used for court security measures such as metal detectors, surveillance equipment, and security personnel. The present concern is that this fee can only be collected from defendants who have a trial, thus exempting defendants who plead guilty or nolo contendere. As a result, thousands of dollars in security fees go uncollected. This legislation removes the phrase "in a trial" to clarify the meaning of "conviction" to include guilty and nolo contendere pleas.

PURPOSE

As proposed, S.B. 182 establishes costs of court on conviction to fund courthouse and municipal court building security.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Articles 102.017(a) and (b), Code of Criminal Procedure, to require a defendant convicted of, rather than in a trial for, a felony offense in a district court to pay a \$5 security fee as a cost of court. Makes conforming changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.