

BILL ANALYSIS

Senate Research Center
77R1091 QS-D

H.B. 177
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Intergovernmental Relations
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Engrossed

DIGEST AND PURPOSE

The 76th Legislature authorized municipalities to establish a municipal court technology fund to purchase computers, hardware, software, and docket management systems with fees assessed as court costs. Many justice courts are located outside courthouses and county seats and lack access to technologies that allow courts to conduct business in a more efficient manner. Establishing a technology fund for justice courts would enable them to acquire the technology they need to upgrade at the rate of other courts. H.B. 177 authorizes the commissioners court of a county to create a justice court technology fund for technology-related purposes to be funded through fees assessed as court costs.

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 Chapter 102A, Code of Criminal Procedure, by adding Article 102.0173, as follows:

Art. 102.0173. COURT COSTS; JUSTICE COURT TECHNOLOGY FUND.

(a) Authorizes the commissioners court of a county by order to create a justice court technology fund and to require a defendant convicted of a misdemeanor offense in a justice court to pay a technology fee not to exceed \$4 as a cost of court.

(b) Provides that, in this article, a person is considered convicted if a sentence is imposed on the person or the court defers final disposition of the person's case.

(c) Requires the justice court clerk to collect the costs and pay the funds to the county treasurer, or to any other official who discharges the duties commonly delegated to the county treasurer, for deposit in a fund to be known as the justice court technology fund.

(d) Authorizes a fund designated by this article to be used only to finance the purchase of technological enhancements for a justice court, including certain types of enhancements.

(e) Requires the justice court technology fund to be administered by or under the direction of the commissioners court of the county.

(f) Provides that this article expires September 1, 2005.

SECTION 2. (a) Effective date: September 1, 2001.

Provides that this Act applies only to a cost on conviction for an offense committed on or after that date and before September 1, 2005. Provides that a cost on conviction

for an offense committed before September 1, 2005, in which the conviction is not entered until September 1, 2005, or later is imposed in the same manner as if the conviction had been entered before September 1, 2005, and notwithstanding Article 102.0173(f), Code of Criminal Procedure, as added by this Act, the law is continued in effect for that purpose.

(b) Provides that, for purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date, and an offense is committed on or after September 1, 2005, if any element of the offense occurs on or after that date.