

BILL ANALYSIS

Senate Research Center

H.B. 1418
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Jurisprudence
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The approximately 850 justice courts in Texas handled over three million cases in fiscal year 2004. Because of this high volume of cases, funds are needed to keep up with changing technology and to maintain accurate court records. Beginning in September, 2005, the Texas Department of Public Safety (DPS) will require electronic reporting of case dispositions.

In many counties, local funds are insufficient to meet the technological requirements of case management. Some courts use outdated computers or outdated case management software that requires entering data by hand, while other courts do not have computers at all.

Currently, the commissioners court of a county may by order create a justice court technology fund and may 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. This provision expires September 1, 2005.

H.B. 1418 repeals the September 1, 2005, expiration date on the court costs for the justice court technology fund. It makes the justice court technology fund fee a standard mandatory court cost and allows expenditures from the technology fund for judges and clerks to receive training on technological enhancements for courts.

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 Articles 102.0173(a) and (d), Code of Criminal Procedure, as follows:

(a) Requires, rather than authorizes, the commissioners court of a county by order to create a justice court technology fund. Requires a defendant convicted of a misdemeanor offense in justice court, rather than authorizes the court to require a defendant convicted of a misdemeanor offense, to pay a \$4 justice court technology fee as a cost of court for deposit in the fund.

(d) Authorizes a justice court technology fund to be used for the cost of continuing education and training for justice court judges and clerks regarding technological enhancements for justice courts and for the maintenance of technological enhancements for a justice court. Makes nonsubstantive changes.

SECTION 2. Amends Section 102.101, Government Code, to make a conforming change.

SECTION 3. Repealer: Article 102.0173(f) (providing that this article expires September 1, 2005), Code of Criminal Procedure.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2005.