

CHAPTER 818

S.B. No. 243

AN ACT

relating to fees to finance security services for buildings housing a county court, a county court at law, or a district court.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.017 to read as follows:

Art. 102.017. COURT COSTS; COURTHOUSE SECURITY FUND. (a) A defendant convicted in a trial for a felony offense in a district court shall pay a \$5 security fee as a cost of court.

(b) A defendant convicted in a trial for a misdemeanor offense in a county court, county court at law, or a district court shall pay a \$3 security fee as a cost of court.

(c) The clerks of the respective courts shall collect the costs and pay them 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 courthouse security fund. The fund may be used only to finance the following items when used for the purpose of providing security services for buildings housing a district or county court:

- (1) the purchase or repair of X-ray machines and conveying systems;*
- (2) handheld metal detectors;*
- (3) walkthrough metal detectors;*
- (4) identification cards and systems;*
- (5) electronic locking and surveillance equipment;*

- (6) *bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services;*
- (7) *signage;*
- (8) *confiscated weapon inventory and tracking systems; or*
- (9) *locks, chains, or other security hardware.*

(d) The courthouse security fund shall be administered by or under the direction of the commissioners court.

SECTION 2. Chapter 291, Local Government Code, is amended by adding Section 291.007 to read as follows:

Sec. 291.007. FEE FOR SECURITY. (a) The commissioners court may set a fee not to exceed \$5 to be collected at the time of filing in each civil case filed in a county court, county court at law, or district court which shall be taxed as other costs. The county is not liable for the costs.

(b) In any civil case brought by the state or a political subdivision of the state in a county court, county court at law, or district court in a county in which the commissioners court has adopted a fee under Subsection (a) of this section in which the state or political subdivision is the prevailing party, the amount of that fee shall be taxed and collected as a cost of court against each nonprevailing party.

(c) The clerks of the respective courts shall collect the costs established by Subsections (a) and (b) of this section.

(d) If a commissioners court sets a security fee under Subsection (a) of this section, the county and district clerks shall collect a fee of \$1 for filing any document not subject to the security fee. The county is not liable for the costs. The county or district clerk, as appropriate, shall collect this fee.

(e) Costs and fees collected under Subsection (c) or (d) of this section shall be paid to the county treasurer, or to any other official who discharges the duties commonly delegated to the county treasurer, for deposit in the courthouse security fund established by Article 102.017, Code of Criminal Procedure.

SECTION 3. This Act takes effect September 1, 1993, and applies only to a case or document filed on or after that date.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 15, 1993, by a viva-voce vote; passed the House on May 22, 1993, by a non-record vote.

Approved June 19, 1993.

Effective Sept. 1, 1993.