

CHAPTER 510

H.B. No. 457

AN ACT

relating to the authority of a county to charge a fee when the sheriff's office responds to a false alarm.

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

SECTION 1. AUTHORITY TO CHARGE FEE. (a) The commissioners court of a county with a population of more than 2.2 million, according to the most recent federal census, by order may adopt a system by which the county charges a fee if the sheriff's office of the county responds to a security alarm and the emergency for which the alarm device was designed to give notice does not exist.

(b) The fee shall be charged to a person exercising control of the property on which the alarm device is installed.

SECTION 2. AMOUNT OF FEE. The commissioners court shall set the amount of the fee. The court may set a single fee that is charged for each response to a false alarm or may establish a fee structure under which different fees are charged according to the differing circumstances of each false alarm. However, the amount of a fee may not exceed the amount of the actual costs incurred by the sheriff's office in responding to the alarm.

SECTION 3. DISPOSITION OF FEES. Fees collected under this Act shall be deposited in the county treasury to the credit of the general fund of the county.

SECTION 4. EMERGENCY. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on March 19, 1987, by a non-record vote. Passed by the Senate on May 19, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.