

ORDINANCE NO.05112005  
Municipal Court Building Security Fund

An ordinance of the City of Frankston, Texas, establishing a Municipal Court Building Security Fund: providing for the assessment and collection of a municipal court security fee; providing for severability; providing for publication and effective date.

Whereas, Article 102.017 of the Code of Criminal Procedure provides for the establishment of a Municipal Court Building Security Fund.

Be it Ordained by the City Council of the City of Frankston, Texas:

Section 1. Establishment of Municipal Court Building Security Fund

- A. There is hereby created and established a Municipal Court Building Security Fund, here-in-now known as the Fund, pursuant to Article 102.017 of the Code of Criminal Procedure.
- B. The Fund may be maintained in an interest bearing account and may be maintained in the general revenue account.

Section 2. Establishment of Amount of the fee and Assessment and Collection.

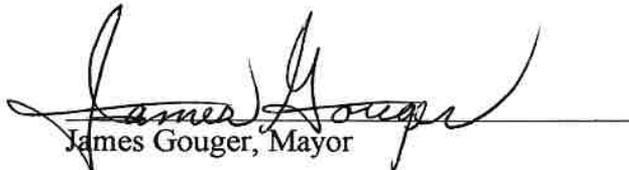
- A. The fee shall be in the amount of three dollars.
- B. The fee shall be assessed and collected from the defendant upon conviction for a misdemeanor offense in the Municipal Court as a cost of court.

A defendant is considered convicted if:

- A. a sentence is imposed on the person;
  - B. the person is placed on community supervision, including deferred adjudication community supervision; or
  - C. the court defers final disposition of the person's case.
- A. The fee shall be collected on conviction for an offense committed on or after September 1, 2005 or convictions on offenses committed on or after the ordinance is adopted.
  - B. The clerk of the court shall collect the fee and pay the fee to the municipal treasurer or other official who discharges or performs the duties of the treasurer of the City of Frankston, who shall deposit the fee into the Municipal Court Building Security Fund.

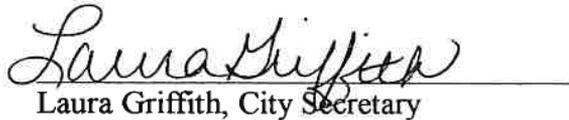
Section 3. Designated Use of the Fund and Administration

- A. The Fund shall be used only to finance the purchase of security enhancements for the Municipal Court of the City of Frankston, Texas,
- B. Including:
- (1) 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
  - (9) Locks, chains, alarms, or similar security devices
  - (10) The purchase of or repair of bullet proof glass
  - (11) Continuing education on security issues for court personnel.

  
James Gouger, Mayor

11-10-05  
Date

ATTEST:

  
Laura Griffith, City Secretary

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Next provision: [Art. 102.0171. Court Costs: Juvenile Delinquency Prevention Funds.](#)

### Art. 102.017. Court Costs; Courthouse Security Fund; Municipal Court Building Security Fund; Justice Court Building Security Fund

**Updates from 2007 Legislative Session  
are being added but not yet complete.**

Article 102.017 amended 9/1/07 by amending (d), (d-1) and adding (d-2), (f). Text below is before amendment; see [House Bill 1380, Section 1](#) for new text.

Art. 102.017. Court Costs; Courthouse Security Fund; Municipal Court Building Security Fund; Justice Court Building Security Fund

(a) A defendant convicted of a felony offense in a district court shall pay a \$5 security fee as a cost of court.

(b) A defendant convicted of a misdemeanor offense in a county court, county court at law, or district court shall pay a \$3 security fee as a cost of court. A defendant convicted of a misdemeanor offense in a justice court shall pay a \$4 security fee as a cost of court. The governing body of a municipality by ordinance may create a municipal court building security fund and may require a defendant convicted of a misdemeanor offense in a municipal court to pay a \$3 security fee as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

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(3) the court defers final disposition of the person's case.

(d) Except as provided by Subsection (d-1), the clerks of the respective courts shall collect the costs and pay them to the county or municipal treasurer, as appropriate, or to any other official who discharges the duties commonly delegated to the county or municipal treasurer, as appropriate, for deposit in a fund to be known as the courthouse security fund or a fund to be known as the municipal court building security fund, as appropriate. A fund designated by this subsection may be used only to finance security personnel for a district, county, justice, or municipal court, as appropriate, or to finance items when used for the purpose of providing security services for buildings housing a district, county, justice, or municipal court, as appropriate, including:

- (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;
- (9) locks, chains, alarms, or similar security devices;
- (10) the purchase or repair of bullet-proof glass; and
- (11) continuing education on security issues for court personnel and security personnel.

(d-1)(1) This subsection applies only to a justice court located in a county in which one or more justice courts are located in a building that is not the county courthouse.

(2) The county treasurer shall deposit one-fourth of the cost of court collected under Subsection (b) in a justice court described by Subdivision (1) into a fund to be known as the justice court building security fund. A fund designated by this subsection may be used only for the purpose of providing for a justice court located in a building that is not the county courthouse security services as described by Subsection (d).

(e) The courthouse security fund and the justice court building security fund shall be administered by or under the direction of the commissioners court. The municipal court building fund shall be administered by or under the direction of the governing body of the municipality.

Added by Acts 1993, 73rd Leg., ch. 818, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 764, Sec. 2, eff. Aug. 28, 1995; Subsecs. (a), (b), (d) amended by Acts 1997, 75th Leg., ch. 12, Sec. 1, eff. Sept. 1, 1997; Subsec. (d) amended by Acts 1999,

76th Leg., ch. 110, Sec. 1, eff. May 17, 1999; Subsec. (d) amended by Acts 2005, 79th Leg., ch. 83, Sec. 2, eff. Sept. 1, 2005; Art. heading amended by Acts 2005, 79th Leg., ch. 1087, Sec. 1, eff. Sept. 1, 2005; Subsecs. (b), (d), (e) amended by Acts 2005, 79th Leg., ch. 1087, Sec. 2, eff. Sept. 1, 2005; Subsec. (d-1) added by Acts 2005, 79th Leg., ch. 1087, Sec. 2, eff. Sept. 1, 2005.

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