

CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 155

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS, ESTABLISHING A MUNICIPAL COURT TECHNOLOGY FUND AND REQUIRING EACH DEFENDANT CONVICTED FOR A MISDEMEANOR OFFENSE IN THE MUNICIPAL COURT OF THE CITY OF LOWRY CROSSING, TEXAS TO PAY A FOUR DOLLAR (\$4.00) MUNICIPAL COURT TECHNOLOGY FEE AS A COST OF COURT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article 102.0172 of the Texas Code of Criminal Procedure provides for the establishment of a Municipal Court Technology Fund; and

WHEREAS, the City Council has determined that it is within the public interest to create such a fund; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWRY CROSSING, TEXAS:

SECTION 1. ESTABLISHMENT OF MUNICIPAL COURT TECHNOLOGY FUND.

- A. Pursuant to Article 102.0172 of the Texas Code of Criminal Procedure, as amended, there is hereby created and established a Municipal Court Technology Fund, hereinafter known as the Fund.
- B. The Fund shall be administered by or under the direction of the City Council of the City of Lowry Crossing.

SECTION 2. ESTABLISHMENT OF AMOUNT OF FEE AND ASSESSMENT AND COLLECTION.

- A. The fee shall be in the amount of four dollars (\$4.00).
- 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:
 - 1. a sentence is imposed on the person;
 - 2. the person is placed on community supervision, including deferred adjudication community supervision; or
 - 3. the court defers final disposition of the person's case.

- C. Each defendant convicted of an offense in the Municipal Court shall pay the fee in addition to any other fines, penalties, or court costs required by city ordinance or state or federal law. A separate fee must be paid for each separate conviction.
- D. 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 Lowry Crossing, who shall deposit the fee into the Fund.

SECTION 3. DESIGNATED USE OF FUND.

The Fund shall be used only to finance the purchase of technological enhancements for the Municipal Court of the City of Lowry Crossing, Texas, including the following and any other technological enhancements described in Article 102.0172(d) of the Texas Code of Criminal Procedure, as amended:

- A. computer systems;
- B. computer networks;
- C. computer hardware;
- D. computer software;
- E. imaging systems;
- F. electronic kiosks;
- G. electronic ticket writers; and
- H. docket management systems.

SECTION 4. REPEALING CLAUSE.

All parts of ordinances, inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE.

If any article, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect immediately after its passage as the law in such cases provides.

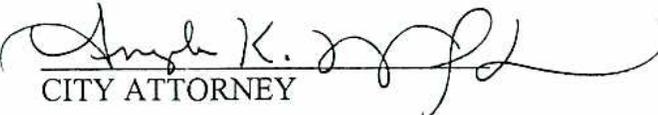
DULY ADOPTED by the City Council of the City of Lowry Crossing, Texas, the 22nd day of April, 2002.


RICHARD JONDRON, MAYOR

ATTEST:


PATRICIA FRANCCEN, CITY SECRETARY

APPROVED AS TO FORM: .


CITY ATTORNEY