

ORDINANCE NO. 01-02

AN ORDINANCE OF THE CITY OF DANBURY, TEXAS. ESTABLISHING A FOUR DOLLAR (\$4.00) MUNICIPAL COURT TECHNOLOGY FEE AS A COST OF COURT, ESTABLISHING A MUNICIPAL COURT TECHNOLOGY FUND; PROVIDING FOR COLLECTION, ADMINISTRATION, AND PERMISSIBLE USES OF THE FUND; AND PROVIDING A SEVERANCE CLAUSE, EFFECTIVE DATE, AND EXPIRATION DATE.

Whereas Article 102.0172 of the Texas Code of Criminal Procedure authorizes the ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DANBURY, TEXAS, DULY ASSEMBLED:

1. A defendant convicted in a trial in the Municipal Court of Danbury for a misdemeanor offense committed on or after September 1, 2001, shall pay a technology fee of four dollars as a cost of court. For purposes of this ordinance, an offense was committed on or after September 1, 2001, only if all elements of the offense occurred on or after September 1, 2001.
2. In this ordinance, a person 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.
3. A Municipal Court Technology Fund is hereby established. All costs of court provided by this ordinance shall be deposited in that fund.
4. The Clerk of the Court shall collect the technology fee herein provided and pay it to the Municipal Treasurer for the deposit into the Municipal Court Technology Fund.
5. The Municipal Court Technology Fund may be used only to finance the purchase of technological enhancements for the Municipal Court of Danbury, including:
 - 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.

6. The Municipal Court Technology Fund shall be administered by or under the direction of the Danbury City Council.
7. If any portion, of whatever size, of this ordinance is ever held to be invalid for any reason, then the remainder of this ordinance shall remain in full force and effect.
8. This ordinance shall take effect as of the date of its passage and adoption.
9. This ordinance expires upon the expiration of Article 102.0172 of the Texas Code of Criminal Procedure. Said Article is currently scheduled to expire on September 1, 2005, but if said Article actually expires on a different date, then this ordinance shall still expire on the same date said Article expires.

PASSED AND ADOPTED this 26 day of July 2001.

CITY OF DANBURY, TEXAS

BY:

Jeff Lege
JEFF LEGE, Mayor

ATTEST:

Michele Allison
MICHELE ALLISON, City Secretary