

Ordinance Number 2005-19

AN ORDINANCE OF THE CITY OF RIESEL, TEXAS  
PROVIDING FOR A "MUNICIPAL" COURT TECHNOLOGY  
FUND, PROVIDING FOR ASSESSMENT AND  
COLLECTION OF A MUNICIPAL COURT TECHNOLOGY FEE,  
PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION  
AND EFFECTIVE DATE, AND  
ORDAINING OTHER PROVISIONS RELATED TO  
THE SUBJECT MATTER HEREOF

**WHEREAS**, Article 102.0172 of the Texas Code of Criminal Procedure (V.T.C.A.) authorizes the governing body of the municipality to create a "municipal court technology fund" and to require defendants convicted of a misdemeanor offense in municipal court to pay a \$4.00 technology fee as a cost of court; and

**WHEREAS**, the City Council of the City of Riesel finds that the creation of such a fund and imposition of the fee is in the best interest of the City and its municipal court technology program.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIESEL, TEXAS, THAT:**

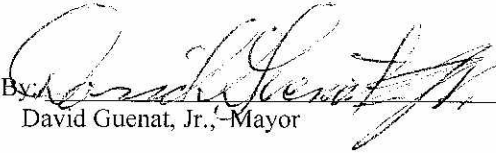
1. There is hereby created and established a Municipal Court Technology Fund (the "Fund") pursuant to Article 102.0172 of the Code of Criminal Procedure.
2. The Municipal Court of the City of Riesel, Texas (the "Municipal Court") is hereby authorized and required to assess a Municipal Court Technology Fee (the "Fee") in the amount of \$4.00 against all defendants convicted of a misdemeanor offense by the Municipal Court. Each misdemeanor conviction shall be subject to a separate assessment of the Fee.
3. The Municipal Court Clerk is hereby authorized and required to collect the Fee and to pay same to the Treasury of the City of Riesel, Texas. All fees so collected and paid over to the Treasury of the City of Riesel, Texas, shall be segregated in the Fund.
4. The Fund shall be used only for the purpose of purchasing technology enhancements including: (1) computer systems, (2) computer networks, (3) computer hardware, (4) computer software, (5) imaging systems, (6) electronic kiosks, (7) electronic ticket writers, and (8) docket management systems.
5. The Fund shall be administered by or under the direction of the City Council of the City of Riesel, Texas.
6. The authorization for this fee expires on September 1, 2010.
7. If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (for any reason unenforceable), the validity of the remaining portions of this ordinance or the application to such other persons or sets or circumstances shall not be affected thereby, it being the intent of the City Council or the City of Riesel, Texas, in adopting this ordinance, that no portion

thereof or provision contained herein shall become inoperative or fail by any reason of unconstitutionality or invalidity or any other portion or provision.

8. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.
9. This ordinance shall be published and become effective in accordance with state law.

**PASSED AND APPROVED** on the 8th day of November, 2005.

**CITY OF RIESEL, TEXAS**

By:   
David Guenat, Jr., Mayor

**ATTEST:**

  
Bill McLelland, City Secretary