

CHAPTER 7

MUNICIPAL COURT

ARTICLE 7.01 GENERAL PROVISIONS

Sec. 7.01.001 Judge's office created

There is hereby created the office of municipal judge of the city. The municipal judge shall be appointed by the city commission on recommendation of the city manager. (Ordinance 1051, sec. 1, adopted 10/21/86; Ordinance adopting Code)

State law reference—Municipal court judges, V.T.C.A., Government Code, sec. 29.004.

Sec. 7.01.002 Qualifications of judge

The municipal judge shall be at least twenty-one (21) years of age. (Ordinance 1051, sec. 2, adopted 10/21/86; Ordinance adopting Code)

Sec. 7.01.003 Application of personnel policies

The terms, provisions, and regulations set forth in the Personnel Policies Manual of the city regarding “employees” of the city shall apply to both the municipal court judge and municipal court clerk. Thus, actions regarding discipline and redress will be governed by chapter IX of the Personnel Policies Manual of the city, and all other personnel policy matters regarding the operation of the municipal court shall likewise be subject to the provisions of said Personnel Policies Manual. (Ordinance 1073, sec. 1, adopted 3/1/88)

Sec. 7.01.004 Clerk

The city manager shall appoint a clerk to serve as municipal court clerk, and said employee shall be governed by the provisions of Ordinance 1061 relating to personnel policies and procedures. (Ordinance 1073, sec. 2, adopted 3/1/88)

State law reference—Municipal court clerk generally, V.T.C.A., Government Code, sec. 29.010.

Sec. 7.01.005 Compensation of judge and clerk

A municipal judge and municipal court clerk shall receive such compensation and other benefits as approved by the city commission. (Ordinance 1073, sec. 3, adopted 3/1/88)

ARTICLE 7.02 TECHNOLOGY FUND^{i*}

Sec. 7.02.001 Established

(a) There is hereby created and established a municipal court technology fund, known as the fund, pursuant to article 102.0172 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.

(Ordinance 2271, sec. 1, adopted 10/22/02)

Sec. 7.02.002 Establishment of amount of fee and assessment and collection

(a) The fee shall be in the amount of up to four 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:

- (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) The fee shall be collected on conviction for an offense committed on or after September 1, 1999 or for convictions on offenses committed on or after this article is adopted (ordinance adopted October 22, 2002).

(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, who shall deposit the fee into the municipal court technology fund.

(Ordinance 2271, sec. 2, adopted 10/22/02)

Sec. 7.02.003 Designated use of fund and administration

(a) The fund shall be used only to finance the purchase of technological enhancements for the municipal court of the city, as provided in Code of Criminal Procedure article 102.017(d).

(Ordinance 2271, sec. 3, adopted 10/22/02; Ordinance adopting Code)

(b) The fund shall be administered by or under the direction of the city commission.

(Ordinance 2271, sec. 3, adopted 10/22/02)

Sec. 7.02.004 Expiration

In accordance with article 102.0172 of the Code of Criminal Procedure, this article and the assessment and collection of the municipal court technology fee expires September 1, 2005. The purpose of the use of any funds remaining in the fund shall continue to be used and administered as required by this article and for that purpose this article remains in effect. (Ordinance 2271, sec. 7, adopted 10/22/02)

ⁱ* **State law reference—Authority of municipality to establish municipal court technology fund, Tex. Code Crim. Proc. art. 102.0172.**