

24
11-
ORDINANCE NO. 133

AN ORDINANCE OF THE CITY OF BEASLEY, TEXAS, ESTABLISHING A MUNICIPAL COURT BUILDING SECURITY FUND, RATIFYING THE LEGAL ACTIONS OF CITY OFFICIALS AND EMPLOYEES IN CREATING AND IMPLEMENTING THE PREDECESSOR FUND, AND PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS, the Texas Legislature, in Tex. Crim. Proc. Code Ann. art. 102.017 (Vernon Supp. 1999), authorized governing bodies of Texas municipalities to create by ordinance a municipal court building security fund and to require certain defendants to pay court costs for deposit in the fund; and

WHEREAS, the City Council has heretofore created such a fund by resolution rather than by ordinance and appropriate City officials and employees have since then implemented that fund in accordance with law; and

WHEREAS, the City Council has determined that Beasley's municipal court has need for such a security fund to finance certain items that are used for the purpose of providing security services for buildings housing the City's municipal court, and that it must create such fund by ordinance rather than by resolution.

NOW, THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS:

Section 1.

The City Council hereby creates a Beasley Municipal Court Building Security Fund, which shall be administered by or under the direction of the City Council.

Section 2.

- a. The Municipal Court Clerk shall collect from each defendant convicted of a misdemeanor offense in Beasley's Municipal court a \$3.00 security fee as a cost of court, and shall pay such costs to the municipal treasurer, or to any other official who discharges the duties commonly delegated to the municipal treasurer, for deposit in a fund to be known as the Beasley Municipal Court Building Security Fund.
- b. In this ordinance, a person is considered convicted if:
 - (1) a sentence is imposed on the person;

- (2) the person receives community supervision, including deferred adjudication; or
- (3) the court defers final disposition of the person's case.

Section 3.

That fund may be used only to finance the following items when used for the purpose of providing security services for buildings housing Beasley's municipal court:

- (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, or other security hardware; or
- (10) continuing education on security issues for court personnel and security personnel.

Section 4.

All of the lawful acts of the City Council, City Secretary, Municipal Court Judge, Municipal Court Prosecutor, Municipal Court Clerk, and any other city official or employee who has had a part in the creation or implementation of the existing Beasley Municipal Court Building Security Fund -- that was heretofore created by resolution rather than by ordinance -- are hereby ratified, and for that purpose only this ordinance shall apply retroactively.

Section 5.


If any part of this ordinance is for any reason found to be unenforceable, all other parts nevertheless remain enforceable.

PASSED AND APPROVED this 21 day of September, 1999.

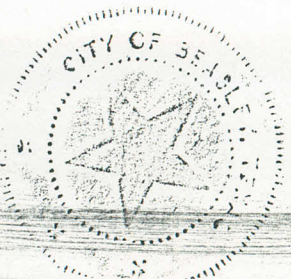
ATTEST:



City Clerk



WILBERT L. PREUSS, Mayor
City of Beasley, Texas



901
City of Beasley
P.O. Box 122
Beasley, Tx 77417

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

05-16-2000 11:54 AM 2000039349
DM \$11.00
DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS