

ORDINANCE NO. 3318

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CREATING A MUNICIPAL COURT TECHNOLOGY FUND; REQUIRING EACH DEFENDANT CONVICTED OF A MISDEAMEANOR OFFENSE IN MUNICIPAL COURT TO PAY A FOUR DOLLAR (\$4.00) TECHNOLOGY FEE; PROVIDING FOR A SEVERABILITY CLAUSE; ESTABLISHING A DATE UPON WHICH SUCH FEE BECOMES EFFECTIVE; AND PROVIDING AN EXPIRATION DATE.

WHEREAS, the City Council of the City of Mesquite has determined a need exists for technological enhancement for the Municipal Court; and

WHEREAS, the 76th Legislature of the State of Texas has passed legislation authorizing the City Council to create a municipal court technology fund requiring a defendant convicted of a misdemeanor in Municipal Court to pay a four dollar (\$4.00) technology fee as a cost of court.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That a fund to be known as the Mesquite Municipal Court Technology Fund is hereby created.

SECTION 2. That upon conviction of a misdemeanor offense in the Mesquite Municipal Court a defendant shall pay a four dollar (\$4.00) technology fee as a cost of court.

SECTION 3. That the fee adopted herein shall apply only to a cost on conviction of a defendant in Municipal Court for an offense committed on or after the effective date of this ordinance.

SECTION 4. That in this ordinance, a person is considered convicted in Municipal Court 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.

SECTION 2. That the Technology Fund may be used only to finance the purchase of technological enhancements for the Municipal Court, including:

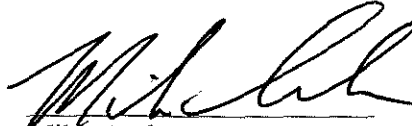
- 1) computer systems;
- 2) computer networks;
- 3) computer hardware;

- 4) computer software;
- 5) imaging systems;
- 6) electronic kiosks;
- 7) electronic ticket writers; and
- 8) docket management systems.


SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part or provision so decided to be unconstitutional, illegal, or invalid and the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. That this Ordinance shall take effect September 1, 1999, and expire September 1, 2005.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on this the 16th day of August, 1999.

  
Mike Anderson  
Mayor

ATTEST:

  
Ellen Williams  
City Secretary

APPROVED:

  
B.J. Smith  
City Attorney