

ORDINANCE NO. 2011-20

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, DENTON COUNTY, TEXAS ESTABLISHING A MUNICIPAL COURT TECHNOLOGY FUND; PROVIDING FOR THE ASSESSMENT AND COLLECTION OF A MUNICIPAL COURT TECHNOLOGY FEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, Article 102.0172 of the Code of Criminal Procedure provides for the establishment of a Municipal Court Technology Fund;

BE IT ORDAINED BY THE Town Council of the Town Council of the Town of Providence Village, Texas:

SECTION 1: *Establishment of Municipal Court Technology Fund*

- A. There is hereby created and established a Municipal Court Technology Fund, herein 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.

SECTION 2: *Establishment of Amount of the Fee and Assessment and Collection*

- A. The fee shall be in the amount of \$4.00.
- 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) judgment, sentence, or both are imposed on the person;
 - (2) the person is placed on deferred disposition; or
 - (3) the Court defers final disposition or imposition of the judgment and sentence.
- C. The fee shall be collected on convictions for offenses committed on or after this ordinance is adopted.
- D. The Clerk of the Court shall collect the fee and pay the fee to the municipal treasurer or town secretary of the Town of Providence Village, Texas, who shall deposit the fee into the Municipal Court Technology Fund.

SECTION 3: *Designated Use of the Fund and Administration*

- A. The Fund shall be used only for the purpose of financing the purchase of or to maintain technological enhancements for the Municipal Court of the Town of Providence Village, Texas. "Technological enhancements" shall include any and all items described in Article 102.0172(d) of the Code of Criminal Procedure.
- B. The Fund shall be administered by or under the direction of the Town Council of the Town of Providence Village, Texas.

SECTION 4: *Severability*

If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance of the application thereby shall remain in effect, it being the intent of the Town Council of the Town of Providence Village, 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 of any portion or provision.

SECTION 5: *Repealing Conflict*

All ordinances and parts of ordinances in conflict with the ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 6: *Publishing and Effective Date*

This ordinance shall be published in accordance with the requirement of publishing all ordinances and becomes effect in accordance with state law.

SECTION 7: *Administration of Fund*


The purpose of the use of any funds remaining in the fund shall continue to be used and administered as required by this ordinance and for that purpose this ordinance remains in effect.

READ, CONSIDERED, PASSED, AND APPROVED ON FIRST READING by the Town Council at a regular meeting the 8th day of August, 2011, at which a quorum was present.

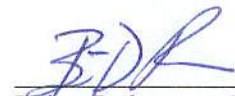
READ, CONSIDERED, PASSED, AND APPROVED ON SECOND AND FINAL READING by the Town Council at a regular meeting the 22nd day of August, 2011, at which a quorum was present.

PASSED, APPROVED and ADOPTED on the 22nd day of August, 2011.

ATTEST:


City Secretary

APPROVED:


Brian Roberson, Mayor

