



It's real.

MEMORANDUM

To: City of Seguin Mayor and Council
From: Andy Quittner, City Attorney *AQ*
Date: October 10, 2022
Re: Ordinance Amending Ethics Ordinance

All of the fees that may be levied by Texas Courts upon conviction of a criminal offense, including Class C misdemeanors in the municipal courts, are set by the Texas Legislature. Absent a specific grant, Courts have no independent authority to levy or set fees. In the past the Legislature allowed cities to set up funds for such things as court security and juvenile case managers. The City were then allowed to collect a fee, with the maximum set by the legislature, to fund those services. Seguin established such funds and fees as set out in the Municipal Court Ordinances.

The Legislature has abandoned separate fees in favor of a single consolidate local court cost that is automatically levied upon conviction. State law governs what percentage of the consolidate fee is to be placed in each of the established funds.

The recommended changes to the City Code align the City's ordinance with the consolidated fee and remove actual fee amounts from the Code.

City staff recommends approval.