

ORDINANCE NO. 2024-1738

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS AMENDING CHAPTER 66, "MUNICIPAL COURT" OF THE CITY'S CODE OF ORDINANCES, BY ADDING SECTION 66-15, TO BE TITLED "COLLECTING DELINQUENT FINES, FEES, COURT COSTS, AND OTHER DEBTS" TO PROVIDE FOR A FEE TO DEFRAY COSTS OF COLLECTING SUCH DELINQUENT FINES, FEES, COURT COSTS, AND OTHER DEBTS PURSUANT TO ARTICLE 103.0031 OF THE TEXAS CODE OF CRIMINAL PROCEDURE PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROVIDING FOR EARLY VOTING; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article 103.0031 of the Texas Code of Criminal Procedure authorizes the City of Brownsville, Texas (the "City") to contract with a private law firm for the collection of the fees listed above and to impose an additional fee in the amount of thirty percent (30%) on each debt or account receivable that is more than sixty days past due and which has been referred to a private law firm for collection; and

WHEREAS, the City Commission of the City of Brownsville, Texas (the "City Commission") has determined that it is in the public interest to ensure the prompt payment of delinquent court-imposed fines, fees, court costs, and other debts as provided by said statute; and

WHEREAS, the City, pursuant to Article 103.0031, Texas Code of Criminal Procedure, has entered into a contract with a private law firm to provide services for the collection of debts and accounts receivables, i.e.: fines, fees, court costs, restitution, and other debts ordered to be paid by a court serving the City; and

WHEREAS, the City Commission deems it in the public interest to pass this ordinance authorizing an additional collection fee for the collection of delinquent fines, fees, court costs, and other debts.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION FOR THE CITY OF BROWNSVILLE, TEXAS, THAT:

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City of Brownsville and made a part of this ordinance for all purposes and findings of fact.

SECTION 2. AMENDMENT. Chapter 66, "Municipal Court", is amended by adding section 66-15, "Collecting delinquent fines, fees, court costs, and other debts", to read entirely as follows:

Sec. 66-15. - Collecting delinquent fines, fees, court costs, and other debts.

In accordance with Article 103.0031 of the Texas Code of Criminal Procedure, there is hereby imposed an additional fee of thirty percent (30%) on all debts and accounts receivable, i.e.: fines, fees, court costs, restitution, and other debts that are more than sixty (60) days past due and have been referred to a private law firm for collections.

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective from and after its date of passage and publication.

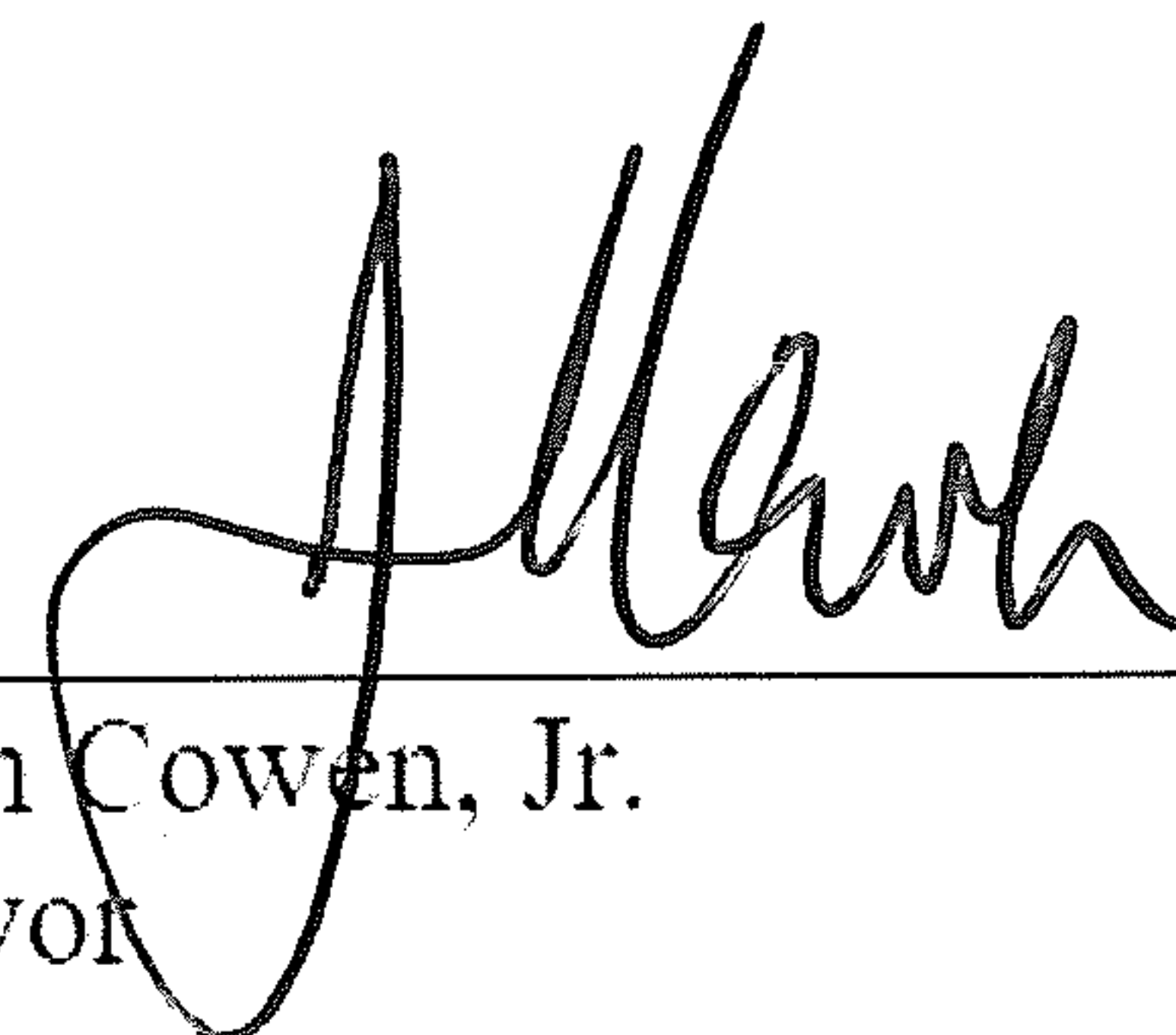
SECTION 4. AUTHORIZATION. The City of Brownsville is hereby authorized to enter into a contract with a private law firm to provide services for the collection of fines, fees, court costs, and other debts substantially in the form of the attached contract which is made a part of this ordinance for all purposes.

SECTION 5. SEVERABILITY. If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

SECTION 6. OPEN MEETINGS. It is hereby found and determined that the meetings at which this ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code – Chapter 551, as amended, and that a quorum of the City Commission was present.


INTRODUCED at a **PUBLIC HEARING AND PASSED ON** First Reading on the 16th day of January 2024.

PASSED, APPROVED, and ADOPTED ON SECOND AND FINAL READING on this the 6th day of February 2024.



John Cowen, Jr.
Mayor

ATTEST:



Yolanda Galarza-Gomez, TRMC
City Secretary



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WHEREAS, Article 103.0031 of the Texas Code of Criminal Procedure authorizes the City of Brownsville, Texas (the "City") to contract with a private law firm for the collection of the fees listed above and to impose an additional fee in the amount of thirty percent (30%) on each debt or account receivable that is more than sixty days past due and which has been referred to a private law firm for collection; and

WHEREAS, the City Commission of the City of Brownsville, Texas (the "City Commission") has determined that it is in the public interest to ensure the prompt payment of delinquent court-imposed fines, fees, court costs, and other debts as provided by said statute; and

WHEREAS, the City, pursuant to Article 103.0031, Texas Code of Criminal Procedure, has entered into a contract with a private law firm to provide services for the collection of debts and accounts receivables, i.e.: fines, fees, court costs, restitution, and other debts ordered to be paid by a court serving the City; and

WHEREAS, the City Commission deems it in the public interest to pass this ordinance authorizing an additional collection fee for the collection of delinquent fines, fees, court costs, and other debts.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION FOR THE CITY OF BROWNSVILLE, TEXAS, THAT:

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City of Brownsville and made a part of this ordinance for all purposes and findings of fact.

SECTION 2. AMENDMENT. Chapter 66, "Municipal Court", is amended by adding section 66-15, "Collecting delinquent fines, fees, court costs, and other debts", to read entirely as follows:

Sec. 66-15. - Collecting delinquent fines, fees, court costs, and other debts.

In accordance with Article 103.0031 of the Texas Code of Criminal Procedure, there is hereby imposed an additional fee of thirty percent (30%) on all debts and accounts receivable, i.e.: fines, fees, court costs, restitution, and other debts that are more than sixty (60) days past due and have been referred to a private law firm for collections.

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective from and after its date of passage and publication.

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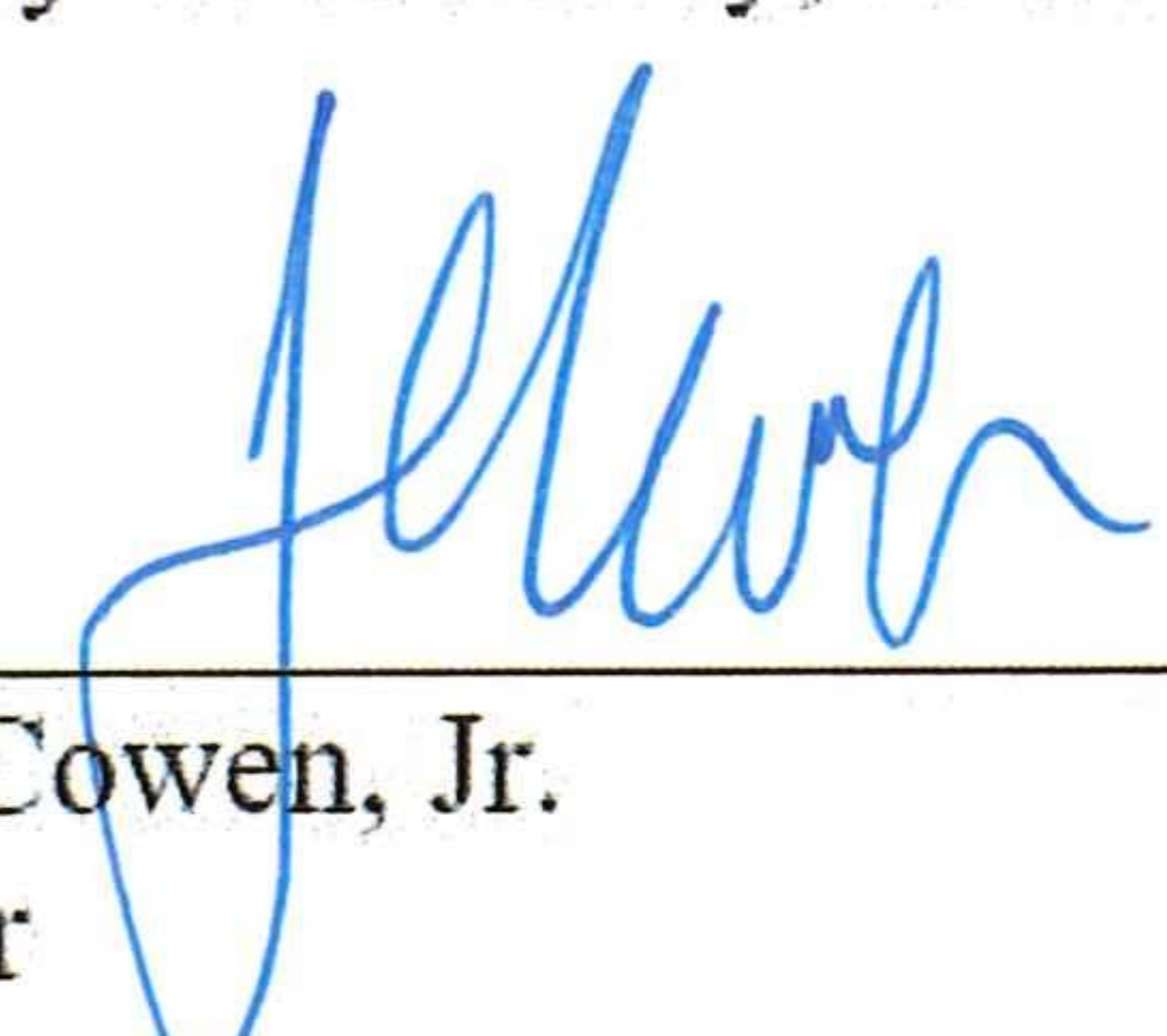
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INTRODUCED at a **PUBLIC HEARING AND PASSED ON** First Reading on the 16th day of January 2024.


PASSED, APPROVED, and ADOPTED ON SECOND AND FINAL READING on this the 6th day of February 2024.

RATIFIED by the City Commission on the 20th day of February, 2024.



John Cowen, Jr.
Mayor

ATTEST:



Marina Zolezzi
Interim City Secretary

