

GOVERNMENT CODE
CHAPTER 102. COURT COSTS IN CRIMINAL PROCEEDINGS
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 102.001. APPLICABILITY OF OTHER LAW. (a) To the extent of any conflict between the provisions of this chapter and another state statute, the other statute prevails.

(b) The organizational structure of this subtitle and the statutory placement of a court fee or cost within that organizational structure does not:

(1) affect a duty imposed on or the authority granted to a judge or clerk of a court by any other state statute with respect to the imposition, assessment, or collection of the fee or cost; or

(2) impose a duty on or grant authority to a judge or clerk of a court not otherwise imposed or granted by other law with respect to the imposition, assessment, or collection of the fee or cost.

Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003.

SUBCHAPTER B. COURT COSTS ON CONVICTION

Sec. 102.021. COURT COSTS ON CONVICTION. A person convicted of an offense shall pay, in addition to all other costs:

(1) court costs on conviction of a felony (Sec. 133.102, Local Government Code) . . . \$133;

(2) court costs on conviction of a Class A or Class B misdemeanor (Sec. 133.102, Local Government Code) . . . \$83;

(3) court costs on conviction of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance, other than a conviction of an offense relating to a pedestrian or the parking of a motor vehicle (Sec. 133.102, Local Government Code) . . . \$40;

(4) court costs on certain convictions in statutory county courts (Sec. 51.702, Government Code) . . . \$15;

(5) court costs on certain convictions in certain county courts (Sec. 51.703, Government Code) . . . \$15;

(6) a time payment fee if convicted of a felony or misdemeanor for paying any part of a fine, court costs, or restitution on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs, or restitution (Sec. 133.103, Local Government Code) . . . \$25;

(7) a fee for services of prosecutor (Art. 102.008, Code of Criminal Procedure) . . . \$25;

(8) fees for services of peace officer:

(A) issuing a written notice to appear in court for certain violations (Art. 102.011, Code of Criminal Procedure) . . . \$5;

(B) executing or processing an issued arrest warrant or capias (Art. 102.011, Code of Criminal Procedure) . . . \$50;

(C) summoning a witness (Art. 102.011, Code of Criminal Procedure) . . . \$5;

(D) serving a writ not otherwise listed (Art. 102.011, Code of Criminal Procedure) . . . \$35;

(E) taking and approving a bond and, if necessary, returning the bond to courthouse (Art. 102.011, Code of Criminal Procedure) . . . \$10;

(F) commitment or release (Art. 102.011, Code of Criminal Procedure) . . . \$5;

(G) summoning a jury (Art. 102.011, Code of Criminal Procedure) . . . \$5;

(H) attendance of a prisoner in habeas corpus case if prisoner has been remanded to custody or held to bail (Art. 102.011, Code of Criminal Procedure) . . . \$8 each day;

(I) mileage for certain services performed (Art. 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

(J) services of a sheriff or constable who serves process and attends examining trial in certain cases (Art. 102.011, Code of Criminal Procedure) . . . not to exceed \$5;

(9) services of a peace officer in conveying a witness outside the county (Art. 102.011, Code of Criminal Procedure) . . . \$10 per day or part of a day, plus actual necessary travel expenses;

(10) overtime of peace officer for time spent testifying in the trial or traveling to or from testifying in the trial (Art. 102.011, Code of Criminal Procedure) . . . actual cost;

(11) court costs on an offense relating to rules of the road, when offense occurs within a school crossing zone (Art.

102.014, Code of Criminal Procedure) . . . \$25;
(12) court costs on an offense of passing a school bus (Art. 102.014, Code of Criminal Procedure) . . . \$25;
(13) court costs on an offense of truancy or contributing to truancy (Art. 102.014, Code of Criminal Procedure) . . . \$20;
(14) cost for visual recording of intoxication arrest before conviction (Art. 102.018, Code of Criminal Procedure) . . . \$15;
(15) cost of certain evaluations (Art. 102.018, Code of Criminal Procedure) . . . actual cost;
(16) additional costs attendant to certain intoxication convictions under Chapter 49, Penal Code, for emergency medical services, trauma facilities, and trauma care systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;
(16-a) additional costs attendant to certain child sexual assault and related convictions, for child abuse prevention programs (Art. 102.0186, Code of Criminal Procedure) . . . \$100;
(17) cost for DNA testing for certain felonies (Art. 102.020, Code of Criminal Procedure) . . . \$250;
(18) court cost on an offense of public lewdness or indecent exposure (Art. 102.020, Code of Criminal Procedure) . . . \$50;
(19) court cost on conviction of a misdemeanor under Subtitle C, Title 7, Transportation Code (Sec. 542.403, Transportation Code) . . . \$3;
(20) cost for impoundment of vehicle (Sec. 601.263, Transportation Code) . . . \$15 per day;
(21) a civil and criminal enforcement cost on conviction of an offense of, or related to, the nonpayment of a toll in certain counties (Sec. 284.2031, Transportation Code) . . . \$1;
Text of subd. (22) as added by Acts 2005, 79th Leg., ch. 296, Sec. 8
(22) if directed by the justice of the peace or municipal court judge hearing the case, court costs on conviction in a criminal action (Art. 45.041, Code of Criminal Procedure) . . . part or all of the costs as directed by the judge;
Text of subd. (22) as added by Acts 2005, 79th Leg., ch. 992, Sec. 29
(22) the cost of any storage, care, feeding, cold storage, or processing necessary for an unlawfully taken, shipped, or possessed game bird, fowl, animal, game fish, or exotic animal (Sec. 12.110, Parks and Wildlife Code) . . . actual cost; and
Text of subd. (22) as added by Acts 2005, 79th Leg., ch. 1360, Sec. 6
(22) court cost on conviction of any offense, other than a conviction of an offense relating to a pedestrian or the parking of a motor vehicle (Art. 102.0045, Code of Criminal Procedure) . . . \$4.

Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003. Amended by Acts 2005, 79th Leg., ch. 296, Sec. 8, eff. Sept. 1, 2005; Acts 2005, 79th Leg., ch. 268, Sec. 1.68, eff. Sept. 1, 2005; Acts 2005, 79th Leg., ch. 992, Sec. 29, eff. June 18, 2005; Acts 2005, 79th Leg., ch. 1360, Sec. 6, eff. Sept. 1, 2005.

Sec. 102.022. COURT COST ON CONVICTION FOR SUPPORT OF JUDICIARY. A person convicted of any offense, other than an offense relating to a pedestrian or the parking of a motor vehicle, shall pay a cost on conviction of \$4 under Section 133.105, Local Government Code.

Added by Acts 2005, 79th Leg., 2nd C.S., ch. 3, Sec. 17, eff. Dec. 1, 2005.

SUBCHAPTER C. CRIMINAL COURT COSTS IN DISTRICT COURT

Sec. 102.041. ADDITIONAL COURT COSTS ON CONVICTION IN DISTRICT COURT. The clerk of a district court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a felony offense (Art. 102.017, Code of Criminal Procedure) . . . \$5;
- (5) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (6) a graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$5; and
- (7) a court cost on conviction in Comal County (Sec.

152.0522, Human Resources Code) . . . \$4.
Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003.
Amended by Acts 2005, 79th Leg., ch. 804, Sec. 4, eff. June 17, 2005.

SUBCHAPTER D. CRIMINAL COURT COSTS IN STATUTORY COUNTY COURT

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT. The clerk of a statutory county court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$5;
- (6) a court cost on conviction in Comal County (Sec. 152.0522, Human Resources Code) . . . \$4; and
- (7) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . \$5.

Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003.
Amended by Acts 2005, 79th Leg., ch. 804, Sec. 5, eff. June 17, 2005; Acts 2005, 79th Leg., ch. 949, Sec. 38, eff. Sept. 1, 2005.

SUBCHAPTER E. CRIMINAL COURT COSTS IN COUNTY COURT

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT. The clerk of a county court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$5; and
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . \$5.

Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003.
Amended by Acts 2005, 79th Leg., ch. 804, Sec. 6, eff. June 17, 2005; Acts 2005, 79th Leg., ch. 949, Sec. 38, eff. Sept. 1, 2005.

SUBCHAPTER F. CRIMINAL COURT COSTS IN JUSTICE COURT

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT. A clerk of a justice court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;

Text of subd. (5) as amended by Acts 2005, 79th Leg., ch. 240, Sec. 2

- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4; and

Text of subd. (5) as amended by Acts 2005, 79th Leg., ch. 949, Sec.

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- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . not to exceed \$4;

- (6) a court cost on conviction in Comal County (Sec. 152.0522, Human Resources Code) . . . \$1.50; and

- (7) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . \$5.

Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003.
Amended by Acts 2005, 79th Leg., ch. 240, Sec. 2, eff. Sept. 1, 2005; Acts 2005, 79th Leg., ch. 949, Sec. 38, eff. Sept. 1, 2005.

SUBCHAPTER G. CRIMINAL COURT COSTS IN MUNICIPAL COURT

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT. The clerk of a municipal court shall collect fees

and costs on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;

(2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;

(3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;

(5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; and

(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . \$5.

Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003. Amended by Acts 2005, 79th Leg., ch. 949, Sec. 38, eff. Sept. 1, 2005.

SUBCHAPTER H. CRIMINAL COURT COSTS IN MUNICIPAL COURT OF RECORD

Sec. 102.141. ADDITIONAL COURT COSTS IN MUNICIPAL COURT OF RECORD. The clerk of a municipal court of record shall collect the following fees and costs:

(1) from a defendant on conviction, a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4;

(2) from an appellant, a fee for preparation of the clerk's record (Sec. 30.00014, Government Code) . . . \$25; and

(3) from an appellant in the City of El Paso, an appellate court docket fee (Sec. 30.00147, Government Code) . . . \$25.

Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003. Amended by Acts 2005, 79th Leg., ch. 37, Sec. 12, eff. May 9, 2005.

SUBCHAPTER I. CRIMINAL COURT COSTS IN JUSTICE COURT

Sec. 102.161. ADDITIONAL COURT COSTS IN JUSTICE COURT. The clerk of a justice court shall collect the following fees and costs:

(1) from a defendant on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Sec. 3.506, Business & Commerce Code; Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; and

(2) from a defendant on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7.

Added by Acts 2003, 78th Leg., ch. 1278, Sec. 1, eff. June 21, 2003.