



Court Costs, Fees and Fines

November 2007

Susan Combs | Texas Comptroller of Public Accounts

Justice, County and District Courts

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Summary of legislative changes made by the 80th Texas Legislature, Regular Session, 2007

During the regular session of the 80th Texas Legislature, several laws were enacted affecting court costs, fines and fees. This brochure presents a brief explanation of those changes presented in the order of their effective dates, as well as charts that summarize the costs, fees and fines that courts should assess. Also included are instructions and information regarding changes in reporting that relate to these costs, fees and fines.

This brochure provides only a summary of the legislation that affected court costs, fees and fines. It is not intended as a comprehensive explanation of the bills included, nor does it express legal opinions where varying interpretations of new law may exist. The legislation summarized in this brochure should be consulted for a complete understanding of changes and requirements.

A copy of this brochure should be made available to officials involved in the assessment and collection of court costs, fees and fines. If you have any questions regarding this brochure, please contact the Local Government Assistance Section (LGA) at (800) 531-5441, ext. 3-4679, or you may dial direct in Austin at 463-4679. You also may contact Local Government Assistance by e-mail at local.govt@cpa.state.tx.us.

If you have any questions regarding the reporting of court costs, fines and fees, please contact the Comptroller's Miscellaneous Taxes Section at (800) 531-5441, ext. 3-4276, or direct in Austin at 463-4276.

There may be divergent opinions concerning the effective date of the following legislation because of the language in Section 51.607, Government Code. The Comptroller's consistent opinion is that the effective date for any new or changed "fee or charge for services or to cover the expenses of a public official or agency" is delayed to Jan. 1 under this statute. However, to the extent these are purely local fees, local governments should consult with their county or district attorney for advice concerning the effective date.



Court Costs, Fees and Fines with an Imposition Date of Sept. 1, 2007, or Earlier

State Costs, Fees and Fines

Intoxication/Drug Court Program

House Bill 530, effective June 15, 2007, adds Article 102.0178, Code of Criminal Procedure, and Article 102.0215, Government Code, to create a court cost of \$50 on conviction of an offense punishable as a Class B misdemeanor or higher for certain intoxication and drug convictions. The county shall remit the collected funds to the Comptroller quarterly. If the county remits the funds on a timely basis, the county may retain 10 percent of the total funds collected quarterly as a service fee. If the county has established a drug court program, the county may retain an additional 50 percent of the funds collected to be used exclusively for drug court programs operated within the respective jurisdictions. The Comptroller shall deposit remitted funds to the Drug Court Account in the General Revenue Fund to help fund applicable drug court programs. Counties with populations of more than 200,000 (formerly set at more than 550,000) must establish a drug court program provided they receive federal or state funding for that purpose.

Municipalities may form drug court programs or three or more may form a regional drug court and be funded by the \$50 fee upon conviction provided in Article 102.0178, Code of Criminal Procedure. Three or more counties may form regional drug court programs.

Local Costs, Fees and Fines

Family Protection Fee

House Bill 764, effective June 15, 2007, amends Section 51.961, Government Code, reducing the Family Protection Fee from \$30 to \$15. The bill repeals Section 51.961(g), which eliminates the requirement that county or district clerks remit one-half of the fees to the Comptroller for deposit into the Child Abuse and Neglect Prevention Trust. Attorney General Opinion GA-0387 found the state portion of the fee to be unconstitutional.

Supplemental Court-initiated Guardianship Fee in Statutory Probate Courts

House Bill 1295, effective Sept. 1, 2007, for statutory courts designated as statutory probate courts under Chapter 25, Government Code, amends Subchapter C, Chapter 118, Local Government Code, by creating a supplemental court-initiated guardianship fee for the support of the judiciary in cases involving guardianships under Section 683, Probate Code. Chapter 101, Government Code, requires county court clerks to collect the \$20

fee, which the court imposes in certain probate original actions and adverse probate actions. The fee must be deposited into the county treasury to provide supplemental funding for compensation of court-appointed guardians ad litem and court-appointed attorneys ad litem and to fund local guardianship programs for indigent incapacitated persons. The imposition date for the fee in courts other than statutory probate courts is Jan. 1, 2008.

Capias pro fine warrants

House Bill 3060, effective Sept. 1, 2007, amends Chapter 43, Code of Criminal Procedure, creating and defining capias pro fine (an arrest warrant for unpaid fines and costs) and allowing all courts in the state to issue the capias pro fine. The capias pro fine is in addition to the normal capias.

The bill amends Article 102.011(a), Code of Criminal Procedure, to impose a \$50 fee for capias pro fine warrants. The bill also amends Article 15.18, Code of Criminal Procedure, which applies to arrest for out-of-county offenses, by adding Subsection (d) excluding a capias pro fine issued under Chapter 43, Code of Criminal Procedure, relating to the execution of judgments or Article 45.045, which relates to justice and municipal courts.



Court Costs, Fees and Fines with an Imposition Date of Jan. 1, 2008

State Costs, Fees and Fines

Indigent Defense Fund

House Bill 1267 amends Subchapter B, Chapter 102, Government Code, by adding Section 102.023, and Subchapter C, Chapter 133, Local Government Code, by adding Section 133.107 to create a new \$2 court cost for indigent defense. The fee applies to any offense other than an offense relating to a pedestrian or parking. The fee will apply in all municipal, justice, county and district court convictions. The fee is to be remitted quarterly to the Comptroller for deposit to the Fair Defense Account to be used to fund indigent defense representation.

Judicial Support Fee and Judicial Fund

Senate Bill 600 amends Section 133.105, Local Government Code, and Section 102.022, Government Code, to increase the criminal court cost for Judicial Support Fee from \$4 to \$6. The bill amends Section 133.154, Local Government Code, and Sections 101.062 and 101.083, Government Code, to increase the civil filing fee for Judicial Support from \$37 to \$42.

Local Costs, Fees and Fines

Continuous Sexual Abuse of a Child Fee

House Bill 8, known as the Jessica Lunsford Act, relates to the prosecution, punishment and supervision of certain sex offenders, by adding Section 21.02, Penal Code, creating the offense of continuous sexual abuse of a young child or children. The bill amends Section 102.0186(a), Code of Criminal Procedure, by adding continuous sexual abuse of a child to the list of offenses under which a person is required to pay a \$100 cost upon conviction. These costs are deposited in the Child Abuse Prevention Fund that is administered by the county.

Supplemental Court-initiated Guardianship Fee

House Bill 1295 amends Subchapter C, Chapter 118, Local Government Code, by creating a supplemental court-initiated guardianship fee for the support of the judiciary in cases involving guardianships under Section 683, Probate Code. Chapter 101, Government Code, requires county court clerks to collect the \$20 fee, which the court imposes in certain probate original actions and adverse probate actions. The fee must be deposited into the county treasury to provide supplemental funding for compensation of court-appointed guardians ad litem and court-appointed attorneys ad litem and to fund local guardianship programs for indigent incapacitated persons.

Administrative Fees for Dismissal of Certain Violations

House Bill 1623 creates administrative fees and increases others relating to the dismissal of certain Transportation Code and Parks and Wildlife Code violations. The fees apply when a defendant demonstrates that corrective action has been taken and the court chooses to dismiss the charge.

The bill creates an administrative fee not to exceed \$10 for the dismissal of a violation for the operation of a vehicle without a license plate or registration insignia by adding Sections 502.404 (f) and (g) to the Transportation Code.

The bill increases the administrative fee for dismissal of a charge of driving with an expired motor vehicle registration from not to exceed \$10 to not to exceed \$20 by amending Section 502.407(b), Transportation Code.

The bill creates an administrative fee not to exceed \$10 for the dismissal of a violation for the operation of a vehicle with a wrong, fictitious, altered or obscured license plate by adding Section 502.409 (c) to the Transportation Code.

The bill adds Section 521.025(f) to the Transportation Code to create an administrative fee not to exceed \$10 for the dismissal of a violation of failing to carry a license and exhibit it on demand.

The bill increases the administrative fee for dismissal of a charge of driving with an expired license from not to exceed \$10 to not to exceed \$20 by amending Section 521.026, Transportation Code.

The bill adds Section 521.054(d) to the Transportation Code to create an administrative fee not to exceed \$20 for the dismissal of a violation of failing to change address or name on a driver license.

The bill adds Section 521.221(d) to the Transportation Code to create an administrative fee not to exceed \$10 for the dismissal of a violation of operating a vehicle in violation of a restriction imposed or without the endorsement required on the license issued to that person.

The bill amends Sections 521.457(e) and (f), Transportation Code, to make driving while license is invalid a Class C misdemeanor punishable by a fine of not more than \$500, rather than not less than \$100 or more than \$200. Section 521.457 (f-1) is added to the Transportation Code, which increases the offense to a Class B misdemeanor for a person with a previous conviction of an offense under the section.

The bill adds Sections 547.004 (c) and (d) to the Transportation Code to create an administrative fee not to exceed \$10 for the dismissal of the violation of operation or allowing the operation of a vehicle that is unsafe or not in compliance with vehicle standards and requirements or is equipped in a prohibited manner.

The bill amends Section 548.605(b), Transportation Code, to increase the administrative fee for dismissal of a charge of driving with an expired inspection certificate from not to exceed \$10 to not to exceed \$20.

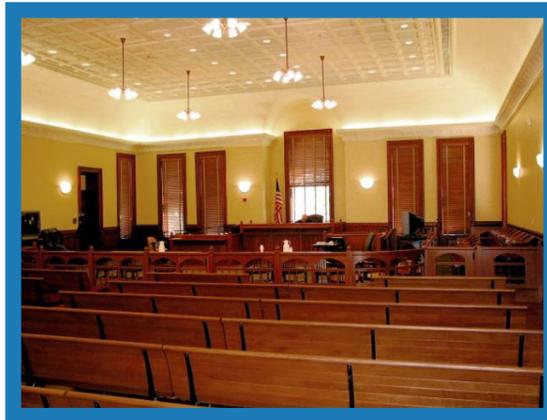
The bill adds Section 31.021 (f) to the Parks and Wildlife Code to create an administrative fee not to exceed \$10 for the dismissal of a violation for the operation of a vessel with an expired certificate of number.

Juvenile Delinquency Prevention and Graffiti Eradication Fee

House Bill 2151 amends Article 102.0171(a), Code of Criminal Procedure, and Section 102.041, Government Code, to increase the local court cost from \$5 to \$50 for the graffiti offense in Section 28.08, Penal Code. The fee applies in constitutional and statutory county courts and district courts.

Teen Court Dismissal Fee in the Texas Louisiana Border Region

House Bill 2949 amends Article 45.052, Code of Criminal Procedure, and Section 54.032, Family Code, to allow juvenile, justice and municipal courts in the Texas Louisiana Border Region, which is defined by Section 2056.002, Government Code, to charge a \$20 fee for administration costs associated with teen courts and the Teen Court Program.



Ninth Court of Appeals District Appellate

Judicial System Support Fee

Senate Bill 325 amends Subchapter C, Chapter 22, Government Code, by adding Section 22.2101, to create an appellate judicial system for the Ninth Court of Appeals District. To fund the system, the county commissioners court in each county in the 9th District is required to set a court fee of \$5 for each civil suit filed in county court, county court at law, probate court or district court in the county. The court costs fee does not apply to a suit filed by the county or to a suit for delinquent taxes.

Civil Suits in Justice and Small Claims Courts

Senate Bill 1412 amends Section 101.141, Government Code, and Section 118.121, Local Government Code, increasing the fee for services rendered before judgment from \$15 to \$25 in justice court and from \$10 to \$25 in small claims courts.

Driving Records Fee

Senate Bill 1083 amends Subsection (c-1), Article 45.0511, Code of Criminal Procedure, authorizing a judge or justice of the peace to request and obtain a copy of a defendant's driving records from the Department of Public Safety using TexasOnline when the defendant has requested a driving safety course or motorcycle operator training course dismissal. The court may charge the defendant the \$10 fee established by Section 521.048, Transportation Code, and the TexasOnline Fee that is currently \$2, for a total of \$12. The fee is to be remitted to the Comptroller. The Comptroller shall credit the fees to the Texas Department of Public Safety.



After taking certain deductions, a city or county is required to remit one-half of the fee to the Comptroller not later than the 60th day after the end of the city's or county's fiscal year. The money remitted to the Comptroller is to be deposited to the Regional Trauma Account. Allowable deductions include the costs of purchasing or leasing equipment, installing, operating and maintaining the traffic signal enforcement system. This is also reflected in Chapter 133 of the Local Government Code, which allows a 10 percent collection fee if remitted in a timely manner.

The bill makes conforming amendments to the Government Code by adding Subsection 27.031(a)(4) and Section 29.003 (g), and adding Section 133.004 (11) to the Local Government Code.

House Bill 1623 adds Sections 542.405 and 542.406 to the Transportation Code, effective Sept. 1, 2007, requiring a municipality, county or other local entity that operates a photographic traffic signal enforcement system to send to the Comptroller's office 50 percent of the revenue, less local costs of the system, received from civil or administrative penalties as a result of a violation of a traffic-control signal for deposit in the Regional Trauma Account.

A local entity is required to deposit the remainder of the revenue in a special account to fund traffic safety programs, public safety programs, intersection improvements and traffic enforcement.

Pretrial Intervention Program

House Bill 2385, effective Sept. 1, 2007, amends Chapter 102, Code of Criminal Procedure, by adding Article 102.0121 creating a new fee not to exceed \$500 for certain expenses related to pretrial intervention programs. A district attorney or county attorney may collect the fee to be used to reimburse a county for

expenses related to a defendant's participation in a pretrial intervention program offered by that county. Fees are to be deposited into a special fund in the county treasury to be used solely to administer the pretrial intervention program.

Other Statutory Provisions

Jurisdiction of Justice and Small Claims Courts

Senate Bill 618, effective Sept. 1, 2007, amends Sections 26.042, 27.031 and 28.003, Government Code, raising the jurisdictional amount in controversy from not to exceed \$5,000 to not to exceed \$10,000 for justice and small claims courts. Section 27.031 is further amended by adding Subsection (c) that removes the requirement that corporations be represented by attorneys in justice court.

Photographic Enforcement System

Senate Bill 1119, effective Sept. 1, 2007, adds Chapter 707, Transportation Code, relating to photographic traffic signal enforcement systems. It gives authority for a city or county to enforce a civil penalty of not more than \$75 for red light camera violations and establishes the maximum late penalty to be \$25. Similar provisions are included in House Bill 1623 discussed below.

Marriage License Fees

House Bill 2685, effective Sept. 1, 2008, amends Section 118.011, Local Government Code, by increasing the civil fee for marriage licenses from \$30 to \$60 and providing an exemption from the fee for couples completing a premarital education course. Section 118.022, Local Government Code, is amended to require the county clerk to remit \$30 of the fee to the Comptroller. The county clerk shall send to the Comptroller \$20 of each fee for a marriage or \$12.50 of each fee for recording a declaration of informal marriage to be deposited to the Child Abuse and Neglect Prevention Trust Account. In addition, \$10 of each fee is to be deposited to the Family Trust Fund.

Statutory Probate Court Judge Performance Bond

House Bill 2967, effective Oct. 1, 2007, amends Subchapter B, Chapter 25, Government Code, by requiring the judges of statutory probate courts to execute a bond or insurance in the amount of \$500,000 payable to the county treasurer to cover losses caused by a statutory probate court judge's negligence in performing the duties of office. The bill requires the commissioners court of a county to pay the premium for the bond or insurance out of the general funds of the county. A judge of a statutory court who is serving on the effective date of this Act is required to comply not later than Nov. 1, 2007.

Jury Service Reimbursement

Senate Bill 560, effective Sept. 1, 2007, amends Section 61.001, Government Code, to clarify current law regarding the proper payment of persons for time served as jurors. In addition, the expense reimbursement of jurors who serve on municipal court juries will no longer be covered by Chapter 61, Government Code. A municipality will have the discretion to reimburse those expenses in an amount determined by the municipality.

Jury Service Donations Reimbursements

House Bill 1204, effective Sept. 1, 2007, amends Section 61.003, Government Code, to allow jurors to donate all or a partial amount of the reimbursement for jury service to the Compensation to Victims of Crime Fund, child welfare board of the county, or a program approved by the commissioners court. The form provided to the juror must include a blank in which the prospective juror may enter the amount of the daily reimbursement they wish to donate.

State Costs and Fees for Justice Courts

For Offenses Committed After June 14, 2007, But Before Jan. 1, 2008

Offense/Description	JSF	JRF	CCC	STF	Total
STATE LAW					
Transportation Code, Title 7, Subtitle C, Rules of the Road					
• parking and pedestrian	N/A	N/A	N/A	\$30.00	\$30.00
• all other misdemeanors	\$4.00	\$4.00	\$40.00	\$30.00	\$78.00
Education Code, Sec. 25.093, Parent Contributing to Nonattendance, and Sec. 25.094, Failure to Attend School	\$4.00	\$4.00	\$40.00	N/A	\$48.00
All other misdemeanors punishable by fine only	\$4.00	\$4.00	\$40.00	N/A	\$48.00

Judicial Support Fee: Sec. 133.105, Local Government Code (JSF)

Juror Reimbursement Fee: Art. 102.0045, Code of Criminal Procedure (JRF)

Consolidated Court Cost: Sec. 133.102, Local Government Code (CCC)

State Traffic Fee: Sec. 542.4031, Transportation Code (STF)

Add the following mandatory fees, when applicable:

DRIVING RECORD FEE (DRF): If a defendant who requests a driving safety or motorcycle operator training course dismissal chooses not to present the defendant's driving record to the court, then the court may obtain the record from the Department of Public Safety and require the defendant to pay a \$10 fee. The custodian of the municipal or county treasury must forward the entire amount of the fees collected to the Comptroller. (Art. 45.0511(c-1), Code of Criminal Procedure)

DRIVING SAFETY OR MOTORCYCLE OPERATOR TRAINING COURSES: A court may require a defendant requesting a driving safety course under Article 45.0511(b), Code of Criminal Procedure, to pay an administrative fee set by the court to cover the cost of administering Article 45.0511, Code of Criminal Procedure, not to exceed \$10. A court may require a defendant requesting a driving safety course or motorcycle operator training course under Article 45.0511(d), Code of Criminal Procedure, to pay a fee set by the court at an amount not to exceed the maximum amount of the fine for the offense committed. (Art. 45.0511(f), Code of Criminal Procedure)

FAILURE TO APPEAR OR PAY (FTA): A \$30 administrative fee is payable by a person who fails to appear for a complaint or citation for an offense over which a court has jurisdiction under Chapter 4, Code of Criminal Procedure, if: (1) the appropriate political subdivision has contracted with the Department of Public Safety (DPS) to provide information necessary for DPS to deny renewal of a driver license as provided by Sec. 706.002, Transportation Code, and (2) the complaint or citation has been reported to DPS under Chapter 706, Transportation Code. A \$30 administrative fee is also payable by a person who fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner the court orders. Of each of these fees, \$20 must be sent to the Comptroller on or before the last day of each calendar quarter and \$10 must be deposited to the credit of the general fund of the municipality or county. (Sec. 706.007, Transportation Code)

TIME PAYMENT FEE: \$25 from a person who pays any part of a fine, court cost or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) is sent to the state and one-tenth (\$2.50) is retained locally for judicial efficiency. Four-tenths (\$10) is retained locally with no restrictions. (Sec.133.103, Local Government Code)

Fees For Services Of Peace Officers:

ARREST FEE: \$5 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance or penal law or for making an arrest without a warrant. (Art. 102.011, Code of Criminal Procedure)

WARRANT FEE: A defendant convicted of a felony or misdemeanor shall pay \$50 for a law enforcement agency's execution of an issued arrest warrant, capias or capias pro fine, if the agency requests the court, not later than the 15th day after the date of execution, to impose the fee. Otherwise, the defendant shall pay \$50 for a law enforcement agency's processing of the warrant, capias or capias pro fine. (Art. 102.011(a)(2), Code of Criminal Procedure)

State Costs and Fees for Justice Courts (continued)

For Offenses Committed After June 14, 2007, But Before Jan. 1, 2008

Add the following mandatory fees, when applicable (continued):

Counties and municipalities may also be responsible for remitting the following fines to the Comptroller:

CHILD SAFETY SEAT AND SEAT BELT VIOLATIONS: a portion of the fines for violations of Secs. 545.412 and 545.413(b), Transportation Code

COMMERCIAL MOTOR VEHICLE SAFETY STANDARD FINES: for qualifying counties, Sec. 644.102, Transportation Code

MOTOR VEHICLE WEIGHT VIOLATIONS: Sec. 621.506, Transportation Code

Local Court Costs and Fees that may also apply:

CHILD SAFETY FUND: Art. 102.014(d), Code of Criminal Procedure

COURTHOUSE SECURITY FUND, MUNICIPAL COURT BUILDING SECURITY FUND AND

JUSTICE COURT SECURITY FUND: Art. 102.017, Code of Criminal Procedure

FEES FOR SERVICES OF PEACE OFFICERS: Art. 102.011, Code of Criminal Procedure

JURY FEE: Art. 102.004, Code of Criminal Procedure

JUSTICE COURT DISHONORED CHECK: Art. 102.0071, Code of Criminal Procedure

JUVENILE CASE MANAGER FUND: Art. 102.0174, Code of Criminal Procedure

LOCAL TRAFFIC FEE: Sec. 542.403, Transportation Code

RECORDS MANAGEMENT AND PRESERVATION FEE: Art. 102.005(f), Code of Criminal Procedure

RESTITUTION INSTALLMENT FEE: Art. 42.037(g)(1), Code of Criminal Procedure

SECURITY FEE: Art. 102.017, Code of Criminal Procedure

TECHNOLOGY FEE: Art. 102.0173, Code of Criminal Procedure

WITNESS FEES: Art. 102.002, Code of Criminal Procedure

State Costs and Fees for County and District Courts

For Offenses Committed After June 14, 2007, But Before Jan. 1, 2008

Offense/Description	JSF	JRF	CCC	DNA	EMS	STF	DCP	Total
Education Code, Sec. 25.093, Parent Contributing to Nonattendance, and Sec. 25.094, Failure to Attend School	\$4.00	\$4.00	\$40.00	N/A	N/A	N/A	N/A	\$48.00
Health and Safety Code, Chapter 481, Controlled substance offenses								
• Class A/B misdemeanors	\$4.00	\$4.00	\$83.00	N/A	N/A	N/A	\$50.00	\$141.00
• Felonies	\$4.00	\$4.00	\$133.00	N/A	N/A	N/A	\$50.00	\$191.00
Penal Code								
Chapter 21, Public lewdness and indecent exposure								
• Class A/B misdemeanors	\$4.00	\$4.00	\$133.00	\$50.00	N/A	N/A	N/A	\$191.00
Chapter 49, Intoxication and alcoholic beverage offenses excluding Secs. 49.02 and 49.031								
• Class B misdemeanors	\$4.00	\$4.00	\$83.00	N/A	\$100.00	N/A	\$50.00	\$241.00
• Felonies	\$4.00	\$4.00	\$133.00	N/A	\$100.00	N/A	\$50.00	\$291.00
Transportation Code, Title 7, Subtitle C, Rules of the Road								
• parking and pedestrian	N/A	N/A	N/A	N/A	N/A	\$30.00	N/A	\$30.00
• all other misdemeanors punishable by fine only	\$4.00	\$4.00	\$40.00	N/A	N/A	\$30.00	N/A	\$78.00
• Class A/B misdemeanors	\$4.00	\$4.00	\$83.00	N/A	N/A	\$30.00	N/A	\$121.00
• Felonies	\$4.00	\$4.00	\$133.00	N/A	N/A	\$30.00	N/A	\$171.00
All other misdemeanors								
• Class C, punishable by fine only	\$4.00	\$4.00	\$40.00	N/A	N/A	N/A	N/A	\$48.00
• Class A/B	\$4.00	\$4.00	\$83.00	N/A	N/A	N/A	N/A	\$91.00
Felonies								
Penal Code								
• Sec. 20.04(a)(4) – Aggravated kidnapping	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
• Sec. 21.11 - Indecency with a child	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
• Sec. 22.011 - Sexual assault	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
• Sec. 22.021 - Aggravated sexual assault	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
• Sec. 25.02 - Prohibited sexual conduct	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
• Sec. 30.02(d) - Burglary of a habitation with intent to commit a felony other than theft	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
• Sec. 43.05 - Compelling prostitution	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
• Sec. 43.25 - Sexual performance by a child	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
• Sec. 43.26 - Possession or promotion of child pornography	\$4.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$391.00
All other felonies	\$4.00	\$4.00	\$133.00	N/A	N/A	N/A	N/A	\$141.00
Judicial Support Fee: Sec. 133.105, Local Government Code (JSF)								
Juror Reimbursement Fee: Art. 102.0045, Code of Criminal Procedure (JRF)								
Consolidated Court Cost: Sec. 133.102, Local Government Code (CCC)								
DNA Testing Fee: Art. 102.020, Code of Criminal Procedure (DNA)								
EMS Trauma Fund: Art. 102.0185, Code of Criminal Procedure (EMS)								
State Traffic Fee: Sec. 542.4031, Transportation Code (STF)								
Drug Court Program Fee: Art. 102.0178, Code of Criminal Procedure, effective 6/15/07 (DCP)								

State Costs and Fees for County and District Courts (continued)

For Offenses Committed After June 14, 2007, But Before Jan. 1, 2008

Add the following mandatory fees, when applicable:

ADDITIONAL COURT COSTS IN CERTAIN STATUTORY AND CONSTITUTIONAL COUNTY COURTS: A person shall pay \$15 on conviction of any criminal offense in a statutory county court, including cases in which probation or deferred adjudication is provided but excluding cases involving any law that regulates pedestrians or the parking of motor vehicles. (Secs. 51.702-51.703, Government Code)

BAIL BOND FEE: \$15 from a surety posting a bail bond for an offense other than a misdemeanor punishable by fine only, not to exceed \$30 per person per incident. Not required on the posting of a personal or cash bond. (Sec. 41.258, Government Code)

DRIVING RECORD FEE (DRF): If a defendant who requests a driving safety or motorcycle operator training course dismissal chooses not to present the defendant's driving record to the court, then the court may obtain the record from the Department of Public Safety and require the defendant to pay a \$10 fee. The custodian of the municipal or county treasury must forward the entire amount of the fees collected to the Comptroller. (Art. 45.0511(c-1), Code of Criminal Procedure)

DRIVING SAFETY OR MOTORCYCLE OPERATOR TRAINING COURSES: A court may require a defendant requesting a driving safety course under Article 45.0511(b), Code of Criminal Procedure, to pay an administrative fee set by the court to cover the cost of administering Article 45.0511, Code of Criminal Procedure, not to exceed \$10. A court may require a defendant requesting a driving safety course or motorcycle operator training course under Article 45.0511(d), Code of Criminal Procedure, to pay a fee set by the court at an amount not to exceed the maximum amount of the fine for the offense committed. (Art. 45.0511(f), Code of Criminal Procedure)

FAILURE TO APPEAR OR PAY (FTA): A \$30 administrative fee is payable by a person who fails to appear for a complaint or citation for an offense over which a court has jurisdiction under Chapter 4, Code of Criminal Procedure, if: (1) the appropriate political subdivision has contracted with the Department of Public Safety (DPS) to provide information necessary for DPS to deny renewal of a driver license as provided by Sec. 706.002, Transportation Code, and (2) the complaint or citation has been reported to DPS under Chapter 706, Transportation Code. A \$30 administrative fee is also payable by a person who fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner the court orders. Of each of these fees, \$20 must be sent to the Comptroller on or before the last day of each calendar quarter and \$10 must be deposited to the credit of the general fund of the municipality or county. (Sec. 706.007, Transportation Code)

JUVENILE PROBATION DIVERSION FUND: \$20 fee if a disposition hearing is held; collected only if the child, parent or other person responsible for the child's support is financially able to pay it. (Sec. 54.0411, Family Code)

TIME PAYMENT FEE: \$25 from a person who pays any part of a fine, court cost or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) is sent to the state, one-tenth (\$2.50) is retained locally for judicial efficiency, and four-tenths (\$10) is retained locally with no restrictions. (Sec. 133.103, Local Government Code)

Fees For Services Of Peace Officers:

ARREST FEE: \$5 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance or penal law or for making an arrest without a warrant. (Art. 102.011, Code of Criminal Procedure)

WARRANT FEE: A defendant convicted of a felony or misdemeanor shall pay \$50 for a law enforcement agency's execution of an issued arrest warrant, *capias* or *capias pro fine*, if the agency requests the court, not later than the 15th day after the date of execution, to impose the fee. Otherwise, the defendant shall pay \$50 for a law enforcement agency's processing of the warrant, *capias* or *capias pro fine*. (Art. 102.011(a)(2), Code of Criminal Procedure)

State Costs and Fees for County and District Courts (continued)

For Offenses Committed After June 14, 2007, But Before Jan. 1, 2008

Add the following mandatory fees, when applicable (continued):

Counties and municipalities may also be responsible for remitting the following fines to the Comptroller:

CHILD SAFETY SEAT AND SEAT BELT VIOLATIONS: a portion of the fines for violations of Secs. 545.412 and 545.413(b),
Transportation Code

COMMERCIAL MOTOR VEHICLE SAFETY STANDARD FINES: for qualifying counties, Sec. 644.102, Transportation Code

MOTOR VEHICLE WEIGHT VIOLATIONS: Sec. 621.506, Transportation Code

Local Court Costs and Fees that may also apply:

CHILD SAFETY FUND: Art. 102.014(d), Code of Criminal Procedure

CLERK FEES: Art. 102.005(a), Code of Criminal Procedure

COUNTY CHILD ABUSE PREVENTION FUND: Art. 102.0186, Code of Criminal Procedure

COURTHOUSE SECURITY FUND, MUNICIPAL COURT BUILDING SECURITY FUND,

JUSTICE COURT BUILDING SECURITY FUND: Art. 102.017, Code of Criminal Procedure

EXPUNCTION OF OFFENSES BY MINORS: Arts. 45.0216, 45.055 and 102.006, Code of Criminal Procedure

FEES FOR SERVICES OF PEACE OFFICERS: Art. 102.011, Code of Criminal Procedure

JURY FEE: Art. 102.004, Code of Criminal Procedure

JUVENILE CASE MANAGER FUND: Art. 102.0174, Code of Criminal Procedure

JUVENILE DELINQUENCY PREVENTION FUND: Art. 102.0171, Code of Criminal Procedure

LOCAL TRAFFIC FEE: Sec. 542.403, Transportation Code

PROSECUTORS' FEE: Art. 102.008, Code of Criminal Procedure

RECORDS MANAGEMENT AND PRESERVATION FEE: Art. 102.005(f), Code of Criminal Procedure

RESTITUTION INSTALLMENT FEE: Art. 42.037(g)(1), Code of Criminal Procedure

SECURITY FEE: Art. 102.017, Code of Criminal Procedure

STATUTORY COUNTY COURT: Sec. 51.702(l), Government Code

VISUAL RECORDING FEE: Art. 102.018, Code of Criminal Procedure

WITNESS FEE: Art. 102.002, Code of Criminal Procedure

Note: This is not intended to be an all-inclusive list of local court costs and fees that statutes may allow to be collected in a criminal case.

State Costs and Fees for Justice Courts

For Offenses Committed After Dec. 31, 2007

Offense/Description	JSF	JRF	CCC	STF	IDF	Total
STATE LAW						
Transportation Code, Title 7, Subtitle C, Rules of the Road						
• parking and pedestrian	N/A	N/A	N/A	\$30.00	N/A	\$30.00
• all other misdemeanors	\$6.00	\$4.00	\$40.00	\$30.00	\$2.00	\$82.00
Education Code, Sec. 25.093, Parent Contributing to Nonattendance, and Sec. 25.094, Failure to Attend School						
	\$6.00	\$4.00	\$40.00	N/A	\$2.00	\$52.00
All other misdemeanors punishable by fine only						
	\$6.00	\$4.00	\$40.00	N/A	\$2.00	\$52.00

Judicial Support Fee: Sec 133.105, Local Government Code (JSF)
Juror Reimbursement Fee: Art. 102.0045, Code of Criminal Procedure (JRF)
Consolidated Court Cost: Sec. 133.102, Local Government Code (CCC)
State Traffic Fee: Sec. 542.4031, Transportation Code (STF)
Indigent Defense Fund: Sec. 133.107, Local Government Code, effective 1/1/08 (IDF)

Add the following mandatory fees, when applicable:

DRIVING RECORD FEE (DRF): If a defendant who requests a driving safety or motorcycle operator training course dismissal chooses not to present the defendant's driving record to the court, then the court may obtain the record from the Department of Public Safety and require the defendant to pay a fee. The court may charge the defendant the \$10 fee established by Sec. 521.048, Transportation Code, and the TexasOnline Fee that is currently \$2, for a total of \$12. The custodian of the county treasury must forward the entire amount of the fees collected to the Comptroller. (Art. 45.0511(c-1), Code of Criminal Procedure)

DRIVING SAFETY OR MOTORCYCLE OPERATOR TRAINING COURSES: A court may require a defendant requesting a driving safety course under Art. 45.0511(b), Code of Criminal Procedure, to pay an administrative fee set by the court to cover the cost of administering Art. 45.0511, Code of Criminal Procedure, not to exceed \$10. A court may require a defendant requesting a driving safety course or motorcycle operator training course under Art. 45.0511(d), Code of Criminal Procedure, to pay a fee set by the court at an amount not to exceed the maximum amount of the fine for the offense committed. (Art. 45.0511(f), Code of Criminal Procedure)

FAILURE TO APPEAR OR PAY (FTA): A \$30 administrative fee is payable by a person who fails to appear for a complaint or citation for an offense over which a court has jurisdiction under Chapter 4, Code of Criminal Procedure, if: (1) the appropriate political subdivision has contracted with the Department of Public Safety (DPS) to provide information necessary for DPS to deny renewal of a driver license as provided by Sec. 706.002, Transportation Code, and (2) the complaint or citation has been reported to DPS under Chapter 706, Transportation Code. A \$30 administrative fee is also payable by a person who fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner the court orders. Of each of these fees, \$20 must be sent to the Comptroller on or before the last day of each calendar quarter and \$10 must be deposited to the credit of the general fund of the municipality or county. (Sec. 706.007, Transportation Code)

TIME PAYMENT FEE: \$25 from a person who pays any part of a fine, court cost or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) is sent to the state and one-tenth (\$2.50) is retained locally for judicial efficiency. Four-tenths (\$10) is retained locally with no restrictions. (Sec.133.103, Local Government Code)

Fees For Services Of Peace Officers:

ARREST FEE: \$5 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance or penal law or for making an arrest without a warrant. (Art. 102.011, Code of Criminal Procedure)

WARRANT FEE: A defendant convicted of a felony or misdemeanor shall pay \$50 for a law enforcement agency's execution of an issued arrest warrant, capias or capias pro fine, if the agency requests the court, not later than the 15th day after the date of execution, to impose the fee. Otherwise, the defendant shall pay \$50 for a law enforcement agency's processing of the warrant, capias or capias pro fine. (Art. 102.011(a) (2), Code of Criminal Procedure)

State Costs and Fees for Justice Courts (continued)

For Offenses Committed After Dec. 31, 2007

Add the following mandatory fees, when applicable (continued):

Counties and municipalities may also be responsible for remitting the following fines to the Comptroller:

CHILD SAFETY SEAT AND SEAT BELT VIOLATIONS: a portion of the fines for violations of Secs. 545.412 and 545.413(b),
Transportation Code

COMMERCIAL MOTOR VEHICLE SAFETY STANDARD FINES: for qualifying counties, Sec. 644.102, Transportation Code

MOTOR VEHICLE WEIGHT VIOLATIONS: Sec. 621.506, Transportation Code

Local Court Costs and Fees that may also apply:

ADMINISTRATIVE FEES FOR DISMISSAL OF CERTAIN VIOLATIONS: Chapters 502, 520, 547 and 548, Transportation Code, and
Sec. 31.021, Parks & Wildlife Code

CHILD SAFETY FUND: Art. 102.014(d), Code of Criminal Procedure

COURTHOUSE SECURITY FUND, MUNICIPAL COURT BUILDING SECURITY FUND, JUSTICE COURT BUILDING

SECURITY FUND: Art. 102.017, Code of Criminal Procedure

FEES FOR SERVICES OF PEACE OFFICERS: Art. 102.011, Code of Criminal Procedure

JURY FEE: Art. 102.004, Code of Criminal Procedure

JUSTICE COURT DISHONORED CHECK: Art. 102.0071, Code of Criminal Procedure

JUVENILE CASE MANAGER FUND: Art. 102.0174, Code of Criminal Procedure

LOCAL TRAFFIC FEE: Sec. 542.403, Transportation Code

RECORDS MANAGEMENT AND PRESERVATION FEE: Art. 102.005(f), Code of Criminal Procedure

RESTITUTION INSTALLMENT FEE: Art. 42.037(g)(1), Code of Criminal Procedure

SECURITY FEE: Art. 102.017, Code of Criminal Procedure

TECHNOLOGY FEE: Art. 102.0173, Code of Criminal Procedure

WITNESS FEE: Art. 102.002, Code of Criminal Procedure

State Costs and Fees for County and District Courts

For Offenses Committed After Dec. 31, 2007

Offense/Description	JSF	JRF	CCC	DNA	EMS	STF	DCP	IDF	Total
Education Code, Sec. 25.093, Parent Contributing to Nonattendance, and Sec. 25.094, Failure to Attend School	\$6.00	\$4.00	\$40.00	N/A	N/A	N/A	N/A	\$2.00	\$52.00
Health and Safety Code, Chapter 481, Controlled substance offenses									
• Class A/B misdemeanors	\$6.00	\$4.00	\$83.00	N/A	N/A	N/A	\$50.00	\$2.00	\$145.00
• Felonies	\$6.00	\$4.00	\$133.00	N/A	N/A	N/A	\$50.00	\$2.00	\$195.00
Penal Code									
Chapter 21, Public lewdness and indecent exposure									
• Class A/B misdemeanors	\$6.00	\$4.00	\$133.00	\$50.00	N/A	N/A	N/A	\$2.00	\$195.00
Chapter 49, Intoxication and alcoholic beverage offenses excluding Secs. 49.02 and 49.031									
• Class B misdemeanors	\$6.00	\$4.00	\$83.00	N/A	\$100.00	N/A	\$50.00	\$2.00	\$245.00
• Felonies	\$6.00	\$4.00	\$133.00	N/A	\$100.00	N/A	\$50.00	\$2.00	\$295.00
Transportation Code, Title 7, Subtitle C, Rules of the Road									
• parking and pedestrian	N/A	N/A	N/A	N/A	N/A	\$30.00	N/A	N/A	\$30.00
• all other misdemeanors punishable by fine only	\$6.00	\$4.00	\$40.00	N/A	N/A	\$30.00	N/A	\$2.00	\$82.00
• Class A/B misdemeanors	\$6.00	\$4.00	\$83.00	N/A	N/A	\$30.00	N/A	\$2.00	\$125.00
• Felonies	\$6.00	\$4.00	\$133.00	N/A	N/A	\$30.00	N/A	\$2.00	\$175.00
All other misdemeanors									
• Class C, punishable by fine only	\$6.00	\$4.00	\$40.00	N/A	N/A	N/A	N/A	\$2.00	\$52.00
• Class A/B	\$6.00	\$4.00	\$83.00	N/A	N/A	N/A	N/A	\$2.00	\$95.00
Felonies									
Penal Code									
• Sec. 20.04(a)(4) - Aggravated kidnapping	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 21.02 – Continuous sexual abuse of young child or children	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 21.11 - Indecency with a child	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 22.011 - Sexual assault	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 22.021 - Aggravated sexual assault	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 25.02 - Prohibited sexual conduct	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 30.02(d) – Burglary of a habitation with intent to commit a felony other than theft	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 43.05 - Compelling prostitution	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 43.25 - Sexual performance by a child	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
• Sec. 43.26 - Possession or promotion of child pornography	\$6.00	\$4.00	\$133.00	\$250.00	N/A	N/A	N/A	\$2.00	\$395.00
All other felonies	\$6.00	\$4.00	\$133.00	N/A	N/A	N/A	N/A	\$2.00	\$145.00
Judicial Support Fee: Sec. 133.105, Local Government Code (JSF)									
Juror Reimbursement Fee: Art. 102.0045, Code of Criminal Procedure (JRF)									
Consolidated Court Cost: Sec. 133.102, Local Government Code (CCC)									
DNA Testing Fee: Art. 102.020, Code of Criminal Procedure (DNA)									
EMS Trauma Fund: Art. 102.0185, Code of Criminal Procedure (EMS)									
State Traffic Fee: Sec. 542.4031, Transportation Code (STF)									
Drug Court Program Fee: Art. 102.0178, Code of Criminal Procedure, effective 6/15/07 (DCP)									
Indigent Defense Fund: Sec. 133.107, Local Government Code, effective 1/1/08 (IDF)									

State Costs and Fees for County and District Courts (continued)

For Offenses Committed After Dec. 31, 2007

Add the following mandatory fees, when applicable:

ADDITIONAL COURT COSTS IN CERTAIN STATUTORY AND CONSTITUTIONAL COUNTY COURTS: A person shall pay \$15 on conviction of any criminal offense in a statutory county court, including cases in which probation or deferred adjudication is provided but excluding cases involving any law that regulates pedestrians or the parking of motor vehicles. (Secs. 51.702-51.703, Government Code)

BAIL BOND FEE: \$15 from a surety posting a bail bond for an offense other than a misdemeanor punishable by fine only, not to exceed \$30 per person per incident. Not required on the posting of a personal or cash bond. (Sec. 41.258, Government Code)

DRIVING RECORD FEE (DRF): If a defendant who requests a driving safety or motorcycle operator training course dismissal chooses not to present the defendant's driving record to the court, then the court may obtain the record from the Department of Public Safety and require the defendant to pay a fee. The court may charge the defendant the \$10 fee established by Section 521.048, Transportation Code, and the TexasOnline Fee that is currently \$2, for a total of \$12. The custodian of the county treasury must forward the entire amount of the fees collected to the Comptroller. (Art. 45.0511(c-1), Code of Criminal Procedure)

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JUVENILE DELINQUENCY PREVENTION AND GRAFFITI ERADICATION FEE: \$50 from a defendant convicted of an offense under Sec. 28.08, Penal Code. (Art. 102.0171, Code of Criminal Procedure)

JUVENILE PROBATION DIVERSION FUND: \$20 fee if a disposition hearing is held; collected only if the child, parent or other person responsible for the child's support is financially able to pay it. (Sec. 54.0411, Family Code)

TIME PAYMENT FEE: \$25 from a person who pays any part of a fine, court cost or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) is sent to the state, one-tenth (\$2.50) is retained locally for judicial efficiency, and four-tenths (\$10) is retained locally with no restrictions. (Sec.133.103, Local Government Code)

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State Costs and Fees for County and District Courts (continued)

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JURY FEE: Art. 102.004, Code of Criminal Procedure

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JUVENILE DELINQUENCY PREVENTION FUND: Art. 102.0171, Code of Criminal Procedure

LOCAL TRAFFIC FEE: Sec. 542.403, Transportation Code

PROSECUTORS' FEE: Art. 102.008, Code of Criminal Procedure

RECORDS MANAGEMENT AND PRESERVATION FEE: Art. 102.005(f), Code of Criminal Procedure

RESTITUTION INSTALLMENTS FEE: Art. 42.037(g)(1), Code of Criminal Procedure

SECURITY FEE: Art. 102.017, Code of Criminal Procedure

STATUTORY COUNTY COURT: Sec. 51.702(l), Government Code

VISUAL RECORDING FEE: Art. 102.018, Code of Criminal Procedure

WITNESS FEE: Art. 102.002, Code of Criminal Procedure

Note: This is not intended to be an all-inclusive list of local court costs and fees that statutes may allow to be collected in a criminal case.

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