



Court Costs, Fees and Fines

Susan Combs | Texas Comptroller of Public Accounts

Justice, County and District Courts

Summary of legislative changes made by the 81st Texas Legislature, Regular Session, 2009

During the regular session of the 81st 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.



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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 (512) 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, 2009, or Earlier

Local Costs, Fees and Fines

Appearance as a Witness for Certain Peace Officers and Firefighters

House Bill 1960, effective June 19, 2009, amends Local Government Code, Chapter 157, by adding Section 157.906. A county must pay a peace officer employed by the county for an appearance as a witness in a criminal suit, a civil suit or an administrative proceeding in which the county or other political subdivision or government agency is a party of interest if the appearance: (1) is required; (2) is made on time off; (3) is made by the peace officer in the capacity of a peace officer. Payment is at the peace officer's regular rate of pay. Payment may be accessed as court costs in civil suits.

Court Reporter Serving the Texas-Mexico Border Fee

House Bill 4529, effective June 19, 2009, amends Section 51.601, Government Code, by adding Subsection (A-1) that requires the clerk of each court that has an official court reporter and that serves a county located on the Texas-Mexico border that contains a municipality with a population of 500,000 or more to collect a court reporter service fee of \$30 as a court cost in each civil case filed with the court.

Fees Charged by Justice of the Peace for Certain Criminal Case Documents

Senate Bill 409, effective May 27, 2009, amends Section 118.124, Local Government Code, by adding Subsection (5) to provide that a justice of the peace is not entitled to a fee for the first copy of a document in a criminal case issued to a criminal defendant, an attorney representing the defendant or a prosecuting attorney.

7th Court of Appeals District

Senate Bill 1259, effective June 19, 2009, amends Subchapter C, Chapter 22, Government Code, by adding Section 22.2081, to create an appellate judicial system for the 7th Court of Appeals District. To fund the system, the county commissioners court in each county in the 7th District is required to set a court cost 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.

District Court Records Technology Fund

Senate Bill 1685, effective June 1, 2009, amends the Government Code to authorize the commissioners court of a county to adopt a district court records archive fee of not more than \$5 for the filing of a suit, except for a filing by a state agency, in a district court in the county. The bill requires the county treasurer or other appropriate official to establish a district court records technology fund, provides for the collection and deposit of the fee into the fund and requires the fee to be set and itemized in the county budget and to be approved in a public meeting. The bill limits the use of money generated from the fee to the preservation and restoration of a district court records archive.

Court Costs, Fees and Fines With an Imposition Date of Jan. 1, 2010

State Costs, Fees and Fines

Securing a Child Passenger in a Motor Vehicle Fee

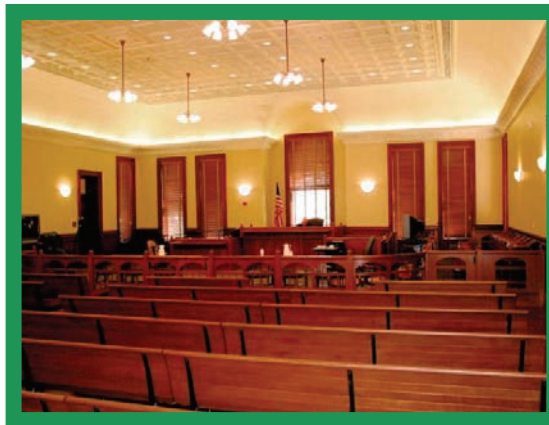
Senate Bill 61, effective Jan. 1, 2010, amends Section 545.412, Transportation Code, to change the age and height requirements of a child who must be secured in a child safety seat. Under the amendment, a person commits an offense by operating a passenger vehicle while transporting a child younger than eight years of age not secured by a safety seat, unless the child is taller

than four feet nine inches. The bill makes such an offense punishable by a fine of not more than \$25 for the first offense and not more than \$250 for a second or subsequent offense, rather than not less than \$100 or more than \$200 under prior law.

The bill further amends Section 545.512, Transportation Code, by adding an additional \$0.15 as a court cost on conviction for failing to secure a child passenger in a motor vehicle. The fee is to be remitted to the Comptroller for deposit in a separate account in the general revenue fund that may be appropriated only to the Texas Department of Transportation and used to purchase child passenger safety seat systems and distribute them to low-income families. The bill's provisions apply in justice and municipal courts. (Unless qualifying under warning provision prior to June 1, 2010. (Section 4(c) of the bill provides for a warning only prior to June 1, 2010, if a child between the ages of 5 and 8 was secured by a safety belt (old law) instead of a child safety seat (new law).)

Drug Court Program

House Bill 666 amends Article 102.0178(a), Code of Criminal Procedures, to increase the costs a person has to pay from \$50 to \$60 for court cost conviction, in addition to other cost on conviction.



The bill amends Section 102.021, Government Code, adding costs attendant to convictions under Penal Code, Chapter 49 (Intoxication and Alcoholic Beverage Offense), and Health and Safety Code, Chapter 481 (Texas Controlled Substance Act), to help fund Drug Court Programs established under the Health and Safety Code.

Civil Justice Fee

House Bill 3389 amends Chapter 102, by adding Article 102.022, Code of Criminal Procedures, establishing a new \$0.10 fee for convictions of moving violations in a justice court, county court, county court at law or municipal court to be remitted to the Comptroller and deposited in the Civil Justice Repository Fund. The funds are to be used only by the Commission on Law Enforcement Officer Standards and Education.

Local Costs, Fees and Fines

Filing Fee for Civil Cases in Bexar County

House Bill 144 amends Section 51.706, Government Code, by adding an additional temporary fee not to exceed \$15 in certain civil cases to fund the improvement of court facilities, if authorized by the county commissioners court. Applies only to district courts, statutory probate courts and county courts at law in Bexar County.

County and District Technology Fund

House Bill 3637 amends Article 102.0169, Code of Criminal Procedure, creating a \$4 county and district court technology fee as a court cost for a defendant convicted in county court, statutory county court or district court. The fee will apply in all county court, statutory county court or district court convictions. The fee must be deposited into the county treasury in a fund to be known as the county and district court technology fund and administered by or under the direction of the commissioners court of the county.

The bill amends Section 133.153(a), Local Government Code, increasing the additional filing fee for civil legal services for the indigent for statutory and constitutional courts from \$5 to \$10 and the filing fee for justice of the peace courts from \$2 to \$6.

Ector County Court at Law

House Bill 4718 amends Section 25.0702, Government Code, by adding subsection (c) providing that the fees assessed in a case in which a county court at law has concurrent civil jurisdiction with the district court are the same as the fees that would be assessed in the district court for that case.

Veterans Court Program

House Bill 4833 amends the Health and Safety Code by creating a Veterans Court Program, allowing an eligible veteran or current

member of the armed forces to participate in a program as an alternative to the criminal justice system under certain circumstances. A participant shall pay a reasonable program fee not to exceed \$1,000; and a testing, counseling and treatment fee in an amount necessary to cover the costs of any testing, counseling or treatment performed or provided under the program. Fees collected may be paid on a periodic basis or on a deferred payment schedule at the direction of the judge, magistrate or program director and based on the participant's ability to pay, and used only for purposes specific to the program.

Teen Court Program Fee

Senate Bill 82 amends Section 11(h), Article 42.12, Code of Criminal Procedure, to require, rather than authorize, a judge who grants community supervision to a person convicted of an offense against the person under the Penal Code that the court determines involves family violence to require the person to pay \$100 to a

family violence center that receives state or federal funding and serves the county in which the court is located.

6th Court of Appeals District Appellate Judicial System Support Fee

Senate Bill 658 amends Chapter 22, Government Code, by adding Section 22.2071, creating an appellate judicial system for the 6th Court of Appeals District. To fund the system, the county commissioners court in each county in the 6th 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.

12th Court of Appeals District Appellate Judicial System Support Fee

Senate Bill 659 amends Chapter 222, Government Code, by adding Section 22.2131, creating an appellate judicial system for the 12th Court of Appeals District. To fund the system, the county commissioners court in each county in the 12th District is required to set a court fee of \$5 for each civil suit filed in the 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.

DNA Data Base System

Senate Bill 727 amends Article 102.020, Code of Criminal Procedure, by adding Subsections (a)(3) and (j), requiring a person to pay \$34 on placement of the person on community supervision, including deferred adjudication community supervision, if the person is required to submit a DNA sample under Code of Criminal Procedure, Article 42.12, Section 11(j). The court may



waive a court cost under this article if the court determines that the defendant is indigent and unable to pay the cost.

The bill amends, Chapter 54, Family Code, requiring a juvenile court in certain cases to order the child, parent or other persons responsible for the child's support to pay to the court a \$50 fee if the disposition of the case includes a commitment to a facility operated by or under contract with the Texas Youth Commission, and a \$34 fee if the disposition of the case does not include a commitment and the child is required to submit a DNA sample. The fee may be waived if the court determines that the child, parent or other person responsible for the child's support is unable to pay the fee.

Waiver of Fee for Certain Expunctions

Senate Bill 1224 amends Article 102.006, Code of Criminal Procedure, by adding Subsection (b), requiring that the fees under Subsection (a) (relating to requiring a petitioner seeking expunction of a criminal record to pay certain fees) be waived if the petitioner seeks expunction of a criminal record that relates to an arrest for an offense of which the person was acquitted, other than an acquittal for an offense described by Article 5501(c), Code of Criminal Procedure (relating to prohibiting expunction of records for certain persons), and the petition for expunction is filed not later than the 30th day after the date of acquittal.

Other Statutory Provisions

Using a Wireless Communication Device

House Bill 55, effective Sept. 1, 2009, amends Section 545.425, Transportation Code, to prohibit a driver's use of a wireless communication device while operating a motor vehicle within an active school crossing zone unless the vehicle is stopped or the wireless device is used with a hands-free device, with certain specific exceptions related to operators of authorized emergency vehicles and an operator licensed by the Federal Communications Commission.

The bill clarifies existing language relating to the use of a wireless communication device by a school bus operator when a minor is on the bus and also prohibits a school bus operator from using a wireless communication device under any circumstances unless the vehicle is stopped. A municipality, county or other political subdivision that enforces this law must post a sign at each school crossing zone informing drivers about the prohibition.

Parking Space Designated for Persons with Disabilities

House Bill 400, effective Sept. 1, 2009, amends the Transportation Code, by adding Section 681.013, to grant a person with a disability the same grace period to have a citation for an expired disabled parking placard dismissed by remedying the defect that

is granted to a person pursuing the dismissal of a citation for an expired vehicle inspection certificate.

The bill requires the court to dismiss a charge if the defendant renews the expired disabled parking placard within 20 working days from the date of the offense or before the first court appearance date. An administrative fee not to exceed \$20 is assessed when the charge has been remedied.

Transportation of Children in Motor Vehicles

House Bill 537, effective Sept. 1, 2009, amends the Transportation Code to expand the definition of "passenger vehicle" for purpose of the law creating an offense for operating a passenger vehicle without securing a child in a child passenger safety seat system to include a passenger van designed to transport 15 or fewer passengers, including the driver. The bill excludes application to third-party transport service providers, except when transporting clients pursuant to a contract to provide nonemer-

gency Medicaid transportation. The bill makes it an offense to allow a child who is younger than 17 years of age and who is not required to be secured in a child passenger safety seat system under that law to ride in a passenger van designed to transport 15 or fewer passengers, including the driver, without securing the child individually by a safety belt, if the child is occupying a seat that is equipped with a safety belt. The bill makes the offense of not wearing a safety belt if a person at least 15 years of age is occupying a seat that is equipped with a safety belt apply if the person is riding in any seat of a passenger vehicle. Prior law only applies to the front seat.

The bill amends Section 545.416, Transportation Code, making it an offense punishable by a fine of not less than \$100 or more than \$200 to carry another person on a motorcycle unless the other person is at least five years of age. The bill provides a defense to prosecution that the motorcycle was being operated in an emergency or for a law enforcement purpose. It specifies that it is not an offense to carry on a motorcycle a person younger than five years of age who is seated in a sidecar attached to the motorcycle.

Penalty Imposed on Defaulting Jurors

House Bill 1665, effective Sept. 1, 2009, amends Section 62.111, Government Code; Article 19.16, Code of Criminal Procedure; and Article 35.01, Code of Criminal Procedure, and increases the fine for defaulting jurors to not less than \$100, from \$10, nor more than \$500, from \$100, if a juror who is notified, summoned or called and fails to attend court without a reasonable excuse; files a false claim of exemption from jury service; or is not present when a case is called for trial and the parties have announced ready for trial.



Eric's Law

House Bill 2012, effective Sept. 1, 2009, amends Section 521.457, Transportation Code, by enhancing the penalty for the offense of operating a motor vehicle without a valid driver's license from a Class C misdemeanor to a Class B misdemeanor if it is shown at trial that the person was operating the motor vehicle in violation of the motor vehicle liability insurance requirement, and to a Class A misdemeanor if it is shown at trial that the person was operating the motor vehicle in violation of that requirement and caused or was at fault in a motor vehicle accident that resulted in serious bodily injury to or the death of another person.

Nicole "Lilly" Lalime Act

Senate Bill 328, effective Sept. 1, 2009, amends provisions of the Alcoholic Beverage Code, Code of Criminal Procedures, and Transportation Code to include the operation of a water craft while intoxicated or under the influence to the driver's license suspension statutes. The bill authorizes any magistrate who is a licensed Texas attorney to issue a search warrant to collect a blood specimen from a person who is arrested for a certain intoxication or alcohol offense and refuses to submit to a breath or blood alcohol test. In addition, the bill increases from \$50 to \$100 the fee to reinstate a driver's license suspended due to the commission of certain intoxication offenses. The bill also changes the requirements for the automatic suspension of a license, the suspension of a license of a person younger than 21 years of age and the suspension of a license because of intoxication offenses. The bill includes an offense of driving while intoxicated with a child passenger and boating while intoxicated in provisions relating to an administrative suspension of a driver's license for failure to pass a test for intoxication, modifies the circumstances under which a peace officer must require the taking of the specimen of a person's blood or breath and amends certain provisions regarding liability for purposes of taking of a blood specimen.

Red Light Camera

Senate Bill 926, effective Sept. 1, 2009, adds Section 707.0021, Transportation Code, to prohibit a local authority from imposing or attempting to impose a civil penalty on the owner of an authorized emergency vehicle for a failure to stop at a red light recorded by a photographic traffic signal enforcement system. An employer is not prohibited from taking disciplinary actions against an employee who operates the vehicle in violation of a rule or policy of the employer.

Veterans Court Program

Senate Bill 1940, effective June 19, 2009, bill amends Subtitle E, Title 7, Health and Safety Code, by adding Chapter 617, to establish a pretrial veterans court program for a defendant in certain criminal cases who is a veteran or current member of the United States armed forces suffering from an injury or illness that resulted from the defendant's military service in a combat zone or hazardous area that materially affected the defendant's criminal conduct at issue in the case.

The bill sets forth provisions outlined in the essential characteristics of the program and the procedures by which proof of a defendant's eligibility for the program may be submitted to the court.

The bill sets forth provisions regarding duties of the program, the establishment of a regional program in two or more counties, legislative oversight of the program and the collection of a reasonable program fee not to exceed \$1,000.

State Costs and Fees for Justice Courts

For Offenses Committed On or After Jan. 1, 2010

Offense/Description	JS	JRF	CCF	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
• child safety seat and seat belt violations	\$6.00	\$4.00	\$40.00	\$30.00	\$2.00	\$82.00
• 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 (JS)

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

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

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

Indigent Defense Fund: Sec. 133.107, Local Government Code (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 On or After Jan. 1, 2010

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

CHILD SAFETY SEAT AND SEAT BELT VIOLATIONS(CSS): Sec. 545.512, Transportation Code; a \$.15 court cost is assessed for criminal conviction of child safety seat requirement. The fee is to be remitted to the Comptroller and must be deposited to the credit of the general fund appropriated only to the Texas Department of Transportation. (Unless qualifying under warning provision prior to 6/1/10 (Section 4(c) of the bill provides for a warning only prior to June 1, 2010 if a child between the ages of 5 and 8 was secured by a safety belt (old law) instead of a child safety seat (new law).)

MOVING VIOLATION FEE (MV): Art. 102.022, Code of Criminal Procedure, effective 1/1/10 (MV) a \$.10 court cost is assessed on conviction of moving violations remitted to the Comptroller and deposited in the Civil Justice Repository Fund.

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 On or After Jan. 1, 2010

Offense/Description	JS	JRF	CCF	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	\$60.00	\$2.00	\$155.00
• Felonies	\$6.00	\$4.00	\$133.00	N/A	N/A	N/A	\$60.00	\$2.00	\$205.00
Penal Code, Chapter 49, Intoxication and Alcoholic Beverage Offenses excluding Secs. 49.02 and 49.031									
• Class A/B misdemeanors	\$6.00	\$4.00	\$83.00	N/A	\$100.00	N/A	\$60.00	\$2.00	\$255.00
• Felonies	\$6.00	\$4.00	\$133.00	N/A	\$100.00	N/A	\$60.00	\$2.00	\$305.00
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
• child safety seat and seat belt violations	\$6.00	\$4.00	\$40.00	N/A	N/A	\$30.00	N/A	\$2.00	\$82.00
• 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 (JS) Juror Reimbursement Fee: Art. 102.0045, Code of Criminal Procedure (JRF) Consolidated Court Cost: Sec. 133.102, Local Government Code (CCF) 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 (DCP) Indigent Defense Fund: Sec. 133.107, Local Government Code (IDF)									

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

For Offenses Committed On or After Jan. 1, 2010

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)

DNA TESTING FEE-COMMUNITY SUPERVISION (DNA-CS): \$34 from a defendant convicted of a felony requiring: (1) a DNA test under Code of Criminal Procedure Art. 42.12, Sec. 11(j) and (2) granted community supervision.

CHILD SAFETY SEAT AND SEAT BELT VIOLATIONS (CSS): Sec. 545.512, Transportation Code; a \$.15 court cost is assessed for criminal conviction of child safety seat requirement. The fee is to be remitted to the Comptroller and must be deposited to the credit of the general fund appropriated only to the Texas Department of Transportation. (Unless qualifying under warning provision prior to 6/1/10 (Section (c) of the bill provides for a warning only prior to June 1, 2010 if a child between the age of 5 and 8 was secured by a safety belt (old law) instead of a child safety seat (new law).)

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)

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 Section 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 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)

MOVING VIOLATION FEE (MV): Art. 102.022, Code of Criminal Procedure, effective 1/1/10 a \$.10 court cost is assessed on conviction of moving violations remitted to the Comptroller and deposited in the Civil Justice Repository Fund.

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)

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

For Offenses Committed On or After Jan. 1, 2010

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)

Counties 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 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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