Table of Contents

Introduction 1

Chapter 1: Criminal Costs and Fees – Introduction 2

Chapter 2: State Criminal Costs, Fees and Fines 17

Chapter 3: Criminial Costs – Municipalities 73

Chapter 4: Criminial Costs – Counties 97

Chapter 5: Civil Fees – Municipalities and Counties 145

Chapter 6: Taxpayer Reports, Inquiry, History 175

Chapter 7: Audit Procedures 183

Chapter 8: Statutes 229

Chapter 9: Attorney General Opinions 237

Chapter 10: Reference Charts 251

Chapter 11: Appendix 309

Introduction

Local Revenue Funds is a term that encompasses a variety of court costs, fees, and fines collected by cities and counties and that are designated in the statutes to fund various programs on state and local levels. These funds are collected by various offices in the cities and counties, and the state funds are periodically remitted to the State Comptroller. The Comptroller is charged with the audit responsibility for all the funds that are to be remitted to the state, and also for a few of the funds that are retained at the local level. Revenue Accounting Division, Miscellaneous Taxes section, has administrative responsibility for the reporting of these funds.

Most of the funds pertain to criminal matters (Chapters 1-4), while there are some other fees that do not relate to criminal matters, such as fees on birth certificates and marriage licenses, and filing fees in civil matters (Chapter 5). On the criminal convictions, there are many court costs, fees, and fines, some of which relate to only certain courts, while most pertain to all municipal, justice, county and district courts. In order to understand the court cost structure, it is necessary to have some knowledge of the court system, types of offenses, and the elements necessary for court costs to apply.

This audit procedure manual has been written for the auditor, to be used as a training tool and reference guide. The content is current as of the revised date. The reader is responsible for any changes that occur after this date.

Disclaimer:
References to taxability of individual items, administrative policies, or tax law and rules are provided for guidance of field auditors and are subject to change due to administrative hearings and actions of the courts or legislature. Before relying on this information, the reader should verify the current status of any information by contacting the Comptroller of Public Accounts. Call nationwide toll-free: 1-800-531-5441. The regular phone number is 512-463-4600.

Chapter 1
Criminal Costs and Fees – Introduction

Criminal Convictions

Court Jurisdictions

From Violation to Conviction

Jail Lay-Outs

Community Service

Community Service or Tutoring for Juveniles

Payment Plans

Waiver of Fines and Costs for Indigent Defendants

Teen Court Programs

"Punishable By" vs. "Punished By"

When Court Costs Are Due

Due Dates

Collection Fees

Glossary of Terms

Criminal Convictions

Criminal violations are generally designated as either misdemeanors or felonies within the Penal Code. Penal Code misdemeanors are classified according to the amount of the fine that may be imposed. Felonies are offenses so defined by law.

Misdemeanors

- Class C (punishable by fine only). Section 12.41, Penal Code provides that any fine-only offense outside of the Penal Code is a Class C misdemeanor.
- Class B (punishable by confinement of not more than 180 days, fine not to exceed $2,000, or both)
- Class A (punishable by confinement of not more than one year, fine not to exceed $4,000, or both)

Felonies

- State jail felonies (punishable by confinement of not less than 180 days but not more than 2 years , plus a fine not to exceed $10,000)
- Third degree felonies (punishable by imprisonment for not less than 2 years but not more than 10 years, plus a fine not to exceed $10,000)
- Second degree felonies (punishable by imprisonment for not less than 2 years but not more than 20 years, plus a fine not to exceed $10,000)
- First degree felonies (punishable by imprisonment for life, or for a term not less than 5 years but not more than 99 years, plus a fine not to exceed $10,000)
- Capital felonies (punishable by the death penalty or imprisonment for life, plus a fine not to exceed $10,000)

Notes:
The offenses and their punishments are described in the Penal Code, Chapter 12. For court cost purposes, there is no distinction in the degree of felony. Court cost rates are divided only to felonies or to the three classes of misdemeanors.

A court has the authority to reduce a charge to a lower charge, but not to change it into a completely different charge. For example, a court can reduce a charge for accident involving damage to vehicle from a Class B (damage $200 or more) to a Class C (damage less than $200). However, the court cannot change the charge to a different charge, i.e. changing a DWI to a public intoxication.

Court Jurisdictions

Municipal courts:

- Exclusive and original jurisdiction over violations of city ordinances punishable by fine only (i.e., fire safety, zoning, public health and sanitation, parking and pedestrian). Most municipal ordinances are punishable by a fine up to $500 but some may go up to $2000. (*Government Code, Section 29.003 and Article 4.14, Code of Criminal Procedure*.)
- Concurrent original jurisdiction with justice courts in misdemeanor cases resulting from violations of state laws within the city limits, where the punishment is limited to fine only. Fine only is defined to mean any offense that is punishable by fine and such sanctions, if any, as authorized by statute not consisting of confinement in jail or imprisonment. (*Government Code, Section 29.003 and Article 4.14, Code of Criminal Procedure*.)

- Exclusive appellate jurisdiction over cases arising under Transportation Code, Chapter 707, within the municipality's territorial limits (*Government Code, Section 29.003, as added by SB 1119, 80th Session (2007*)
- Appeals go to County Courts. (*Government Code, Sections 26.046 and 30.00014, and Article 45.042, Code of Criminal Procedure*.)
- A municipality with a population of more than 250,000 may by ordinance establish two municipal courts. (*Government Code, Section 29.101*)
- A municipality with a population of 130,001 to 285,000 may by ordinance establish up to four additional municipal courts. (*Government Code, Section 29.102*)
- There are municipal courts "of record" and "non-record." A municipal court of record is created either by specific legislation or by Government Code Chapter 30 which would be by the city council of a particular city. If a case is appealed in a municipal court of record to the county level, the fine assessed is retained by the municipal court and not by the county court. In a non-record municipal court, a defendant may enter a plea and appeal the case to the county court. Or, a defendant may skip a municipal court altogether (informally known as the "leapfrog appeal"). The trial *de novo* at the county level controls the outcome of the case, and any fine money is retained by the county. Also, see *Appeal* in Glossary of Terms.

Counties have three levels of courts:

1. **Justice of the Peace Courts**, which operate in each precinct in the county, divided according to population.
   - Concurrent original jurisdiction with municipal courts in misdemeanor cases from violations of state laws within the city limits, where punishment is limited to fine only. (*Texas Constitution, Article 5, Section 19, Government Code, Section 27.031, and Art 4.11, Code of Criminal Procedure*.)
   - Exclusive original jurisdiction over misdemeanor cases from violations of state laws outside the city limits, where punishment is limited to fine only.
   - Jurisdiction over civil cases when the amount is less than $10,000. (*Government Code, Section 27.031, amended by SB 618, 80th Session 2007)*
   - Original jurisdiction over cases arising under Transportation Code, Chapter 707, outside of a municipality's territorial limits (*Government Code, Section 27.031, as added by SB 1119, 80th Session (2007)*
   - Concurrent jurisdiction with a municipal court in criminal cases that arise in the municipality's extraterritorial jurisdiction and that arise under an ordinance of the municipality applicable to the extraterritorial jurisdiction under Section 216.902, Local Government Code (*House Bill 413, 80th Session 2007)*
   - Appeals go to the County Courts. (*Government Code, Section 26.042, 26.046*)
2. **County Courts**, both constitutional and statutory
   - Exclusive and original jurisdiction over misdemeanors where fine allowed exceeds $500 or where confinement may be imposed. (*Government Code, Section 26.045*)
   - Concurrent jurisdiction with the Justice courts in civil cases where the amount in controversy exceeds $200 but does not exceed $10,000. (*Government Code, Section 26.042, amended by SB 618, 80th Session (2007)*)
   - Concurrent jurisdiction with a municipal court in cases that arise in the municipality's extraterritorial jurisdiction and that arise under an ordinance of the municipality applicable to the extraterritorial jurisdiction under Section 216.902, Local Government Code. (*House Bill 413, 80th Session, 2007*)
   - Statutory county court has concurrent jurisdiction with the District Court over civil cases when the amount exceeds $500 but is less than $200,000. (*Government Code, Section 25.0003*)
   - Juvenile jurisdiction as described in Government Code, Section 23.001 (*Government Code, Section 26.042*)
   - Appeals go to Court of Appeals. (*Texas Constitution, Article 5, Section 5*)

3. **District Courts**, which operate in separate geographical jurisdictions
   - Both criminal and civil jurisdiction, with original jurisdiction over felony prosecutions (*Texas Constitution, Article 5, Section 8*)
   - Concurrent jurisdiction with the County Court over civil cases where the amount exceeds $500 but is less than $5,000. (*Government Code, Section 26.042*)
   - Appeals go to Court of Appeals or Court of Criminal Appeals. (*Texas Constitution, Article 5, Section 5*)

Notes:
A constitutional county court is established by the Constitution of the State of Texas. Each county has one constitutional county court.

A statutory county court is established by the Legislature through statutory amendments. A county may or may not have a statutory county court.

These are described in Government Code Chapters 25 and 26.

From Violation to Conviction

When a person violates a municipal ordinance or state law, the city or state law enforcement officer will generally file a complaint or issue a ticket. These give the defendant notice of charges filed in the court. Complaints are usually filed for misdemeanors other than traffic violations, such as disorderly conduct, public intoxication, or violations of municipal ordinances. Tickets are usually issued for violations of traffic laws and can be issued for any Class C offense except public intoxication. Arrest warrants, which are written orders to appear in court, may be issued as a result of failure to appear or to command the initial appearance of a defendant.

When the defendant appears in court, he or she may enter a plea of guilty, not guilty, or *nolo contendere* (no contest).

- If the defendant is found by the court to be **not guilty** (acquittal), or if the case is dismissed, no court costs or fines are due by the defendant to the court.
- If the defendant enters a plea of **guilty or** *nolo contendere* or is found to be guilty by the court, the case may be disposed of by one of the following:

  1. **Conviction:** sentence is imposed, and all fines and court costs are due by the defendant.
  2. **Deferred Disposition** (**Code of Criminal Procedure, Article 45.051**): Applies to misdemeanors punishable by fine only.
     - If defendant satisfies requirements of the court, the case may be dismissed at the end of the deferral period. The fine is not due, but the defendant must still pay **court costs when deferred disposition is granted**. The court may order a special expense to be paid when the case is dismissed, which cannot exceed the amount of the fine that was set when deferred disposition was granted but not imposed.
     - As an alternative to payment in full of court costs at the date of deferral, the court may allow the defendant to enter into an installment agreement for payment of the court costs, or discharge all or part of the costs by performing community service, or a combination of both. (*Code of Criminal Procedure, Article 45.051 as amended by HB 2267, 80th Session (2007*)
     - If the defendant does not satisfy the requirements of the court, the court may proceed with an adjudication of guilt. The judge may impose the fine, which constitutes a final conviction of the defendant or lower the fine if the defendant is 25 years of age or older. If the defendant is younger than age 25, the court must impose the amount of fine set when deferred disposition was granted.

- On the defendant's showing of good cause for failure to present evidence of satisfactory completion of the deferral requirements, the court may allow an additional period of time for the defendant to present evidence of satisfactory completion. (*Code of Criminal Procedure, Art. 45.051(c-2), as amended by HB 2267, 80th Session (2007*)

3. **Deferred Adjudication** (**Code of Criminal Procedure, Article 42.12, section 5**): Applies to misdemeanors or felonies, excluding misdemeanors punishable by fine only. All proceedings are put on hold for a specified period of time while the defendant is under community supervision (a continuum of programs and sanctions, with conditions imposed by the court).
   - If defendant satisfies requirements of the court, the case may be dismissed at the end of the deferral period. The fine is not due, but the defendant must still pay **court costs**.
   - If the defendant does not satisfy the requirements of the court, the court may proceed with an adjudication of guilt. The court costs are due, and the judge may impose the fine, which constitutes a final conviction of the defendant. When the court has determined that the defendant must pay the appropriate fine and related court costs, the defendant is expected to pay the full amount due. Some courts allow defendants to make installment payments, while others require full payment at one time. Some courts will allow the defendant to serve time in jail or perform hours of community service in lieu of making payment. Thus, the docket for the offense may show full payment, installment payments, jail lay-out or community service, or a combination of these, for all or a part of the total due.

Discussion:

The difference between probation and parole:

- Community supervision was previously called "probation." It means there has been a finding of guilt, and there could be a conviction, but the judge is releasing the defendant into the community under the supervision of a probation officer in the CSCD offices. The defendant has not served any time in a penitentiary. During the period of community supervision, the defendant is allowed his/her freedom, if, during the stipulated period of time, he/she conducts himself/herself in a manner approved by the probation officer to whom the defendant must make periodic reports.
- Parole is a release from jail, prison, or other confinement after serving part of the sentence. It is a conditional release, subject to the convicted person complying with the regulations of the parole officer and making periodic reports.

Deferred Adjudication

Under Deferred Adjudication, on expiration of the community supervision period, the judge shall dismiss the proceedings against the defendant and discharge him/her. A dismissal and discharge under this section is not deemed a conviction for purposes of disqualification or disabilities imposed by law for conviction of an offense (i.e. voting right). However, for purposes of court costs, the statutes include deferred adjudication as a conviction and the court costs are due. Senate Bill 391, 83rd Session (2013), amended Section 11, Article 42.12, Code of Criminal Procedure by adding Subsection (b-1) which states that a defendant remains obligated to pay any unpaid fine or court cost after the expiration of the defendant's period of community supervision.

Jail Lay-Outs

Article 42.03, Section 2, Code of Criminal Procedure, requires all courts to give defendants credit on their sentences for the time that the defendant spent in jail from the time of his/her arrest and confinement until his/her sentence by the trial court, other than confinement served as a condition of community supervision. Credit may also be granted for the defendant's time in a substance abuse treatment facility operated by the Texas Department of Criminal Justice under Section 493.009, Government Code, or another court-ordered residential program or facility as a condition of deferred adjudication community supervision granted in the case if the defendant successfully completes the treatment program at that facility. (*HB 1678, 80th Session, 2007*)

The Code of Criminal Procedure provides how the courts count the defendant's jail time credit, or in other words, how a defendant is to earn credit toward fine and costs by laying out time in jail.

- Article 43.09, Code of Criminal Procedure, applies to County and District Courts, and allows the fine to be discharged with a credit for confinement in jail and/or credit for labor in the county jail industries program, workhouse, county farm, or public improvements and maintenance projects of the county or political subdivision located in the county. The allowable credit is $50 for each day of confinement and $50 for each day of labor. A defendant who performs labor during a day in which he is also confined is entitled to both the credit for confinement and the credit for labor. Also, at the court's discretion, a defendant serving concurrent (but not consecutive) sentences for two or more misdemeanors may, for each day served, receive credit toward the satisfaction of costs and fines imposed for each separate offense.
- Article 43.09, Code of Criminal Procedure, also includes provisions for a defendant to discharge all or part of the fine or costs by submitting to electronic monitoring. This applies only to a court in a county served by a community supervisions and corrections department that has an electronic monitoring program, and the defendant is unable to pay a fine or costs to discharge the amount due. A defendant that submits to electronic monitoring under this subsection discharges fines and costs in the same manner as if the defendant were confined in county jail.
- Article 45.048, Code of Criminal Procedure, applies to Municipal and Justice courts, and allows jail credit at:

  --not less than $50 for each period of time served (effective 1-1-04);

  -- not less than $100 per day or part of a day (effective 9-1-99 through

  12-31-03)*

  --not less than $50 per day (prior to 9-1-99)

Jail time Credit:

- If it's pre-conviction, jail time credit runs concurrently on all charges.
- If it's post-conviction jail time credit, it runs consecutively on multiple charges, but the court can order it to run concurrently.
- See Attorney General Opinion JC-0393 dated 7-10-01.

Historical background:
The credit per day was $50 until 9-1-99 when it was increased to $100 for municipal and justice, but not county and district courts. The change was made in Senate Bill 1230, 76th Session, 1999. The amount was once again reduced to $50 per day in House Bill 2424, 78th Regular Session, effective 1-1-04.

House Bill 1955, 77th Session (2001), amended Article 45.048 to provide that the court may determine the period of time the defendant must remain in jail to receive credit for $100/day toward fine and costs, with a minimum of 8 hours and maximum of 24 hours. Previously a defendant could serve only a few minutes of a day in jail to receive the $100/day credit.

*The provision allowing credit for "part of a day" meant that a defendant could lay out only a few minutes in jail during a day to receive credit for that day. Article 45.048 was amended, effective 9-1-01 (*House Bill 1955, 77th Legislature, 2001*), to give the municipal or justice court the discretion to determine how much time must be served to receive the credit for the day, between a minimum of 8 hours and the maximum 24 hours. This amendment applies only to an offense committed on or after 09-01-01.

Discussion on jail lay-out credit:
The wording of the statutes appears to make the rate change apply to the date jail time was laid-out or community service was performed, rather than the offense date.

Pre-conviction jail credit is required to be concurrent; hence, if a defendant has been in jail before being convicted on more than one offense, the judge is required to give the same credit on all cases. Post-conviction jail credit can be concurrent or consecutive--the judge decides. As far as documentation for jail credit, that will vary. The judgment should indicate how much the judge is giving for jail credit (it cannot be less than $50 for a period of time). The period of time should also be defined in the judgment (between 8 and 24 hours). If the jail credit is post-conviction, there should be a request to lay out the fine and a commitment order. If the defendant has been arrested on a capias pro fine, there may just be a copy of the booking sheet with the amount of time that the defendant was in jail or there may be a commitment order along with the capias pro fine and the booking sheet. If the jail credit is pre-conviction jail credit, there may be a copy of a booking sheet, either an arrest report or a served arrest warrant and a judgment indicating the amount of credit given for a specified period of time. If the auditor sees something unclear, ask the court about the documentation.

Community Service

Community service is another alternative to payment for a defendant.

- Article 43.09, Code of Criminal Procedure, applies to County and District courts. Subsection (f) allows a court to require a defendant who is unable to pay a fine or costs to discharge all or part of the fine or costs by performing community service. A defendant is considered to have discharged $100 of fines or costs for each eight (8) hours of community service performed. The court must specify the number of hours the defendant is required to work, and what office will perform the administrative duties required by the placement of the defendant in the community service program. The court may order the defendant to perform community service work under Subsection (f) of this article only for a governmental entity or a nonprofit organization that provides services to the general public that enhance social welfare and the general well-being of the community. A governmental entity or nonprofit organization that accepts a defendant under Subsection (f) of this article to perform community service must agree to

supervise the defendant in the performance of the defendant's work and report on the defendant's work to the district probation department or court-related services office.

- Article 45.049, Code of Criminal Procedure, applies to Municipal and Justice courts. It also describes community service in satisfaction of fine and costs. A defendant is considered to have discharged a certain amount of fines or costs for each eight (8) hours of community service:

  --not less than $50 for each period of time served (effective 1-1-04);

  -- not less than $100 per day or part of a day (effective 9-1-99 through

  12-31-03)

  --not less than $50 per day (prior to 9-1-99)

  The Municipal or Justice court must specify the number of hours the defendant must work for a governmental entity or a nonprofit organization that provides services to the general public that enhance social welfare and the general well-being of the community.

If the defendant serves the sentence by laying out time in jail or by performing community service and pays no money to the city or county, no money is due to the state. However, if the defendant makes any payment to the city or county, the money collected is to be applied to state and local court costs first in accordance with Attorney General Opinion M-1076, dated February 25, 1972. If there is not enough money to cover all state and local court costs, see "Installment Payments" in Chapter 7 for an explanation of allocations.

Historical background:
The amount of credit per day had been $50 until it was increased to $100 per day by Senate Bill 1230, 76th Session, 1999, effective 9-1-99. House Bill 2424, 78th Regular Session, reduced the credit back to $50 per day, effective 1-1-04.

Community Service or Tutoring for Juveniles

For offenses committed on or after 09/01/11 by a defendant younger than 17 years of age who is assessed a fine or costs for a Class C misdemeanor occurring in a building or on the grounds of the primary or secondary school at which the defendant was enrolled at the time of the offense, a justice or judge may require the defendant to discharge all or part of the fine or costs by performing community service or attending a tutoring program. For each eight (8) hours of community service performed or tutoring program attended, the defendant discharges $50 of fines or costs. At any time, the defendant may pay the fine and costs assessed in lieu of performing community service or attending tutoring.

Historical Note:
House Bill 350, 82nd Regular Session (2011), amended Code of Criminal Procedure by adding Article 45.0492 to authorize a justice or judge to require a defendant younger than 17 years of age to perform community service or attend a tutoring program.

Payment Plans

For offenses committed on or after 09/01/11, if a defendant is unable to immediately pay the fine and costs imposed in a misdemeanor case, then a court, a justice of the peace, or a judge of a municipal court is required to allow the defendant to pay the fine and costs imposed in specified portions at designated intervals. Prior to 09/01/11, payment plans were at the judge's discretion.

Historical Note:
House Bill 27, 82nd Regular Session (2011), amended Code of Criminal Procedure 42.15 and 45.041 by adding subsections (c) and (b-2), respectively, to require judges to allow defendants payment plans when unable to immediately pay the fine and costs imposed in a misdemeanor case.

Waiver of Fines and Costs for Indigent Defendants and Children

Articles 43.091 and 45.0491, Code of Criminal Procedure, gives the courts the authority to waive payment of fines or court costs imposed on a defendant who defaults in payment, if the defendant is found by the court to be indigent or was a child when the offense was committed, and each alternative method of discharging the fine or costs would impose undue hardship on the defendant.

For a waiver of indigency, there must be three findings by the court:

- the defendant has defaulted, which means that there has already been a judgment and the fine and court costs imposed and the defendant has failed to pay the judgment,
- the defendant is indigent, and
- the other options of jail lay-out or community service would cause undue hardship on the defendant.

This change in statute applies to a defendant convicted on or after 9-1-01, regardless of whether the offense was committed before, on, or after the effective date of the bill.

The change in statute applies to a child undergoing a sentencing proceeding that commences before, on, or after 9-1-13.

Note:
Article 43.091 was added by House Bill 2410, 77th Session (2001), effective 9-1-01. House Bill 3060, 80th Session (2007), effective 9-1-07, amended article 43.091, and added Article 45.0491. Senate Bill 395, 83rd Session (2013), effective 9-1-13 added children to articles 43.091 and 45.0491.

Teen Court Programs

Article 45.052, Code of Criminal Procedure, allows justice or municipal courts to defer proceedings under certain circumstances against defendants under the age of 18 or enrolled full time in an accredited secondary school in a program leading toward a high school diploma for not more than 180 days. If the defendant requests and completes the teen court program, the court shall dismiss the charge at the conclusion of the deferral period. The court may require the defendant to pay a fee not to exceed $10 to cover the cost of administering the article, and an additional $10 fee to cover the cost to the teen court for performing its duties under this statute. Effective 1-1-08, municipal and justice courts in the Texas-Louisiana border region may charge $20 for each of these fees.

The justice or municipal court may also **exempt** a defendant from the requirement to pay a court cost or fee imposed by another statute. If the court costs are waived by the court, nothing is to be remitted to the state.

Historical note:
In 1991, Article 45.052, Code of Criminal Procedure, was amended to allow the municipal or JP court to defer proceedings for up to 180 days; previously it was no more than 90 days. House Bill 2949, 80th Session (2007), allows courts in the Texas-Louisiana border region to charge $20 fees, effective 1-1-08.

Note:
Attorney General Opinion DM-372, dated 1-10-96, says that nothing in Article 45.55 negates a court's obligation or discretion to impose court costs that are chargeable by other law, except that for offenses committed on or after 9-1-95, the court is not required to charge any other court costs, but it may do so.

"Punishable By" vs. "Punished By"

There is a distinction between the terms "punishable by" and "punished by." The statutes for various offenses describe the offense as "punishable by" a fine not to exceed a certain amount. When the defendant is convicted by the court, the judge may determine what the fine assessed is, within the range given by the statute for that offense. This is what the defendant has been "punished by." The classification of the offense does not change, even if the defendant is punished by a lower fine amount.

For example, the offense may be **punishable by** a fine not to exceed $4,000, a Class A misdemeanor. However, the judge may choose to impose a fine of only $500 ("punished by"). This offense remains a Class A misdemeanor and court costs are based on a Class A misdemeanor, even though the defendant was punished by a fine within the Class C misdemeanor fine range.

Discussion:
Something punishable by fine only will be subject to the $40 Consolidated Court Fee, regardless of how high the maximum fine is. Example: Transportation Code Sec. 547.605, Emissions System Required, is "a misdemeanor punishable by a fine of not less than $1 and not more than $350 for each violation." Even though the maximum fine may exceed $200, it is specifically classified as a misdemeanor, which results in Consolidated Court Fee of $40 (not the higher Consolidated Court Fee of $83 or $133). See also Section 548.306, Excessive Motor Vehicle Emissions, for similar wording.

When Court Costs are Due

In order for court costs to be due to the state, the following factors must be present:

Violation/offense + conviction + collection

- **Violation/offense.**
  - » Municipal and Justice Courts: Both the type of offense and the date of offense must be known to determine the court costs that are due on the case. The rate of court cost is based on the date of offense, not the date of conviction.
  - » District, County, and Statutory County Courts: Both the type of offense and the date of conviction must be known to determine the court costs that are due on the case. Effective 6/14/13, the rate

of court cost is based on the date of conviction, not the date of offense. Prior to 6/14/13, district, county, and statutory county courts followed the same guidelines as explained for municipal and justice courts.

- **Conviction.** There must be a conviction on the case for court costs to be due. For purposes of court costs, conviction includes deferred disposition, deferred adjudication, and probation. (*Local Government Code, Section 133.101*)
- **Collection.** The date of collection is the key factor in determining when the money is to be remitted to the state, if the city or county may retain the collection fee, and the statute of limitations period.

Due Dates

As indicated in Chapters 2 and 6, most of the court costs are due quarterly, on the last day of the month following a calendar quarter.

Prior to January 1, 2004, there were some variations in due dates for funds.

Also, legislative changes in some years made it necessary to change the reporting for the 3rd and 4th quarters. **In 1989**, **1991**, **1995**, **1997**, and **2001**, the month of September was included with the 4th quarter report instead of the 3rd quarter report so that revenue changes could be properly allocated. It is important to track these changes to be certain that the September collections are reported in the 4th quarter returns in those years. This does **not** apply to 1993, 2003, and 2005.

Collection Fees

As indicated in Chapter 2, most funds are allowed a 10% collection fee; some are allowed a 5% and some do not provide for a collection fee at all. The collection fee may be retained by the city or county if the reports are filed timely. If the reports are filed or paid after the due date, the city or county is not eligible to keep the collection fee.

In an audit, the collection fee is not allowed on any deficiency because those amounts were not reported and paid timely on the reports due.

When any employee or representative of a city or county accepts payment from a defendant or other person in payment of a court cost, fee, or fine, it is considered to be paid to the city or county at the time of that transaction. It then becomes the responsibility of the city or county to report money collected from individuals during that calendar quarter (or other required time period) on the report due for that time period. For example, if money collected during one quarter is not remitted to the state until the following or a subsequent quarter, the city or county is not eligible to retain the collection fee.

For details on collection fees allowed for timely reporting, see Chapter 6.

Glossary of Terms

1. **Acquittal**: The legal and formal certification of the innocence of a person who has been charged with a crime; a finding of not guilty.
2. **Adjudicate**: To determine finally; giving or pronouncing the judgment.
3. **Adjudication**: The determination and formal pronouncement of the judgment.
4. **Appeal**: The process of having a higher court conduct a new trial or review either the facts and law or just questions of law from a proceeding held in a lower court. In municipal courts of record, the appel-

late court reviews the transcript of the trial, and the appeal may be based only on errors reflected in the record. In municipal courts of non-record, there is a new trial in the appellate court. (See "*De Novo*.") All defendants have a right to appeal their cases.

5. **Appellant**: The party who requests that a higher court review the actions of a lower court.
6. **Arraignment**: The process where the court identifies the defendant and asks for a plea.
7. **Arrest warrant**: A written order by a judge to appear in court, which gives the law enforcement officer the order to take the defendant into custody. Generally issued as a result of some prior offense, failure to appear, etc.
8. **Bail**: The security given by the accused that he/she will appear and answer before the proper court the accusation brought against him/her. Bail includes bail bond or personal bond.
9. **Capias**: A written order from a court directed to a peace officer commanding him/her to arrest a person accused of an offense and bring him/her before that court immediately or on a day or at a term stated in the capias. The capias may be issued in electronic form.
10. **Capias Pro Fine**: Issued by a judge when a defendant is absent at the time the judgment is rendered, or when a defendant defaults in payment of fines and costs. It is a written order from a court directed to a peace officer commanding him/her to arrest a person and to bring the person before the court or place him/her in jail until he/she can be brought before the court. The capias pro fine may be issued in electronic form.
11. **Caption**: Style of the case. The heading on a legal document listing the parties, the court, the case number, and related information.
12. **Charging instrument**: A complaint or citation filed with the court charging a criminal offense. It is the formal accusation that a person has committed a criminal offense.
13. **Citation**: In a criminal case, it is a written notice to appear issued by a peace officer, which may be used as the charging instrument in municipal court to which a defendant may plead; commonly referred to as a "ticket." In a civil case, it is the notice to the defendant that he/she is being sued.
14. **Codification**: The process of collection and arranging systematically, usually by subject, the laws of a state or country.
15. **Community Service**: An alternative means of satisfying the payment of fines and court costs. Defendant is required to work a specified number of hours in an approved community service program for a governmental or non-profit organization that provides services to the general public that enhance social welfare and the general well-being of the community. Example: trash pick-up alongside a highway, or removing graffiti from public edifices.
16. **Community Supervision**: The placement of a defendant by a court under a continuum of programs and sanctions, with conditions imposed by the court for a specified period during which criminal proceedings are deferred without an adjudication of guilt. See "Deferred Adjudication."
17. **Competent Jurisdiction**: See "Jurisdiction."
18. **Complaint**: The written affidavit or sworn statement that accuses a person of committing a crime. In municipal court, it is the charging instrument.
19. **Concurrent Jurisdiction**: Municipal and Justice courts both have jurisdiction within the territorial limits of a city and property owned by the municipality in all criminal cases arising under state law that are punishable by fine only. The jurisdiction of the Justice court is limited to the precinct in which the Justice court is located. See also "Exclusive Original Jurisdiction."
20. **Constitutional Court**: A court established by the Texas Constitution, including justice of the peace courts, county courts, district courts, courts of appeals, and Supreme Court. Each county has one Constitutional County Court.
21. **Conviction**: Judgment and punishment for an offense where the defendant is adjudged to be guilty. For purposes of court cost imposition, the term conviction includes judgment and/or sentence, community supervision, deferred adjudication, or deferred disposition.
22. **Corporation court**: Another term for Municipal Court. See "Municipal Court."

23. **County Courts**: Includes both constitutional county courts, and statutory county courts (also called county courts at law).
24. **Court of Record**: Courts in which a record must be made of all proceedings conducted. Records are usually made by court reporters and are backed up by electronic recordings.
25. **CSCD Departments**: Community Supervision and Corrections Departments, sometimes referred to as probation offices.
26. **Decree**: A determination by a court of the rights and duties of the parties before it.
27. **Deferred Adjudication**: A process where the defendant enters a plea of guilty or *nolo contendere*, but the judge defers further proceedings without entering an adjudication of guilt, and places the defendant on community supervision. The defendant is given a certain amount of time to adhere to certain terms set by the court. If the defendant successfully completes the terms of the deferral, and the court has not proceeded to an adjudication of guilt, the judge is to dismiss the proceedings against the defendant and discharge him/her. Generally applies to cases other than misdemeanors punishable by fine only. See "Community Supervision."
28. **Deferred Disposition**: A process where the judge may defer the imposition of the fine and grant probation requiring the defendant to adhere to certain terms. If a defendant successfully completes the terms of the deferral, the judge is required to dismiss the case. Generally applies only to misdemeanors punishable by fine only.
29. **De Novo**: A new trial as if the case had not been previously heard and as if no decision had been previously rendered. Appeals from municipal courts of non-record are heard *De Novo* in the County Court.
30. **Dismissal**: The court closes the case; there is no plea, no conviction, no acquittal, and no court costs or fines are due, though some administrative fees may be due as allowed by law.
31. **District Courts**: Operate in separate geographical jurisdictions and have both criminal and civil jurisdiction.
32. **Docket**: A formal record with brief entries required to be kept on all complaints filed in the court. Maintaining the docket is a ministerial duty that the judges may delegate to the clerk. The docket may be manual or electronic, but should include the case number, style of the case, the offense charged, the plea entered, the date the plea was entered, dates of warrants issued, judgment and sentence.
33. **Docket Number**: A number, sequentially assigned by the clerk, to the case.
34. **Exclusive Original Jurisdiction**: When the court in which a case must be filed has sole jurisdiction (authority over) because no other court has jurisdiction to hear and determine the case. See also "Concurrent Jurisdiction."
35. **Expunction**: The process by which the record of a criminal conviction is destroyed or sealed.
36. **Failure to Appear**: If a defendant intentionally and knowingly fails to appear in court in accordance with the terms of release from custody, he/she has committed an offense for the failure to appear. Not the same as "Violation of Promise to Appear."
37. **Felony**: An offense so designated by law, or one punishable by death or confinement in a penitentiary. There are four types of felonies: First, Second, or Third Degree, and state jail felonies. An offense designated as a felony without specification of category is a state jail felony. See "Misdemeanors."
38. **Fine**: The penalty assessed by a judge or jury when convicting a defendant.
39. **Forfeiture of bail**: A process that occurs when a defendant posts bond and then fails to appear. When a defendant posts bond, he/she agrees as a condition of being released to appear in court. The failure to perform the condition of the bond causes the forfeiture of the bail to be declared.
40. **Guilty Plea**: A formal admission of guilt by the defendant.
41. **Habeas Corpus**: A written order issued by a court or judge of competent jurisdiction directed to anyone having a person in his/her custody, or under restraint, commanding him/her to produce the person at a time and place named in the order and show why the person is held in custody or under restraint.
42. **Indictment**: A sworn affidavit accusing a person of a crime, made by a grand jury.
43. **Indigent**: Poor; unable to pay; one who does not have sufficient financial ability to hire legal counsel or pay a fine and costs.
44. **Jail Time Credit**: Credit on a defendant's fine required to be given when a defendant has been confined in jail before being convicted of a crime by the court or jury. May also apply to jail time served after conviction.

45. **Judgment**: The written declaration of the court signed by the trial judge and entered of record showing the conviction or acquittal of the defendant.
46. **Jurisdiction**: The legal power or authority that municipal and county courts have over certain types of offenses and over certain geographical locations. The power to hear and decide cases.
47. **Justice Courts**: Justice of the Peace Courts, which operate in each precinct in a county, divided according to population. Also called JP Courts.
48. **Magistrate**: A judicial officer whose duty it is to preserve the peace within a certain territorial jurisdiction by use of all lawful means; to issue all process intended to aid in preventing and suppressing crime; and to cause the arrest of all offenders by lawful means in order that they may be brought to trial, or after, to punishment.
49. **Misdemeanor**: Offenses lower than felonies and generally punishable by fine only, or a combination of fine and a sanction, and/or confinement in a jail for not more than one year, but not imprisonment in a penitentiary. Municipal and Justice courts have original jurisdiction over misdemeanors punishable by fine only. Misdemeanors are generally classified as Class A, Class B, or Class C misdemeanors. Class C misdemeanors are punishable by fine only. See also "Felonies."
50. **Municipal Court**: The court operated by the municipality, with original jurisdiction over municipal ordinances and state law misdemeanors punishable by fine only. City may have a municipal court non-record, where an appeal goes to the county court as a trial de novo, or municipal court of record, where an appeal goes to the county court as a review of the municipal court's record. Also sometimes referred to as Corporation Court.
51. **No Contest or *Nolo Contendere***: A plea in which the defendant does not contest the charges. *Nolo contendere* has the same legal effect as a guilty plea; however, it may not be used against the defendant as an admission of guilt in a civil suit based upon or growing out of the act upon which the criminal prosecution is based.
52. **Not Guilty Plea**: The defendant is informing the court that he/she denies guilt or has a defense in the case, and that the state must prove which it has charged in the complaint.
53. **Ordinance**: A law passed by a city or county's lawmaking body; the equivalent of a municipal statute, passed by the city council and governing matters not covered by state or federal law. Is considered a misdemeanor punishable by fine only.
54. **Parole**: A release from jail, prison, or other confinement after serving part of the sentence. It is a conditional release, subject to the convicted person complying with the regulations of the parole officer and making periodic reports.
55. **Plaintiff**: A person who brings an action; the person who complains or sues in a civil action; a person who seeks remedial relief for an injury to rights.
56. **Plea**: The defendant's answer to the accusation or complaint brought against him/her by the state in court. There are four possible pleas: Not Guilty, *Nolo contendere* (no contest), Guilty, or Double Jeopardy.
57. **Restitution**: An amount ordered by the court to be paid to the victim of the offense, including payment for hot checks, property damage, or bodily injury.
58. ***Scire Facias***: A special docket required by law to handle all cases and proceedings involved in the forfeiture of bail bonds.
59. **School Crossing Zone**: A reduced-speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies.
60. **Statute**: A particular law enacted and established by the state legislature.
61. **Statutory Courts**: Courts established by the state legislature and defined by statute. Municipal courts are statutory courts created by the state legislature in each city. Statutory county courts are in addition to constitutional county courts and are also called county courts at law.
62. **Style of case**: Parties to a lawsuit as they are written in the heading at the beginning of a case. Also known as the caption of the case.

63. **Subpoena**: A command by a court to appear at a certain time and place to give testimony upon a certain matter; a command to produce records at a time and place.
64. **Summons**: An order from a magistrate or judge directed to a peace officer commanding him/her to notify a person that he/she must appear in court on a stated day and time to plead to a complaint filed in the court. (Not to be confused with a jury summons.)
65. **Surety**: Someone who guarantees payment or performance if someone else does not pay or perform, a bonding company that posts a bond for a defendant.
66. **Ticket**: A citation for a fine-only misdemeanor offense, given to the defendant to which he/she may enter a plea of not guilty, guilty, or *nolo contendere*.
67. **Trial docket**: Listings of cases set for a particular trial date and are commonly called subsidiary dockets.
68. **Venue**: The particular geographical area in which a court with jurisdiction may hear and determine a case.
69. **Violation of Promise to Appear**: the defendant intentionally and knowingly fails to appear in court as promised by his/her signature on the written citation/ticket issued by the peace officer at the time of the offense. Not to be confused with "Failure to Appear."
70. **Warrant of Arrest**: A written order issued by a magistrate or judge directed to a peace officer commanding him/her to take the body of the person accused of an offense to be dealt with according to law.
71. **Writ**: A written order of which there are many types; issued by a court and directed to an official or party, commanding the performance of some act.

Chapter 2
State Criminal Costs, Fees and Fines

There are several different state funds that could apply to criminal offenses. Each of the funds included in the chart below are also included on charts in Chapters 3 and 4 if applicable.

#	FUND	01-01-04 through 12-31-05	01-01-06 through 12-31-07	01-01-08 through 12-31-09	01-01-10 through 12-31-13	01-01-14 forward
1	Bail Bond Fees	X	X	X	X	X
2	Child Safety Seat and Seat Belt Violations	X	X	X	X	X
3	Child Safety Seat Court Cost				through 09-27-11	
4	Compensation to Victims of Crime Auxiliary Fund	X	X	X	X	X
5	Consolidated Court Fee (2004)	X	X	X	X	X
6	DNA Testing Fee-Convictions	X	X	X	X	X
7	DNA Testing Fee-Community Supervision				X	X
8	DNA Testing Fee-Juvenile				X	X
9	Driving Records Fee		X	X	X	X
10	Electronic Filing System Fund				Effective 9-1-13	X
11	EMS Trauma Fund	X	X	X	X	X
12	Excess Funds from Sale of Property Forfeited	X	X	X	X	X
13	Excess Highway Fines	X	X	X	X	X
14	Excess Motor Carrier Fines	X	X	X	X	X
15	Failure to Appear/Pay	X	X	X	X	X
16	Indigent Defense Fund			X	X	X
17	Judicial Fund	X	X	X	X	X
18	Judicial Support Fee	Effective 12-01-05	X	X	X	X
19	Jury Reimbursement Fee	Effective 09-01-05	X	X	X	X
20	Juvenile Probation Diversion Fund	X	X	X	X	X
21	Metal Recycling				Effective 09-01-11	X
22	Motor Carrier Weight Violations	X	X	X	X	X
23	Moving Violation Fees				X	X
24	Peace Officer Fees	X	X	X	X	X
25	Sexual Assault Program Fund	X	X	X	X	X

#	FUND	01-01-04 through 12-31-05	01-01-06 through 12-31-07	01-01-08 through 12-31-09	01-01-10 through 12-31-13	01-01-14 forward
26	Specialty Court Program		Effective 6-15-07	X	X	X
27	State Traffic Fine	X	X	X	X	X
28	Substance Abuse Felony Program	X	X	X	X	X
29	Time Payment Fee	X	X	X	X	X
30	Truancy Prevention and Diversion Fund					X

Where a block is grayed out, the fund is not effective for that time period.
An X means that the fund was effective for the time periods in the column headings, unless otherwise indicated.

1. Bail Bond Fees (BB)

Courts	**County & District only**
Effective	**9-1-03 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Government Code, Section 41.258** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.41.htm#41.258**
Report Form	**Form # 40-145, line 6**
Purpose	2/3 Assistant Prosecutor Supplement Fund, administered by the Comptroller, used for longevity pay for assistant prosecutors 1/3 Fair Defense Account, administered by Office of Court Administration, used to provide legal representation for indigents

Rate:

- A court, judge, magistrate, peace officer, or other officer taking a bail bond for an offense (other than a misdemeanor punishable by fine only) shall require a payment of $15 cost by each surety posting the bail bond.

Description:

- The fee applies to all bail bonds taken on or after September 1, 2003, regardless of the date of the offense.
- The bail bond is not required on the posting of a personal or cash bond.
- The money is collected from the surety posting the bail bond. The cost is not to exceed $30 paid by each surety per defendant per incident. For example, if multiple sureties are involved for one defendant for all charges arising from one incident, each surety will pay not more than $30 each. Also, if only one surety is involved but the defendant has multiple offenses for which the bail is being posted, the surety will not pay more than $30.
- Sureties may apply for a refund of the bail bond fee within 6 months after the date the case is dismissed or the grand jury declines to indict. The surety must request the refund from the county, who will request the refund from the comptroller. The amount refunded will be net of the 10% collection fee reduction, if the collection fee was retained by the county.
- This does not apply to misdemeanors punishable by fine only, so the Bail Bond fee does not apply in the Justice and Municipal Courts.

Historical background:

This fund was added by House Bill 1940, 78th Regular Session (2003). The new Section 41.258, Government Code, created the Felony Prosecutor Supplement Fund and Fair Defense Account in the state treasury. This money is to be deposited to that fund. Senate Bill 844, 80th Session (2007), amended Section 41.258 to rename the Assistant Prosecutor Supplement Fund.

Discussion:

The report form was revised so that the Bail Bond Fees was to be reported in the 3rd quarter of 2003, but only collections in September should appear on the 3rd quarter report.

See Attorney General Opinion GA-0207, dated June 23, 2004, in Chapter 10. It states that "the date the state declines to prosecute an individual" is the date a prosecutor decides not to institute a criminal proceeding against a person either through filing in the court or grand jury. The date the grand jury declines to indict an individual is the date a grand jury votes not to indict the person ("no bill"). This does not refer to a date a court *dismisses* a criminal case pursuant to the prosecutor's motion after the defendant has been charged or indicted. The refund of the bail bond fee appears to apply only to those individuals who have posted bail but who were never formally charged.

This opinion also discusses whether the county should always make a refund request from the Comptroller, or if they would be allowed to offset the refund claims against the amounts due the Comptroller during that period. The AG Opinion says this decision is up to the Comptroller. As long as the county keeps a good trail of the transactions, the Comptroller has no objection to the offset procedure. However, the County is not allowed to file a "negative" return.

2. Child Safety Seat and Seat Belt Violations

Courts	**Municipal, Justice, County (on appeal), & District (on appeal)**
Effective	**9-1-01 forward**
Due date	**Annually, 30 days after end of city's or county's fiscal year**
Collection Fee	**None**
Statute	**V.T.C.A., Transportation Code, Sec. 545.412 and 545.413** http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.545.htm#545.412 http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.545.htm#545.413
Report Form	Form #40-138
Purpose	General Revenue Fund effective 9-1-13; previously Tertiary Care Fund, administered by Department of State Health Services, for use by trauma centers

Rate:

- 50% of the fines collected by the municipality or county for violations of the Transportation Code, section **545.412**, child safety seat requirements for children under the age of 8 (unless taller than 4 feet, 9 inches in height). Ticket is given to driver of vehicle. (Between 9-1-05 and 8-31-09, it applied to children under the age of 5 and less than 36 inches in height. Prior to 9-1-05, it applied to children under the age of 4 OR less than 36 inches in height.) Effective 9-1-13, the fine range is $25-$250. From 9-1-09 through 8-31-13, the fine was no more than $25 for the first offense and no more than $250 for a second or subsequent offense. Fine range was $100-$200 through 8-31-09.
- 50% of the fines collected by the municipality or county for violations of the Transportation Code, section **545.413(b)**, seat belt requirements for children under the age of 17. Ticket is given to driver of vehicle. Fine range is $100-$200.
- 50% of the fines collected by the municipality or county for violations of the Transportation Code, section **545.413(a)**, seat belt requirements for drivers or passengers at least 15 years of age and older. Ticket is given to non-belted driver or passenger 15 years of age and older. Fine range is $25 to $50. **(No longer required. See note)**

  Note: For cities or counties with fiscal years ending prior to 9-1-03, 50% of the fine under subsection 545.413(a) was remitted to the comptroller. For city or county fiscal years ending **on or after 9-1-03**, this entire fine under Sec. 545.413(a) is retained locally.

Description:

- Applies to offenses committed on or after September 1, 2001.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Exemptions are allowed for law enforcement purposes, emergencies, transport for hire, and when all seating positions with belts are occupied.

Statute section	Offense	Who is ticketed?	Disposition of Fine money	Effective dates
545.12	Children under age 8 (unless taller than four feet, nine inches) not secured in safety seat, any location in vehicle	Driver	50% of money is sent to Comptroller; remainder stays locally	Offenses on/after 9-01-09 unless qualifying under warning provision prior to 6-1-10
545.412	Children under age 5 (and less than 36 inches in height) not secured in safety seat, any location in vehicle	Driver	50% of money is sent to Comptroller; remainder stays locally	Offenses on/after 9-1-05 through 8-31-09
545.412	Children under age 4 (or less less than 36 inches in height) not secured in safety seat, any location in vehicle	Driver	50% of money is sent to Comptroller; remainder stays locally	Offenses on/after 9-1-01 through 8-31-05
545.413(a)	Driver, 15 years of age and older	Driver	Fines are retained locally for fiscal years ending on or after 9-1-03	Offenses on/after 9-1-01 and prior to first day of city's /county's fiscal year ending 9-30-03
545.413(a)(2)	Driver of school bus	Driver	Fines are retained locally	Offenses on/after 9-1-07
545.413(a)	Passenger 15 years of age and older, in front seat of vehicle	Passenger (not eligible for DSC)	Fines are retained locally for fiscal years ending on or after 9-1-03	Offenses on/after 9-1-01 and prior to first day of city's /county's fiscal year ending 9-30-03
545.413(b)	Passenger younger than 17 in any location in vehicle	Driver	50% of money is sent to Comptroller; remainder stays locally	Offenses on/after 9-1-01

Historical background:

In the 77th Session (2001), there were 3 bills that impacted these sections of the Transportation Code: Senate Bill 113, House Bill 1739, and Senate Bill 1367. According to statutory construction outlined in the Government Code, Sec. 311.025, if two bills can be combined without conflict, you do that. If two bills conflict, the last bill enacted controls. Each of these 3 bills made differing changes, with differing age requirements. According to statutory construction, Senate Bill 113 controls, with House Bill 1739 adding some additional language. Senate Bill 1367 was essentially moot.

Senate Bill 113 amended the fine ranges from the previous standards. Failure to wear seat belt was already an offense, but Senate Bill 113 increased the fine range. The old fine range was $25 to $50. The new fine range was $100 to $200, with half of the fine going to the Comptroller for deposit into the Tertiary Care Fund for use by trauma centers.

House Bill 1739 added some specifics for driving safety courses. For violations of Sec. 545.412(a) or 545.413(b), the defendant may be allowed to take a special driving safety course under Art. 45.0511, Code of Criminal Procedure, but this must be a specific driving safety course approved by TEA which includes 4 hours of instruction encouraging the use of child safety seats and restraints.

In the 78th Session (2003), House Bill 418 amended Transportation Code, Section 545.413(j), effective 9-1-03. This amendment eliminated the remittance to the Comptroller of 50% of the fines collected under Sec. 545.413(a), the adult violations. The change applied to cities with a fiscal year end on or after 9-30-03. For example, if a city had a fiscal year end of June 30, then on 6-30-03, they would have reported 50% of all the fines, including those under 545.413(a). On the contrary, if a city had a fiscal year end of September 30, then on 9-30-03, they were allowed to retain all the fines from Sec. 545.413(a) and remit only the others.

In the 79th Session (2005), House Bill 183 amended Sec. 545.412. The statute previously applied to children under the age of 4 OR less than 36 inches in height. House Bill 183 changed this to children under the age of 5 AND less than 36 inches in height.

House Bill 3190, 80th Session (2007), amended Section 545.413(a) by adding subsection (a)(2) for driver of a school bus equipped with a safety seat belt, effective September 1, 2007.

Senate Bill 61, 81st Session (2009), amended Section 545.412 by changing the previous requirements of children under the age of 5 AND less than 36 inches in height to children under the age of 8, unless taller than 4 feet, 9 inches. The bill also amended the previous fine range of $100-$200 to $25-$250. The first offense is punishable by a fine of not more than $25, and the second or subsequent offense is punishable by a fine of not more than $250. The effective date of this bill is September 1, 2009; however 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).

House Bill 1294, 83rd Session (2013), amended Section 545.412 by changing the fine range to $25-$250 regardless of whether a first, second, or subsequent offense. Also, House Bill 595, 83rd Session (2013), abolished the tertiary care account and transferred any money remaining in the account to the general revenue fund effective 9-1-13.

Discussion:

A driver can be cited for allowing a child (younger than age 17) anywhere in the vehicle to not be in a safety seat system or seat belt. A passenger who is at least 15 can also be ticketed for not wearing a seat belt if they are in the front seat of a passenger vehicle (not the back seats).

The fines (one-half) are due to the Comptroller within 30 days after the end of the city or county's fiscal year (not the state fiscal year). Some cities have fiscal years ending June 30, or December 31, but the majority end September 30. When this bill was first enacted in 2001, most cities had only one month of offenses to report on October 31, so there were few with an offense date and a payment date in September 2001. Revenue Accounting sent letters to all cities and counties requesting their fiscal year end date so that report forms could be automatically generated for them at the appropriate times.

3. Child Safety Seat Court Cost (CSS CC)

Courts	**Municipal, Justice, County (on appeal), and District (on appeal)**
Effective	**1-1-10 - 9-27-11**
Due date	**Monthly**
Collection Fee	**None**
Statute	**V.T.C.A., Transportation Code, Sec. 545.412(b-1)** (b-1) In addition to all other fees and court costs, a person shall pay 15 cents as a court cost on conviction of an offense under this section. Court costs due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case. The clerk at least monthly shall send the court costs collected under this section 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.
Report Form	Form 40-149
Purpose	Separate account in the general revenue fund appropriated only to the Texas Department of Transportation and used to purchase child passenger safety seat systems and distribute them to low-income families.

Rate:

- $.15 (15 cents) per conviction of criminal offense under Transportation Code, section **545.412**, child safety seat requirements for children under the age of 8 (unless taller than 4 feet, 9 inches in height).

Description:

- Applied to offenses committed on or after January 1, 2010 (unless qualifying under warning provision prior to 6/1/10) through September 27, 2011.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Exemptions were allowed for law enforcement purposes, emergencies, transport for hire, and when all seating positions with seat belts were occupied.
- Included cases in which deferred disposition was granted.
- Applied to county and district courts when cases were appealed from municipal and justice courts.

Historical background:

This fund was added by Senate Bill 61, 81stSession (2009). The bill provided an effective date of September 1, 2009. However, the effective date was postponed to January 1, 2010, due to the provisions of Government Code, Section 51.607. 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).

This fund was repealed by Senate Bill 1, 82nd First Called Session (2011).

4. Compensation to Victims of Crime Auxiliary Fund (CVCA)

Courts	**County or District Courts, County Treasurers, or CSCD offices**
Effective	**9-1-83 forward**
Due date	**Monthly, last day of month following**
Collection Fee	**5% upon timely filing**
Statute	**V.T.C.A. Government Code, Sec. 76.013** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.76.htm#76.013**
Report Form	**Form #40-142 summary page** **and Form #40-143, supplement page**
Purpose	Compensation to Victims of Crime Fund, administered by the Texas Attorney General, for compensation to victims of crime, for reimbursement of expenses, counseling, etc.

Rate:

- Fees paid by defendants placed on community supervision, reporting to the Community Supervision and Corrections Department (CSCD) and ordered to pay restitution for crimes committed. The fees reported to the state are only those that are due to the crime victim but the victim cannot be located.

Description:

- When a Community Supervision Department receives a restitution payment for a crime victim, the Department is to immediately notify the victim by certified mail, mailed to the last known address of the victim. If the victim does not make claim for payment, the Department is to hold the money until the fifth anniversary of the date of first notice to the victim, and then remit it to the state for deposit into this fund. After making the initial transfer of payments to the Comptroller, the Department is to transfer each subsequent payment not later than the 121st day after the date of receipt of such payment.
- Between 9-1-83 and 8-31-97, the Department was to transfer the money to the Comptroller 5 years and 121 days after the date of each payment.

Note:

- Report Form #40-142 has two pages: a front page for summary data, and a supplement page (#40-143) for case information. The data on the supplement pages is not captured on the computer system; only the summary data is captured. However, the supplement pages are imaged and may be viewed to determine what cases have been reported. The county is to send one check for the total of fees reportable for that month.
- A taxpayer may use their own computer printouts or lists instead of the supplement form. The printouts or lists must be 8 ½ x 11 inches only, front only, and include the county's taxpayer number, the quarter being reported, the program for which the fees have been collected, the probationer's case number and name, the victim's name and address, and the restitution amount being reported.
- The county is authorized to retain 5% as administrative cost, plus interest earned. Prior to 9-1-97, if the payment was not timely, the county forfeited the 5% administrative fee and the accrued interest, and had to pay an additional 5% penalty. This additional penalty would be rolled into any adjustment for fees in an audit.
- Local Government Code, Section 133.055(b) does not require the County to send zero reports when there is nothing to report.

Historical background:

This statute was originally created as Sec. 6c, Art. 42.12, Code of Criminal Procedure. It was amended effective 9-1-83 to become Art. 42.12, Sec. 15, and amended again in 1989.

This statute was previously found in the Code of Criminal Procedure, Article 42.131, Section 12. This was repealed by Senate Bill 898 in the 75th Session (1997), and the language was all moved into the Government Code, Section 76.013. It defined provisions relating to notification to the victim and payment to the Comptroller, repealed the 5% penalty provision, and applied to restitution payments made after the effective date of the bill, 9-1-97.

House Bill 2424, 78th Session (2003), added Section 133.055 to Subchapter B, Local Government Code, requiring the county treasurer, or custodian of the county treasury, to remit the fees collected for the CVCA Program.

Discussion:

The restitution for a victim is collected from the probationer when the probationer appears before their assigned Community Supervision and Corrections Department (CSCD). It is part of a number of fees to be collected monthly, as outlined in the judgment. Prior to 9-1-03, some CSCDs forwarded the money and information to the County Treasurer, who completed the form and reported it to the Comptroller. Some CSCDs reported the fees directly to the Comptroller, filling out and completing the form without the funds going through the County Treasury. These were typically reported under a taxpayer number assigned to the CSCD.

Beginning with September 2003, the reports for the CVCA Program should appear on XIDATA under the county's taxpayer id number. Data prior to 9-1-03 was reported under the taxpayer number for the CSCD. However, it was not automated and will not appear on CICS inquiry. Contact Revenue Accounting for old reported data.

Note: Revenue Accounting allows the county to have the report form sent to the CSCD for completion, and the report form is sent to the address of the CSCD. However, the taxpayer number on the form will be that of the county, not the CSCD.

Also, CSCD offices may handle more than one county, frequently 2 or 3 counties. The data should be separated by county since it must be reported on the county's taxpayer number.

5. Consolidated Court Fee (2004) – (CCF 2004)

Courts	**Municipal, Justice, County & District**
Effective	**1-1-04 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Local Government Code, Chapter 133** **http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.102**
Report Form	**Form # 40-144 (City) or Form #40-145 (County),** **lines 1-5 based on date of offense**
Purpose	.0088% Abused Children's Counseling Account .5507% Breath Alcohol Testing Program 37.6338% Compensation to Victims of Crime 9.8218% Comprehensive Rehabilitation Fund 1.2090% Correctional Management Institute .2581% Crime Stopper's Assistance Fund 12.5537% Criminal Justice Planning Fund 5.5904% Emergency Radio Infrastructure Fund 8.0143% Fair Defense Fund 4.8362% Judicial and Court Personnel Training Fund 1.2090% Juvenile Crime & Delinquency Fund 2.1683% Law Enforcement Management Institute 5.0034% Law Enforcement Officers Administrative and Continuing Education 11.1426% Law Enforcement and Custodial Officer Supplemental Retirement Fund

Rate: 1-1-04 forward:

- $40 on conviction of a non-jailable misdemeanor, including a municipal ordinance;
- $83 on conviction of a Class A or Class B misdemeanor;
- $133 on conviction of a felony.

Description:

- Applies to offenses committed on or after January 1, 2004.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Note:
The amounts collected in the three levels of court costs are allocated to the following funds:

Fund	Allocation Percentage Effective 9-1-11	Allocation Percentage Prior to 9-1-11
Abused Children's Counseling Account	0.0088%	0.0088%
Breath Alcohol Testing Program	0.5507%	0.5507%
Compensation to Victims of Crime Fund	37.6338%	37.6338%

Fund	Allocation Percentage Effective 9-1-11	Allocation Percentage Prior to 9-1-11
Comprehensive Rehabilitation Fund	9.8218%	5.3218%
Correctional Management Institute	1.2090%	1.2090%
Crime Stopper's Assistance Fund Bond Fee	.2581%	0.2581%
Criminal Justice Planning Fund	12.5537%	12.5537%
Emergency Infrastructure Fund	5.5904%	0%
Fair Defense Fund	8.0143%	6.0143%
Fugitive Apprehension Fund	0%	12.0904%
Judicial and Court Personnel Training Fund	4.8362%	4.8362%
Juvenile Crime & Delinquency Fund	1.2090%	1.2090%
Law Enforcement Management Institute Fund	2.1683%	2.1683%
Law Enforcement Officers Administrative Fund and Law Enforcement Officers Continuing Education Fund	5.0034%	5.0034%
Law Enforcement and Custodial Officer Supplemental Retirement Fund	11.1426%	11.1426%

Effective 9-1-97, the $30 court cost for breath alcohol testing was repealed and included as part of the Consolidated Court Cost. Effective 1-1-04, the Consolidated Court Cost was repealed and included as part of the Consolidated Court Fee. However, parts of the provisions for cities and counties that do not use the services of a certified technical supervisor were retained. Art. 102.016(b) states that a city or county that maintains the program but does not use the technical supervisor **may retain $22.50 of the consolidated court cost on conviction of an offense under Chapter 49, Penal Code**, other than an offense that is a Class C misdemeanor. (This provision does not apply to offenses under the Transportation Code.)

The Department of Public Safety maintains a list of counties that do **not** use the services of a DPS Technical Supervisor to administer the program. The following counties may retain $22.50 of the consolidated court cost for offenses under Chapter 49, Penal Code:

Aransas	Howard
Bexar	Jefferson
Cameron	Midland
Collin	Nueces
Dallas	Parker
Denton	San Patricio
Ector	Starr
El Paso	Tarrant
Harris	Willacy
Hidalgo	

Historical background:

House Bill 2424, 78thSession (2003), created the Consolidated Court Fee. The bill was effective January 1, 2004. The major points of the legislation were:

- consolidated the civil and criminal fees in existence at the beginning of the 78th Session into one chapter in the Local Government Code
- consolidated the reporting responsibility under the Treasurer of the city or county, or the custodian of the city or county treasury
- established a standardized reporting structure, including quarterly due dates
- provides that the criminal court costs will be reported according to class of offense on or after 1-1-04
- provides that the criminal court costs will be reported according to the time period in which the offense occurred prior to 1-1-04.

HB 2424 also repealed the following statutes:

» Code of Criminal Procedure, Art. 56.55, 56.56, 56.57, 56.59 (Comp to Victims of Crime)
» Code of Criminal Procedure, Art. 102.011 (f), (g), and (h) (services of peace officers)
» Code of Criminal Procedure, Art. 102.019 (Fugitive Apprehension Fund)
» Code of Criminal Procedure, Art. 102.075 (Consolidated Court Cost)
» Government Code, Sec. 51.701 (Judicial Fund)
» Government Code, Sec. 51.921 (Time Payment Fee)
» Government Code, Sec. 56.001, subsections (b)-(h) (Judicial and Court Personnel Training Fund)

Senate Bill 333, 81st Session (2009), corrected an apparent oversight by the 78th Session in 2003, which repealed and consolidated the Breath Alcohol Testing Fee provisions of Code of Criminal, Art. 102.075 into Local Government Code, Chapter 133 but did not amend Code of Criminal Procedure, Art. 102.016 to refer to the consolidated provisions. The bill took effect on 9-1-09 and applied only to a court cost collected on or after that date.

House Bill 442, 82nd Session (2011), amended Local Government Code, Section 133.102(e) by modifying the allocation percentages. Comprehensive rehabilitation was increased by 4.5%. The emergency radio infrastructure fund replaced the fugitive apprehension account, and the percentage was reduced by 6.5%. The fair defense account percentage was increased by 2%. The effective date is 9-1-11.

Senate Bill 1664, 82nd Session (2011), amended Local Government Code, Section 133.102(e)(7) by replacing Operator's and Chauffeur's License Fund with Law Enforcement and Custodial Officer Supplemental Retirement Fund. The effective date is 9-1-13.

6. DNA Testing Fee (DNA)

Courts	**County & District only**
Effective	**9-1-01 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Vernon's Ann. Code Crim. Proc., Art. 102.020** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.020**
Report Form	**Form # 40-145, line 7**
Purpose	35% State Highway Fund, administered by Texas Department of Transportation for funding state roads and highways 65% Criminal Justice Planning account, administered by the Governor's Office, Criminal Justice Division

Rate:

- $250 per conviction of an offense listed in Government Code, Sec. 411.1471 (a)(1) = certain felonies (see below);
- $50 per conviction of an offense listed in Government Code, Sec. 411.1471 (a)(3) = certain Class A/B misdemeanors (see below).

Description:

- Applies to offenses committed on or after September 1, 2001.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Gov. Code, Sec. 411.1471 (a)(1) = **felonies** described in Penal Code, Sections:

20.04 (a)(4)	Aggravated Kidnapping (part a4 only)
21.02	Continuous Sexual Abuse of Young Child or Children (*effective 1-1-08*)
21.11	Indecency With a Child
22.011	Sexual Assault
22.021	Aggravated Sexual Assault
25.02	Prohibited Sexual Conduct
30.02(d)	Burglary (part d only, first degree felony burglary)
43.05	Compelling Prostitution
43.25	Sexual Performance by a Child
43.26	Possession or Promotion of Child Pornography

- Gov. Code, Sec. 411.1471 (a)(3) = **Misdemeanors** described in Penal Code.
  - » Sec. 21.07 (Public Lewdness), a Class A misdemeanor
  - » Sec. 21.08 (Indecent Exposure), a Class B misdemeanor

The court may waive this court cost if the court determines that the defendant is indigent and unable to pay the cost.

Historical background:

Senate Bill 638, 77th Session (2001), effective 9-1-01, created the DNA Testing Fee. Since it only applies to felonies and Class A and B misdemeanors, it only applies to counties. It does not apply to offenses in Justice or municipal courts.

House Bill 8, 80th Session (2007), added a category to Government Code, Section 411.1471, adding a category of offense to the DNA Testing Fee. The effective date was 9-1-07 but was delayed to 1-1-08 by Government Code, Section 51.607.

Senate Bill 727, 81st Session (2009), added subsection (j) to Code of Criminal Procedure, Article 102.020 allowing a court to waive the court cost if the defendant is indigent and unable to pay the cost.

7. DNA Testing Fee Community Supervision (DNA CS)

Courts	**District only**
Effective	**1-1-10 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Vernon's Ann. Code Crim. Proc., Art. 102.020** http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.020
Report Form	Form # 40-145, line 8
Purpose	To help DPS defray the cost of any analyses performed on DNA samples provided by defendants

Rate:

- $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 Section 11(j), Article 42.12, Code of Criminal Procedure

Description:

- Applies to felony offenses on or after January 1, 2010 except for those felonies referenced in Government Code, Sec. 411.1471 (a)(1).
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- A judge granting community supervision to a defendant convicted of a felony shall require that the defendant provide a DNA sample unless the defendant has already submitted one.
- The court may waive this court cost if the court determines that the defendant is indigent and unable to pay the cost.
- This fee applies to each offense. For example, if a defendant has multiple offenses requiring a DNA sample but only submits one DNA sample to be used for those multiple offenses, the fee applies to each offense.

Historical background:

Senate Bill 727, 81st Session (2009), added this additional DNA testing fee for defendants convicted of a felony and placed on community supervision. Since it only applies to felonies, only district courts are affected. The effective date was 9-1-09 but was delayed to 1-1-10 by Government Code, Section 51.607. The bill also added subsection (j) to Code of Criminal Procedure, Article 102.020 allowing a court to waive the court cost if the defendant is indigent and unable to pay the cost.

8. DNA Testing Fee Juvenile (DNA JV)

Courts	**District only**
Effective	**1-1-10 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Family Code, Sec. 54.0462** **http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.54.htm#54.0462**
Report Form	**Form # 40-145, line 9**
Purpose	To help DPS defray the cost of any analyses performed on DNA samples provided by children

Rate:

- $50 if disposition of case involves commitment to a facility operated by or under contract with the Texas Juvenile Justice Department
- $34 if disposition of case does not include a commitment to a facility described above and the child is required to submit a DNA sample under Family Code, Sec. 54.0409 or other law

Description:

- Applies to offenses committed by a juvenile on or after January 1, 2010.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Felony offenses listed in Code of Criminal Procedure, Article, 42.12, Section 3g(a)(1) or for which a deadly weapon, as defined by Section 1.07, Penal Code, was used. Also, if placed on probation for any of these offenses.
- The court may waive these fees if the court finds that a child, parent, or other responsible party for the child's support is unable to pay the fee. The court shall enter into the child's case records a statement of that finding.
- These fees apply to each offense. For example, if a defendant has multiple offenses requiring a DNA sample but only submits one DNA sample to be used for those multiple offenses, the fees apply to each offense.

Historical background:

Senate Bill 727, 81st Session (2009), added these DNA testing fees for juvenile defendants convicted of certain felonies. Since it only applies to felonies, only district courts are affected. The effective date was 9-1-09 but was delayed to 1-1-10 by Government Code, Section 51.607. The bill also added subsection (c) to Family Code, Section 54.0462 allowing a court to waive the court cost if the court finds that a child, parent, or other person responsible for the child's support is unable to pay the fee. The court shall enter into the child's case records a statement of that finding. The court may waive a fee only if the court makes the finding.

9. Driving Records Fee (DRF)

Courts	**Municipal, Justice, County (on appeal), and District (on appeal)**
Effective	**1-1-06 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Code of Criminal Procedure, Article 45.0511 (c-1)** http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.45.htm#45.0511
Report Form	Form # 40-144 **(City), line 14, or** Form #40-145 **(County), line 22**
Purpose	General Revenue Fund, available for appropriation to the Texas Department of Public Safety

Rate:

Driving Records Fee	1-1-06 through 12-31-07	1-1-08 forward
For a copy of a driving record requested by the court	$10	$22

Description:

- Pertains only to driving safety course procedures applicable to traffic offenses (Code Crim. Proc., Art. 45.0511). If the defendant enters a plea of no contest or guilty, and the court allows the defendant 90 days to complete an approved driving safety course or motorcycle operator training course, the court can require the defendant to produce a certified copy of the defendant's driving record as maintained by DPS. Under subsection (c-1), as an alternative to requiring the defendant to produce the driving record, the court **may** instead require the defendant to pay a fee of $10 for the driving record, which the court will then obtain from DPS. *Effective 9-1-07, the court may also require the defendant to pay the State electronic Internet portal fee, which is currently $12, for a total of $22.
- This fee is in addition to any other fee required.
- **Applies to** offenses described below:
  - » Transportation Code, Sections 472.022, (Obeying Warning Signs), except subsection (f)
  - » Transportation Code, Section 729.001(a)(3), (Operation of Motor Vehicle by a Minor, as pertains to Rules of the Road)
  - » Transportation Code, Subtitle C, Title 7, Rules of the Road (Articles 541-600).
- **Excludes offenses under:**
  - » Holders of commercial driver's licenses
  - » Transportation Code, Section 472.022(f), Obeying Warning Signs, if committed in a construction or maintenance work zone when workers are present
  - » Transportation Code, Section 542.404 (offense in construction or maintenance work zone)
  - » Transportation Code, Sec. 545.066, Passing a School Bus
  - » Transportation Code, Sec. 550.022, Accident Involving Damage to Vehicle
  - » Transportation Code, Sec. 550.023, Duty to Give Information and Render Aid
  - » Serious traffic violation, speeding 25 miles per hour or more over the posted speed limit
  - » pertaining to pedestrians or the parking of a motor vehicle

Historical background:
The fee was created by House Bill 703, 79thSession (2005). The bill was effective 9-1-05, but the $10 fee is postponed to January 1, 2006, due to the provisions of Government Code, Sec. 51.607.

Senate Bill 1083, 80th Session (2007), allowed the court to require the defendant to pay a fee in an amount equal to the sum of the fee established by Section 521.048, Transportation Code ($10), and the applicable State electronic Internet portal Fee ($12).

10. Electronic Filing System Fund (EFSF)

Courts	**County & District only**
Effective	**9-1-13 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Government Code, Section 51.851** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.51.htm#51.851**
Report Form	**Form # 40-151**
Purpose	Office of Court Administration, support a statewide electronic filing technology project for courts in this state

Rate:

- $5 on conviction of any criminal offense in a district, county, or statutory county court

Description:

- Applies to offenses committed on or after September 1, 2013.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which community supervision, deferred disposition, deferred adjudication, or probation is granted.
- Includes offenses pertaining to pedestrians or the parking of a motor vehicle.

Historical background:
House Bill 2302, 83rd Session (2013), effective 9-1-13 created the electronic filing fee. The bill specifically stated that Government Code 51.607 did not apply, so the effective date was not delayed to 1-1-14.

11. EMS Trauma Fund (EMS)

Courts	**County & District only**
Effective	**1-1-04 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Code of Criminal Procedure, Art. 102.0185** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0185**
Report Form	**Form # 40-145, line 10**
Purpose	Emergency Medical Services, Trauma Facilities, Trauma Care Systems, administered by the Department of State Health Services, for use by trauma centers

Rate:

- $100 court cost on offenses in Penal Code, Chapter 49, except Sec. 49.02 and Sec. 49.031

Description:

- Applies to offenses committed on or after January 1, 2004.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.

Chapter 49 sections included:

- Sec. 49.04: Driving while intoxicated (Class B misdemeanor)*
- Sec. 49.045: Driving while intoxicated with child passenger (felony)
- Sec. 49.05: Flying while intoxicated (Class B misdemeanor)*
- Sec. 49.06: Boating while intoxicated (Class B misdemeanor)
- Sec. 49.065: Assembling or operating an amusement ride while intoxicated (Class B misdemeanor)*
- Sec. 49.07: Intoxication assault (felony)
- Sec. 49.08: Intoxication manslaughter (felony)

* may be enhanced to Class A misdemeanor or felony upon subsequent convictions

These sections are NOT included:

- Sec. 49.02: Public intoxication (Class C misdemeanor)
- Sec. 49.031: Possession of alcoholic beverage in motor vehicle (Class C misdemeanor)

Historical background:
This fund was added by Senate Bill 1131, 78th Session (2003). The bill provided an effective date of September 1, 2003. However, the effective date was postponed to January 1, 2004, due to the provisions of Government Code, Section 51.607.

12. Excess Funds From Sale of Property Forfeited Under the Controlled Substances Act

Courts	**County & District only**
Effective	**8-27-73 forward**
Due date	**30 days after auction**
Collection Fee	**None**
Statute	**Vernon's Ann. Code Crim. Proc., Art. 59.01-59.06** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.59.htm#59.01**
Report Form	**https://www.oag.state.tx.us/forms/lea_audit.pdf**
Purpose	General Revenue Fund

Rate:

- Excess proceeds from the sale of property seized under this act, after liens, storage, and court costs have been satisfied. Property includes automobiles, aircraft, vessels, trailers, guns, etc.

Description:

- All forfeited property shall be administered by the attorney representing the state, in accordance with any local agreement entered into between the attorney representing the state and the law enforcement agencies.
- If the local agreement exists, the state may transfer the property to the law enforcement agencies in accordance with the terms of the local agreement and art. 59.06, Tex. Code Crim. Proc.
- If a local agreement does not exist, the property is to be sold at auction, and the proceeds of the sale are to be distributed as follows:
  - » To any interest holder to the extent of the interest holder's non-forfeitable interest, and
  - » The balance, if any, after deductions for storage and disposal costs, to be deposited not later than the 30th day after the date of sale in the state treasury.
- All law enforcement agencies and attorneys representing the state who receive proceeds or property under this act are to account for the proceeds and property in an audit, which is to be performed annually by the commissioners' court or governing body of the city. If the audit is not conducted as required, the attorney general will notify the law enforcement agency or attorney. If the audit is still not submitted as required, the attorney general will notify the comptroller. The comptroller shall then perform the audit required. (Effective 9-1-01).

Historical background:

This section was originally created in the Code of Criminal Procedure in 1989, and amended multiple times since. Senate Bill 563, 77th Session (2001), added Article 59.06(g), providing that the Attorney General may request the Comptroller to perform the audit required by subsection (g) if not performed by the commissioners' court or governing body. This provision was effective 9-1-01.

House Bill 2062, 81st Session (2009), added subsection (c-1) allowing the attorney representing the state to transfer proceeds to a special fund established for the special ranges of the Texas and Southwestern Cattle Raisers Association. The bill was effective 5-27-09.

Senate Bill 316, 82nd Session (2011), added Article 59.061 allowing the state auditor authority to audit and conduct investigations of these funds.

Discussion:

Senate Bill 563, 77th Session (2001), effective 9-1-01, amended Code of Criminal Procedure, Article 59.06, to add a provision about the Attorney General requesting the Comptroller to perform the audit if not done by the commissioners' court or governing body. The deadlines were amended by Senate Bill 1106, 80th Session (2007). If such audit is requested by the Attorney General, instructions to the auditor will be provided.

13. Excess Highway Fines (EHF)

Courts	**Municipalities with a population of less than 5,000 (per last federal census)** **Counties with a population of less than 5,000 (per last federal census) and the commissioners court of the county by resolution elects to spend the revenue in a manner other than as provided by subsection (a)**
Effective	**6-20-75 forward for cities; 9-1-11 forward for counties**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Transportation Code, sec. 542.402** **http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.542.htm#542.402**
Report Form	**Form #40-128**
Purpose	General Revenue Fund

Rate:

- Using figures from the city's or county's fiscal year, the municipality or county may keep all fines up to an amount equal to 30% of its total revenue in the preceding fiscal year (excluding federal funds and bond sale proceeds).

Description:

Only cities or counties with a population of less than 5,000 are subject to this fund. For counties, there is an additional requirement to be subject to the fund. This additional requirement is that the commissioner's court by resolution elects to spend the revenue in a manner other than to construct and maintain roads, bridges, and culverts, enforce laws regulating the use of highways by motor vehicles, and to defray the expense of county traffic officers. The population is determined by the publication of the federal census, and the city's or county's designation does not change until the publication of the next census. Cities or counties which changed their population designation on the 2010 census were added effective 01-01-11, or dropped effective 12-31-10.

Table III in Chapter 10 lists the cities with a population of less than 5,000. Please note the indicators for the following:

- Cities below 5,000 population on the 2000 census but above on the 2010 census;
- Cities above 5,000 population on the 2000 census but dropped below on the 2010 census.

Table IV in Chapter 10 lists the counties with a population of less than 5,000.

Calculation:

Total city or county revenue for the preceding fiscal year	$XXX,XXX.XX
Less: federal funds revenue	< X,XXX.XX>
Less: proceeds from bond sales	< X,XXX.XX>
Subtotal: Net revenue	$XXX,XXX.XX>
Multiplied by 30% allowance	X 30%

Subtotal: Amount of fines to be retained by city or county	$ XX,XXX.XX
Add: $1 per fine	$ X,XXX.XX
Total: Total to be retained by city or county	$ XX,XXX.XX
Total fines collected in current fiscal year	$ XX,XXX.XX
Less: total to be retained by city or county (from above)	< XX,XXX.XX>
Total: to be remitted to the state	$ X,XXX.XX

Definitions:

- **Fiscal Year**: These figures are to be obtained from the city's or county's fiscal year, not the state fiscal year.
- **Total City or County Revenue**: "Total city or county revenue" includes all sources of revenue for the city or county, from the city's or county's prior fiscal year. This includes fines and court costs retained by the city or county, the 10% collection fees retained from timely remittance of state court costs, utility payments, taxes, and any other sources of revenue for the city or county. It does not include state court costs, fines remitted to the state, or other fees remitted to the state. For municipalities, the calculation should be based upon the revenue as reported in the annual financial audit as required by Local Government Code, Sec. 103.001-103.003. For counties, the calculation should be based upon the revenue as reported in the financial audit as required by Local Government Code, Chapter 115.
- **Fines**: "Fines" are from the current fiscal year, from offenses in certain chapters of the Transportation Code.
  - » Fines include:
    - ° Fines under Transportation Code, Chapters 501-750 (see chart below for applicable periods)
    - ° Special expense fee under Code of Criminal Procedure, Article 45.051(c)
  - » Fines do <u>not</u> include:
    - ° Fines remitted to the state
    - ° Court Costs remitted to the state
    - ° Peace Officer fees remitted to the state
    - ° Time Payment Fee
    - ° Failure to Appear $30 fee
    - ° Local court costs
    - ° Administrative fees for expired registration, inspection, or driver's licenses
    - ° Administrative fees for driving safety courses in Article 45.0511(f)

Use the gross amount of the fine, not net of any expenses of any kind.

The chapters of the Transportation Code included in this calculation have changed as indicated below:

Include in the Calculation Fines from the following statutes:	9-1-89 through 8-27-95	8-28-95 through 8-31-99	9-1-99 forward
Transportation Code, Chapters 501-540			X
Transportation Code, Chapters 541-600	X	X	X
Transportation Code, Chapters 601-750			X
Code of Criminal Procedure, Article 45.051(c), Special expense fee		X	X

Note:

- A city or county is required to file their financial report with the Comptroller when the calculation reaches the 20% point in the city's or county's fiscal year.
- When the city or county reaches the 30% point in the calculation in their fiscal year, quarterly report forms and payments are required to be sent to the comptroller.
- Refer to Chapter 7, discussion on Excess Highway Fines, for more details on this calculation.

Historical background:

The provisions for Excess Highway Fines were originally located in Article 6701d, Vernon's Texas Civil Statutes, the Uniform Act Regulating Traffic on Highways, Sec. 144, created in 1975. In 1995 it was recodified into the Transportation Code.

House Bill 840, 74th Session (1995), added the requirement that when the city has reached 20% of fines, they are to send a report of fines collected to the comptroller. Senate Bill 971, 74th Session (1995), added "special expense" to the calculation of fines. House Bill 352, 76th Session (1999), expanded the chapters in the Transportation Code in which fines are calculated, by changing the wording from "subtitle" to "title." This expanded the calculation from offenses in chapters 541-600 to chapters 501-750.

House Bill 1517, 82nd Session (2011), added counties with a population of less than 5,000 whose commissioner's court by resolution elects to spend revenue in a manner other than as provided by subsection (a). Also, the bill added subsection (f) providing a ten-year provision (expires on 9/1/21) for a municipality to include revenue generated from services provided in the municipality by a utility company operating within the municipality as municipal revenue for a fiscal year if two qualifications are met. First, the municipality must have a population of more than 1,000 but less than 1,200. Second, part of the municipality's boundary is a river that forms part of the boundary between two counties. The only city meeting these two qualifications is the City of Martindale.

14. Excess Motor Carrier Fines (EMC)

Courts	**Cities & Counties certified by DPS**
Effective	**9-1-95 (but see effective date of each city/county)**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Transportation Code, Sec. 644.101 and 644.102** **http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.644.htm#644.101**
Report Forms	**Form #40-130 http://www.window.state.tx.us/taxinfo/taxforms/40-130.pdf** **Form # 40-134, Cost of Enforcement Worksheet** **http://www.window.state.tx.us/taxinfo/taxforms/40-134.pdf**
Purpose	General Revenue Fund

Rate:

- 100% of all fines on motor carrier violations, which exceed 110% of the municipality's actual expenses for enforcement of the Motor Carrier Violations Act. Fines are those in the Transportation Code, Chapter 644, Commercial Motor Vehicle Safety Standards, for the city or county's previous fiscal year.

Description:

The city or county must have law enforcement officers certified by the Department of Public Safety in order to participate in this program. Prior to 9-1-01, only qualifying cities could participate in this program. Effective 9-1-01, qualifying counties were added. To participate with the Department of Public Safety in this program, the city or county must meet one of the following:

City:

- Must have a population of 50,000 or more (100,000 prior to 9-1-07) (*amended by Senate Bill 545, 80th Session, 2007, effective 9-1-07*); or
- Must have a population of 25,000 or more, and any part of which is located in a county with a population of 500,000 or more (2 million prior to 9-1-07) (*amended by Senate Bill 545, 80th Session, 2007, effective 9-1-07*); or
- Must be in a county which borders the United Mexican States; or
- Must have a population 34,000 or more and be located in a county that borders two or more states (*Senate Bill 545, 80th Session, 2007, effective 9-1-07*); or
- Must have a population of less than 25,000, any part of which is located in a county with a population of 2.4 million, and which city contains or is adjacent to an international port; or
- Must have a population of less than 5,000, and be adjacent to a bay connected to the Gulf of Mexico and located in a county adjacent to a county with a population greater than 3.3 million. (*House Bill 1638, 80th Session, 2007, effective 9-1-07*); or
- Municipality with a population of 60,000 or more, any part of which is located in a county with a population of 750,000 or more AND two or more counties with a combined population of one million or more. (*House Bill 2077, 80th Session, 2007, effective 6-15-07.*)

County:

- Must border the United Mexican States; or
- Must have a population of 2.2 million or more.

As of March 21, 2014, the following cities and counties had been certified by the Department of Public Safety:

City/County	Tax ID #	Certification Date	Withdrawn/ Decertification Date
Allen, City of	17560049128	01-01-14	
Angleton, City of	17460000478	09-23-11	02-18-14
Arlington, City of	17560004503	06-29-99	
Austin, City of	17460000858	08-28-96	
Baytown, City of	17460002466	12-08-93	
Beaumont, City of	17460002789	04-29-96	
Burleson, City of	17560004750	04-21-11	
Carrollton, City of	17560004784	08-09-10	
Cedar Park, City of	17461860086	06-01-13	
Conroe, City of	17460005550	08-01-13	
Corpus Christi, City of	17460005741	06-21-07	
Dallas, City of	17560005088	08-28-96	
Dallas, County of	17560009056	12-14-01	
Deer Park	17460006608	04-29-96 10-xx-10	06-01-99 04-02-12
Del Rio, City of	17414839344	04-01-02	
Denton, City of	17560005146	03-21-06	
DeSoto, City of	17511025557	02-03-05	
El Paso, City of	17460007499	10-01-95	
Elsa, City of	17460009255	08-04-05	02-12-08
Euless, City of	17560046447	06-18-09	
Flower Mound, Town of	17513662100	01-03-09	
Fort Worth, City of	17560005286	02-07-02	
Friendswood, City of	17414932024	01-01-01	
Frisco, City of	17560005310	06-26-09	
Galveston, City of	17408510018	07-01-09	
Garland, City of	17560005344	11-15-96	
Grand Prairie, City of	17560005435	10-10-07	
Grapevine, City of	17560005468	06-22-09	
Harris County	17604545149	12-07-01	
Hillsboro	17460010899	09-23-11	
Houston, City of	17460011640	01-01-90	
Hudspeth County	17460022969	05-24-10	05-24-12
Hurst, City of	17560040200	06-22-09	
Irving, City of	17560005666	12-20-95	
Kemah, City of	17416072433	01-25-08	
Killeen, City of	17460015047	02-01-13	
La Porte, City of	17460015526	04-29-96	
Lancaster, City of	17560005807	01-21-05	
Laredo, City of	17460015732	06-01-94	

City/County	Tax ID #	Certification Date	Withdrawn/ Decertification Date
League City, City of	17414689699	07-14-09	
Lewisville, City of	17560005831	01-03-08	
Longview, City of	17560005880	01-03-09	
Mansfield, City of	17560005948	07-01-09	
McKinney, City of	17560005997	05-22-09	
Memorial Villages-City of Bunker Hill Village	17460269693	06-01-11	03-26-12
Memorial Villages-City of Hunter's Creek Village	17460217312	06-01-11	03-26-12
Memorial Villages-City of Piney Point Village	12370151719	06-01-11	03-26-12
Midland, City of	17560006086	11-01-12	
Mission, City of	17460017381	01-29-09	
Missouri City, City of	17460290350	01-21-05	
Morgan's Point	17415479959	01-13-09	No certified officers
North Richland Hills, City of	17560051942	09-01-10	
Palmview, City of	17422778419	01-01-12	No certified officers
Pasadena, City of	17460018462	04-29-96	
Pearland, City of	17460289097	05-29-02	
Pflugerville, City of	17417374083	03-17-11	
Plano, City of	17560006409	08-28-96	
Port Arthur, City of	17460018850	01-13-09	
Richardson, City of	17560006482	12-19-01	
San Antonio, City of	17460020708	12-20-95	
Seabrook, City of	17414022891	01-21-05	
Shoreacres, City of	17460035755	01-21-05	12-01-13
Socorro, City of	17424455826	11-01-95 03-27-01	05-31-99 No certified officers
Southlake, City of	17512511423	11-01-11	
Sugar Land, City of	17460274917	07-01-11	No certified officers
Temple, City of	17460023686	01-01-14	
Texarkana, City of	17560006896	08-04-09	07-29-13
Travis County S.O.	17460001922	07-01-13	

The participating cities and counties have to complete a "Costs of Enforcement" Worksheet. The worksheet includes the following cost categories:

- Major equipment costs: includes vehicles, portable wheel weighers, and scale racks. These costs are to be averaged over the life of the equipment.
- Personnel Costs: includes gross salaries/wages and benefits of employees involved in the operation of the Motor Carrier Violations Act. A pro rata portion of these costs should be calculated for employees that are dedicated to motor carrier enforcement less than 100% of the total time.
- Vehicle Maintenance and Fuel Costs: A pro rata portion of these costs should be calculated for vehicles that are used less than 100% in the motor carrier enforcement. Do not include the costs of vehicle purchases.
- Other costs: directly attributable to the enforcement of the Motor Carrier Violations Act, including costs for communication, operating supplies (hand cleaners, calculators, tape measures) and training costs.

Calculation example:

Costs of enforcement from City's/County's Fiscal Year 2003	$$$$
Multiply by 110%	x 1.10
Amount of fines* to be retained in Fiscal Year 2004	$$$$$

*From Transportation Code, Chapter 644

Historical note:

Senate Bill 3, 74th Session (1995), created the Excess Motor Carrier Fines in Article 6675d, Texas Revised Civil Statutes. Senate Bill 898, 75th Session (1997), moved it to the Transportation Code, Article 644.102. Senate Bill 1019, 75th Session (1999), amended (a), (b), and added (f). Senate Bill 220, 77th Session (2001), effective 9-1-01, added counties to the fund. In a county with a population of 2.2 million or more, sheriffs and deputy sheriffs may be trained and certified by DPS. This added the possibility of 16 counties. This bill also reduced the population restriction on a city from 2.4 million to 2 million, adding the possibility of 11 more cities.

House Bill 2077, 80th Session (2007), added a category of eligible cities, effective 6-15-07. House Bill 1638, and Senate Bill 545, 80th Session (2007), changed the population provisions relating to cities, effective 9-1-07.

Discussion:

Fines: When calculating the fines for this fund, Sec. 644.102 says "fines from the enforcement of this chapter." That means all violations in Chapter 644, Transportation Code, Sections 644.001 through 644.203. It is the Commercial Motor Vehicle Safety Standards, and has nothing to do with "Rules of the Road."

Costs of enforcement: (ask to see the Cost of Enforcement Worksheet completed by the city/county)

Major equipment costs include vehicles, portable wheel weighers and scale racks. The cost should be averaged over the life of the equipment, using straight-line depreciation. The equipment must be dedicated to the Motor Carrier enforcement, not shared with regular law enforcement.

Personnel Costs include gross salaries/wages and benefits of employees involved in the operation of the Motor Carrier Violations Act. If the employee is not dedicated 100% of the time to this program, the costs should be pro-rated for the time spent on the program.

Vehicle Maintenance and Fuel Costs are to be pro-rated if the vehicle is not used 100% of the time for this program.

Other costs include those that are directly attributable to the program, including costs for communication equipment, operating supplies (calculators, hand cleaners, tape measures) and training costs.

If the cost of enforcement exceeds the fines in a given period, the city/county must file a zero, not a negative figure. Carry-forwards are not allowed.

15. Failure to Appear or Pay (FTA)

Courts	**Cities & Counties contracted with DPS to deny renewal of driver's license**
Effective	**9-1-95 (but see effective date of each city/county)**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Transportation Code, Chapter 706** **http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.706.htm#706.001**
Report Form	**Form # 40-144 (City), line 11, or Form #40-145 (County), line 17**
Purpose	½ General Revenue Fund ½ General Revenue Fund, available for appropriation to the Texas Department of Public Safety

Rate:

- $30 per violation as described below.

  ($20 of the $30 fee is reported to the state. The city or county retains the remaining $10, which includes the fee to the vendor administering the program for DPS.)

Offense	09-01-95 through 08-31-97	09-01-97 through 08-31-99	09-01-99 through 8-31-01	9-1-01 forward
Violation of a traffic law for which defendant failed to appear	$30	$30	$30	$30
Offense under Penal Code, Sec. 38.10, bail jumping and failure to appear	n/a	$30	$30	$30
Offense under Transportation Code, Sec. 543.009(b), Violation of Promise to Appear	n/a	$30	$30	$30
Offense under Transportation Code, sec. 543.107(b), Failure to Present Evidence of Course Completion (driving safety courses)	n/a	$30	$30	$30
Any offense under jurisdiction of a justice or municipal court under Code of Criminal Procedure, Art. 4.11 or 4.14	n/a	n/a	$30	$30
Failure to pay or satisfy a judgment ordering payment of a fine and costs	n/a	n/a	n/a	$30

The list of cities and counties participating in this program is shown in Chapter 10 in **Table I**, along with the date this city or county began participation.

Historical background:

This fund was created by Senate Bill 1504, 74th Session (1995), as Article 6687d. It was moved to the Transportation Code by Senate Bill 898, 75th Session (1997). The 77th Session (2001), Senate Bill 1371, effective 9-1-01, changed the wording of this fund substantially, adding provisions for failure to pay as well as failure to appear. This creates the possibility of two $30 fees, one for failure to appear, and another for failure to pay or satisfy a judgment ordering a payment of a fine and cost.

The 78th Session (2003), House Bill 2424, Sec. 79, amended Sec. 706.006(a), to remove the words "violation for which the person failed to appear" and replaced it with "complaint or citation reported to the department under this chapter." This amendment was to make wording corrections to conform all the sections to the changes in SB 1371. Attorney General Opinion GA-0479, dated October 31, 2006, stated that the failure to appear system is not limited to traffic tickets. It is available for all offenses that arise in a justice or municipal court. On the other hand, unlike the failure to pay fines and costs, the failure to appear system may not be used for offenses that arise in any other court.

Discussion:

In order for a city/county to be allowed to collect this $30 FTA fee, they must have entered into a contract with DPS and its agent, Omnibase, to participate in this program. If they contract with DPS, they will have a special entry system to use to send Omnibase the data on each defendant that has failed to appear for their offense. When the city/county enters the data on an individual that has failed to appear for their court date, Omnibase sends the individual a letter informing them that DPS will not allow renewal of their driver's license until this case is cleared up. If the defendant subsequently goes to the court and pays, the city/county will collect the additional $30 for failure to appear and send Omnibase its fee and report $20 of the fee to the Comptroller. If the defendant appears in court and is convicted, and fines and court costs are assessed, another $30 fee for failure to pay will be imposed if it is not all paid by the 31st day after the judgment.

The fee is NOT due if the defendant is ACQUITTED. That means the case is heard and the defendant is determined to be NOT GUILTY. The fee is also NOT due if the report was sent to Omnibase in error, or if the case has been destroyed. (Some courts destroy their records after 5 years even if the case has not been adjudicated.)

The fee IS STILL DUE even if the case is dismissed (case is not heard due to lack of witnesses, no prosecution, or a deferral such a driving safety course). The fee is also due when an appeal is completed (i.e., there is a judgment in municipal court and the case is appealed to county court.) The fee is due if bond is posted, if the fine and costs are paid or discharged, or the defendant makes other suitable arrangements to pay.

The FTA fee is also due when there is an appeal or a bond.

If a defendant is charged with multiple offenses, i.e. three offenses on one ticket, there are 3 sets of court costs due. If the defendant fails to appear in court to answer the charges, the court can/should add the FTA fee to each of the 3 offenses for "failure to appear." If the defendant does eventually show up and is ordered to pay, the clock starts again, and the court may add the $30 FTA fee to each of the three dockets for "failure to pay." The court has the option of consolidating several charges and issuing one court order. If that is the case, there is only one $30 FTA fee because it applies to each "order."

16. Indigent Defense Fund (IDF)

Courts	**Municipal, Justice, County & District**
Effective	**01-01-08 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Local Government Code, Section 133.107** **http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.107**
Report Form	**Form # 40-144, line 7 (City), or Form #40-145, line 13 (County)**
Purpose	**Fair Defense Account to fund indigent defense representation**

Rate:

- $2.00 upon conviction of any offense, other than those relating to pedestrian or the parking of a motor vehicle

Description:

- Applies to offenses committed on or after January 1, 2008.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.
- The collection fee the city/county may retain is based upon timely filing of the report.

Historical background:
This court cost was added by House Bill 1267, 80th Session, (2007). The bill was effective September 1, 2007, but the court cost was delayed by the provisions of Government Code, Section 51.607, making it effective January 1, 2008.

17. Judicial Fund (JF)

Courts	**County Courts only**
Effective	**7-1-92 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Government Code, Sec. 51.702 - 51.704** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.51.htm#51.702**
Report Form	**Form # 40-145, lines 18-19**
Purpose	Judicial Fund, administered by Comptroller, used for participating judges salary supplements

Rate (based on offense date through 6/13/13; Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.**):**

Statutory County Court:

- 8-28-95 forward: $15 per conviction of criminal offense
- 7-1-92 through 8-27-95: $10 per conviction of criminal offense

Constitutional County Court:

- 6-19-99 forward: $15 per conviction of criminal offense

See **Table II** in Chapter 10 for the participating courts and effective dates.

Effective October 1, 2007, all statutory county courts collect the $15 fee and remit it to the Comptroller for deposit into the Judicial Fund. They are not allowed to opt out of the supplemental salary program and keep the $15 fee.

Between 9-1-03 and 9-30-07, **all** statutory county courts were eligible to collect the $15 fee for the Judicial Fund, but only those participating in the supplemental salary program remitted the fee to the comptroller. See also "Judicial Fund" in *Local Court Costs/Fees* at the end of Chapter 4.

Note:

Prior to 1-1-04, this fund was due monthly on the 10th of each month. The due date was changed by House Bill 2424, 78th Session (2003), effective 1-1-04, making it due quarterly on the last day of the month following the calendar quarter.

Resolutions:

Fees in Statutory County Court apply in all counties with Statutory County Courts. Prior to October 1, 2007, the fee was to be remitted to the comptroller ONLY IF the county was participating in the supplemental salary program and the commissioner's court had adopted a resolution authorizing the fees. Effective October 1, 2007, all statutory county courts remit the fee to the Comptroller and resolutions are no longer allowed or required.

Resolutions are not required for fees in Constitutional County Court.

For years beginning 7-1-92 through 7-1-95, the resolution had to be filed with the comptroller by June 1st of each year for which the county wanted to adopt the additional court costs and fees. Beginning with 7-1-96, the resolution had to be filed by June 1, and would continue in effect until appropriately rescinded by the county. To rescind the resolution, the county commissioners' court must submit notification to the comptroller of their desire to rescind by June 1st of the year in which they wish to withdraw.

Also, effective 8-28-95, a county that was not eligible to participate on July 1st of a year, but that would become eligible to participate later in that year, must submit a resolution to the comptroller by June 1st, and the comptroller would determine what date the county was to begin collecting the costs and fees.

- **Note:**
  - » Excludes Title IV-D cases, for child support, paternity, etc, filed by the Office of the Attorney General. This refers to Part D, Title IV, Social Security Act, relating to the location of an absent parent, determination of parentage, or establishment, modification, or enforcement of a child support or medical support obligation. In Texas, the designated Title IV-D agency is the Office of the Attorney General. They file suits for enforcement of child support, establishment of paternity, etc. "UIFSA" cases (Uniform Interstate Family Support Act), which are child support cases from another state, are included in this exemption.
  - » Section 231.202, Family Code, outlines the authorized costs and fees in a Title IV-D case, including certain filing fees, and fees for issuance and service of process as provided by certain sections of the Family Code and Government Code. Section 231.204 is a listing of prohibited fees in Title IV-D cases, and the judicial fund is specifically listed as a prohibited fee.

Historical background:

Judicial Fund was created by House Bill 66, 72nd Session (1991).

House Bill 3211, 76th Session (1999), added Sec. 51.703 for constitutional county courts participating in the supplemental salary program, effective 6-19-99.

House Bill 1945, 78th Session (2003), expanded the requirement of the $15 criminal court cost to all counties, whether they participate in the supplemental salary program or not. The counties not participating in the program get to keep the $15 locally. See Judicial Fund in "Local Court Costs/Fees" at the end of Chapter 4.

Senate Bill 600, 80th Session (2007), amended Government Code, Section 51.702, so that all statutory county courts collect the $15 fee and remit it to the Comptroller. They are no longer allowed to retain the $15 locally.

Discussion:

Whether or not an amount is due for judicial fund on criminal cases is determined by the offense date, even though the statutory wording says "due on conviction." If the county is now dealing with a case with an offense date prior to the time they entered the judicial fund program, they cannot charge the judicial fund amount to the case. The offense date must fall within the period they are active for the judicial fund. Likewise, if a county withdraws from the program, they may still be responsible for collecting and remitting on offenses during the period they were active. The system will show them OOB for that fund, but Revenue Accounting manually adds the data on such collections.

18. Judicial Support Fee (JS)

Courts	**Municipal, Justice, County & District**
Effective	**12-01-05 forward**
Due date	**Quarterly**
Collection Fee	**60 cents of each fee collected**
Statute	**Local Government Code, section 133.105** **http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.105**
Report Form	**Form # 40-144 (City), line 15, or Form #40-145 (County), line 23**
Purpose	Judicial Fund, administered by Comptroller, used for District Judges salary supplements

Rate:

Offense	12-01-05 through 12-31-07	01-01-08 forward
Per conviction	$4.00	$6.00

Description:

- Applies to offenses committed on or after December 1, 2005.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.
- The collection fee the city/county may retain is **not** based upon timely filing of the report. The collection fee is 60 cents of each fee, not a percentage basis. If the city/county remits partial payments, the 60 cents is the maximum allowable amount to be retained, and it should not be deducted from each partial payment. Some may deduct the entire 60 cents on the first remittance, and some may use a percentage of the total. Either method is acceptable as long as the city/county does not retain more than 60 cents of each fee.

Historical background:

This court cost was added by House Bill 11, 79th Session , 2nd Special Session (2005). The bill was effective December 1, 2005, and the court cost was specifically excluded from the provisions of Government Code, Section 51.607, making it effective December 1, 2005.

It is included on the report form for the 4th quarter of 2005, but only for offenses on or after 12-1-05.

Attorney General Opinion GA-0486, dated November 21, 2006, states that the Judicial Support Fee does not apply to bail bond forfeitures because no one is convicted of an offense.

Senate Bill 600, 80th Session (2007), increased the fee from $4 to $6 per offense. The bill was effective September 1, 2007, but the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

19. Jury Reimbursement Fee (JRF)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-05 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Code of Criminal Procedure, Article 102.0045** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0045**
Report Form	**Form # 40-144 (City), line 6, or Form #40-145 (County), line 12**
Purpose	General Revenue Fund, appropriated to reimburse counties for jury service payments, administered by Comptroller

Rate:

- $4.00 upon conviction of any offense, other than those relating to pedestrian or the parking of a motor vehicle

Description:

- Applies to offenses on or after September 1, 2005.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Historical background:

This court cost was added by Senate Bill 1704, 79th Session (2005). The bill was effective September 1, 2005, and the court cost was specifically excluded from the provisions of Government Code, Section 51.607, making it effective September 1, 2005.

This fund first appears on the report form for the 4th quarter of 2005. It applies to offenses on/after 9-1-05, and any collections in September 2005 are to be included in the 4th quarter report.

Discussion:

Even though this is to be collected effective 9-1-05, it will be reported on the 4th quarter report form for 2005. Therefore, XISTAT will show 10-1-05 as the effective date.

The money coming from all **municipal and county** level courts is to be deposited into the Jury Service Fund. (However, any fund balance in excess of $10 million is to be transferred to the Fair Defense Account.)

Only county level courts are authorized to pay jurors for jury service. This includes justice, county, and district courts. Effective January 1, 2006, each grand juror or petit juror in a civil or criminal case is entitled to receive a reimbursement of not less than $6 for the first day or fraction of a day served, and not less than $40 for each day or fraction of a day served after the first day.

Effective January 1, 2006, the Jury Service Fund is to be used to reimburse counties $34 per day for reimbursements paid to grand jurors or petit jurors for service after the first day. Commissioners Courts may file a reimbursement claim with the Comptroller. Municipalities are not authorized to request reimbursements from the Jury Service Fund because there is no statute allowing municipalities to pay for jury service. Claims for reimbursement will be paid quarterly by the Comptroller.

20. Juvenile Probation Diversion Fund (JPD)

Courts	**County & District only**
Effective	**9-1-87 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Family Code Ann., Sec. 54.0411** **http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.54.htm#54.0411**
Report Form	**Form # 40-145 (County), line 11**
Purpose	Juvenile Probation Diversion Fund for use by the Texas Juvenile Justice Department to provide services to assist "at risk" juveniles

Rate:

- $20 per disposition hearing held, collected only if the child, parent, or other person responsible for the child's support is financially able to pay it.

These are disposition hearings in juvenile court. The disposition hearing is separate, distinct, and subsequent to the adjudication hearing. The definition of juvenile court is in Government Code, Sec. 23.001, and includes any district court, county court, and statutory county court designated as a juvenile court.

Historical background:

This fund was created in 1987, and the statute was slightly amended in 1989.

Discussion:

Attorney General Letter Opinion #97-0374, dated 8-20-97, discussed whether a juvenile court may assess a fee for court costs under Family Code Sec. 54.0411 in a modification of prior disposition order when a modification hearing has been waived. The Opinion stated that if the hearing was waived, the prerequisites for assessing the fee did not exist, so the court may not assess the fee.

21. Metal Recycling

Courts	**Municipal, Justice, County (on appeal), and District (original on second convictions and on appeal from lower courts)**
Effective	**9-1-11 forward**
Due date	**Quarterly**
Collection Fee	**10% (timely filing not required)**
Statute	**Occupations Code,Sec.1956.040**
Report Form	**Form # 40-150**
Purpose	General Revenue Fund appropriated to Department of Public Safety for administration of metal recycling regulation and to fund grants distributed under the prevention of scrap metal theft grant program

Rate:

- 90% of the fine assessed on convictions for offenses under Occupations Code, Sec. 1956.040 (a-1).
- The offense is punishable by a fine not to exceed $10,000 per Occupations Code, Sec, 1956.040 (a-2), unless it is shown on trial of the offense that the person has previously been convicted of a violation of Subsection (a-1), in which event the offense is a state jail felony.

Description:

- Applies to offenses committed on or after September 1, 2011.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- The first offense is punishable by a fine not to exceed $10,000 and is categorized as a Class C misdemeanor. Per Penal Code 12.41, any fine-only offense outside of the Penal Code is a Class C misdemeanor.
- Occupations Code 1956.040(a-1) references four violations:
  - » 1956.021 – registration required of metal recycling entities
  - » 1956.023(d) – expired certificate of registration must be renewed to perform collection services
  - » 1956.036(a) – a metal recycling entity shall send DPS a report containing required information
  - » 1956.039 – a metal recycling entity may not purchase from the general public regulated material more than 15 consecutive hours in one day or later than 9 p.m.

Historical background:
This was created by Senate bill 694, 82nd Session (2011).

22. Motor Carrier Weight Violations (MCW)

Courts	**Municipal, Justice, County (on appeal), and District (on appeal)**
Effective	**9-1-95 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Transportation Code, Sec. 621.506** **http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.621.htm#621.506**
Report Form	**Form # 40-144 (City), line 12, or Form #40-145 (County), line 20**
Purpose	General Revenue Fund

Rate:

- 50% of the fine assessed on convictions for offenses under Transportation Code, Sec. 621.506 (Offense of Operating or Loading Overweight Vehicle; Penalty; Defense.) This involves weight restrictions for single axle, tandem axle, and gross weight violations.
- Effective 9-1-99, if the offense occurs within 20 miles of an international border, the entire amount of the fine is retained by the city/county, and no part of the fine is remitted to the state. *This applies to fines collected on or after 9-1-99 (regardless of offense date).*

Note:

- This only applies to a fine assessed, and not a special expense fee.
- Applies to offenses committed on or after September 1, 1995.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.

Historical background:

This was created by House bill 1547, 74th Session (1995), and possibly also Senate Bill 971 74th Session (1995), effective 9-1-95. This was amended by Senate Bill 898, 75th Session (1997). House bill 3467, 76th Session (1999), added the exemption for offenses within 20 miles of an international border so that the locality would keep these fines. Senate Bill 886, 77th Session (2001) effective 9-1-01, amended the wording of the weight offenses.

23. Moving Violation Fees (MVF)

Courts	**Municipal, Justice, County, and District (on appeal)**
Effective	**1-1-10 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Code of Criminal Procedure, Art. 102.022** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.022**
Report Form	**Form # 40-144 (City), line 8, or Form #40-145 (County), line 14**
Purpose	Civil Justice Data Repository fund in the general revenue fund to be used only by the Texas Commission on Law Enforcement to implement duties under Section 1701.162, Occupations Code

Rate:

- $.10 (ten cents) upon conviction of any moving violation

Description:

- Applies to offenses committed on or after January 1, 2010.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to district courts for appealed cases from the lower courts.
- Applies to moving violations defined as an offense that involves the operation of a motor vehicle and is classified as a moving violation by the Department of Public Safety (DPS) under Section 708.052, Transportation Code.
- **Moving violations** are listed in Rule 15.89 as published by DPS.
- The Driver Responsibility Points column in Rule 15.89 has no bearing on the determination as to whether the ten-cent court cost is due. Regardless if the column has a "yes" or "no", the ten-cent court cost is due on any moving violation classified in the Arrest Title column of the rule.
- Includes cases in which deferred disposition, deferred adjudication, or community supervision is granted.
- The collection fee the city/county may retain is based upon timely filing of the report.

Historical background:

This court cost was added by House Bill 3389, 81st Session, (2009). Even though DPS rule 15.89 includes some violations that are felonies, section 30 of the bill omitted "district courts" from having to collect the 10-cent court cost. The bill was effective September 1, 2009, but the court cost was delayed by the provisions of Government Code, Section 51.607, making it effective January 1, 2010

Senate Bill 686, 83rd Session (2013) effective 5-18-13 changed the name from Commission on Law Enforcement Officer Standards and Education to the Texas Commission on Law Enforcement.

24. Peace Officer Fees

Courts	**Municipal, Justice, County & District**
Effective	**1965 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Local Government Code, Sec. 133.104** **http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.104** **Code of Criminal Procedure, Art. 102.011** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.011**
Report Form	**Form # 40-144 (City), line 10, or Form #40-145 (County), line 16**
Purpose	General Revenue Fund

Rates:

Service	9-1-89 through 8-31-99*	9-1-99 through 8-31-07*	9-1-07 forward
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 (a)(1)	$5	$5	$5
For executing or processing an issued arrest warrant or capias (Art. 102.011 (a)(2)	$35	$50**	$50
For executing or processing an issued capias pro fine			$50***

***If the service is performed by a peace officer with statewide authority, 20% of the above amount is sent to the state.** Officers with state-wide jurisdiction include:

- Rangers and officers commissioned by Department of Public Safety and the Public Safety Commission
- Law enforcement agents of the Texas Alcoholic Beverage Commission
- Members of an arson investigating unit commissioned by the state
- Officers commissioned by the Texas Forestry Commission
- Officers commissioned by the General Services Commission
- Law enforcement officers commissioned by the Parks & Wildlife Commission
- Security officers commissioned as peace officers by the Comptroller
- Investigators commissioned by the Texas Medical Board
- Investigators employed by the Texas Racing Commission
- Officers commissioned by the State Board of Pharmacy
- Investigators commissioned by the Attorney General
- Security officers and investigators commissioned as peace officers by the Lottery Commission
- An officer employed by the Texas Department of State Health Services
- Officers commissioned by the State Fire Marshall
- An investigator commissioned by the Commissioner of Insurance
- Apprehension specialists commissioned by the Texas Juvenile Justice Department as officers
- State University police officers (Education Code, Sec. 51.203)
- Investigators commissioned by the Texas Juvenile Justice Department as officers (*HB 2884, 80th Session, 2007, effective 9-1-07*)

This list does not include police/security officers for universities other than state universities, or inspectors for barbers, cosmetology, or plumbing, etc.

When the service is performed by a local peace officer, nothing is sent to the state.

** The increase for warrant fees applies to those processed on or after 9-1-99 regardless of date of offense.

*** The fee for capias pro fine applies to those with an offense date on or after 9-1-07.

Description:

- Arrest Fees:
  - » The $5 arrest fee is for warrantless arrest, citation, or ticket.
  - » The $35 writ fee is for other things, such as a summons for a defendant or a juvenile's parents, etc. None of this is remitted to the state.
  - » The $50 warrant fee is for an arrest warrant, capias, or capias pro fine.
- Applies to all felonies, Class A, B, or C misdemeanors, and municipal ordinances, including deferred disposition and deferred adjudication.
- Offenses relating to pedestrians or the parking of a motor vehicle are not specifically excluded, but if these services are not provided by a peace officer, the fees do not apply.
- The $5 arrest fee is not due on Failure to Appear or Violation of Promise to Appear because these are not issued or processed by peace officers. If a peace officer processes or serves an arrest warrant for Failure to Appear or Violation of Promise to Appear, the $50 warrant fee is due.

Note:

- Between 9-1-85 and 8-31-89, the fee to be sent to the state was $3 for each Class C misdemeanor, and $10.00 for each misdemeanor conviction other than Class C.
- These fees should be collected whenever the service is performed by a peace officer, but cities and counties occasionally report 100% of the above fees to the state instead of the 20% when performed by a state officer.

Historical background:

Fees for services of peace officers were originally provided in legislation in 1965. It was originally in Code of Criminal Procedure, Article 53.01. House Bill 1593, 69th Session (1985), effective 9-1-85, amended Art. 53.01(a)(1) to provide for arrest fees on Class A, B, and C misdemeanors. Subsections (b) and (c) were also added. The Code of Criminal Procedure was recodified effective 9-1-85, and the fees for services of peace officers were put in Code of Criminal Procedure, Art. 102.001. Senate Bill 187, 74th Session (1995), added Art. 102.011(i), relating to overtime paid to a peace officer for time spent testifying in trial or traveling to/from trial. Senate Bill 206, 74th Session (1995), increased the mileage from 21 cents per mile to 29 cents per mile, and added expenses for meals and lodging incurred by the peace officer. Senate Bill 163, 76th Session (1999), increased the warrant fee in subsection (a)(2) from $35 to $50, effective 9-1-99.

House Bill 3060, 80th Session (2007), effective 9-1-07, added capias pro fine to the documents on which the $50 fee is due under subsection (a) (2). House Bill 2884, 80th Session (2007), made some amendments to the listing of who are peace officers, effective 9-1-07.

Discussion:

These fees previously were referred to as "Arrest Fees" but over the years, more and more were added to this section of the statute. In 2003 when the forms were changed and the major consolidation was done, the Comptroller took the opportunity to change the name to a more appropriate label, to call it "Peace Officer Fees."

One of the most common errors on this fund is that the city or county will report 100% of the fund instead of only 20% when a state law enforcement officer is involved.

A warrant or capias needs a judge's signature before it is considered "issued."

The statute does not define "processing." In practice, it generally includes any activity performed by a peace officer after a warrant/capias is issued, related to the purpose the warrant/capias was issued for. For example, after a capias pro fine is issued, if a peace officer makes a phone call, sends a letter, or enters the capias in the databank, it is considered "processed." A court employee's actions do not constitute processing for this purpose.

If a law enforcement officer arrests someone on the side of the road, for example for a DWI, only the $5 arrest fee is due for "making an arrest without a warrant." The $50 warrant fee is not due unless the court later issues an arrest warrant, i.e. for failure to appear for the court date. In another example, a law enforcement officer completes a complaint form for a retailer for a hot check. When the court sends written notice of this complaint to the defendant, the $5 arrest fee is not due because this is not a service of a peace officer. If the court skips that step and simply issues an arrest warrant, the $50 fee is due when the arrest warrant is executed or processed.

On the hot check issue, the date the check was written is the offense date. If the retailer waits some time before going to the court, the date the complaint is written up is irrelevant, but there is a 2 year statute of limitations for the complaint to be filed.

If there is an original violation and a secondary offense of "Violation of Promise to Appear", the court may issue an arrest warrant in each of the two cases, and charge a fine, court costs, and the $50 warrant fee on EACH case.

If another law enforcement agency executes a warrant, that agency is entitled to the full $50 fee if they request it from the court within 15 days of the arrest (but if it was a state peace officer, 20% will be due to the state by the court which collected it). If the other agency does not request the money in the required time period, the warrant fee should be retained by the city (less the 20% if state officer involved).

The Comptroller has authority to make adjustments for overcollections on funds over which the comptroller has audit authority. The audit authority for peace officer fees is found in Chapter 133, Local Government Code. Even if a state officer is not involved, if the city/county overcollected peace officer fees, they should be scheduled as unjust enrichment unless refunded to the defendant.

25. Sexual Assault Program Fund (SAP)

Courts	**County and District Courts, County Treasurers, CSCD offices, and Pardon & Parole Division of Texas Dept. of Criminal Justice**
Effective	**8-30-93 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Code of Criminal Procedure, Art. 42.12, Sec. 19(e)** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.42.htm#42.12** **Government Code, Art. 420.008 and 508.189** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.420.htm#420.008** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.508.htm#508.189**
Report Form	**Form #40-139 report form** **and supplement Form #40-140**
Purpose	Multiple agencies as outlined in Government Code, Article 420.008, for services related to sexual assault and prevention crisis services

Rate effective 8-30-93:

- A community supervision fee of $5 per month during the period of community supervision, when the defendant is granted community supervision under certain sections of the Penal Code (see below). This fee is collected by the Community Supervision Departments. Code of Criminal Procedure, Art. 42.12, Sec. 19(e).
- A parole supervision fee of $5 per month during the period of parole supervision, when the person was convicted of an offense under certain sections of the Penal Code (see below). This fee is collected and deposited by the Pardon and Parole Division of the Department of Criminal Justice. Gov. Code, Sec. 508.189.

Notes:

- The Penal Code sections referenced are:

  Section 21.08. Indecent exposure.
  Section 21.02 Continuous Sexual Abuse of Young Child or Children (*HB 8, 80th Session, 2007, effective 1-1-08*)
  Section 21.11. Indecency with a child.
  Section 22.011. Sexual assault.
  Section 22.021. Aggravated sexual assault.
  Section 25.02. Prohibited sexual conduct.
  Section 43.25. Sexual performance by a child.
  Section 43.26. Possession or promotion of child pornography.

- Fees collected by the Pardon and Parole Division of the Dept. of Criminal Justice are deposited directly into the treasury;
- Fees collected by the Community Supervision Departments are reported by the County Treasurer on a form displayed in Chapter 6 of this manual.
- Prior to 9-1-03 there was no specific due date in the statute for these fees. Quarterly due dates were established in House Bills 2424 and 2425, 78th Session (2003).

Notes:

- Report Form # 40-139 encompasses both the Sexual Assault Program and the Substance Abuse program, and has two pages: a front page for summary data and a supplement page for case information. The data on the supplement pages is not captured on the computer system; only the summary data is captured. However, the supplement pages are imaged and may be viewed to determine what cases have been reported. The county is to send one check for the total of fees collected for both programs for that quarter.
- A taxpayer may use their own computer printouts or lists instead of the supplement form. The printouts or lists must be 8 ½ x 11 inches only, front only, and include the county's taxpayer number, the quarter being reported, the program for which the fees have been collected, the probationer's case number and name, and the fee amount collected.
- Local Government Code, Section 133.055(b) does not require the County to send zero reports when there is nothing to report.

Historical background:

This fund was created by House Bill 2178, 73rd Session (1993).

House Bill 2424, 78th Session (2003), added Section 133.055 to Subchapter B, Local Government Code, requiring the county treasurer, or custodian of the county treasury, to remit the fees collected for the Sexual Assault Program. This bill also established a due date for this fund for the first time. Previously there was no due date so the reports could be sent at any time by the county or CSCD. The first quarterly report form was for the 3rd quarter of 2003.

The due date was also established as quarterly by House Bill 2425, 78th Session (2003).

House Bill 8, 80th Session (2007), added Penal Code, Section 21.02, to the listing of offenses. This was effective 9-1-07 but was delayed to 1-1-08 by Government Code, Section 51.607. House Bill 1751, 80th Session (2007), amended the provisions for appropriation of the funds, effective 1-1-08.

Discussion:

The $5 community supervision fee is collected from the probationer when the probationer appears before their assigned Community Supervision and Corrections Department (CSCD). It is part of a number of fees to be collected monthly, as outlined in the judgment. Prior to 9-1-03, some CSCDs forwarded the money and information to the County Treasurer, who completed the form and reported it to the Comptroller. Some CSCDs reported the fees directly to the Comptroller, filling out and completing the form without the funds going through the County Treasury. These were typically reported under a taxpayer number assigned to the CSCD.

Beginning with September 2003, the reports for the Sexual Assault Program should appear on XIDATA under the county's taxpayer id number. Data prior to 9-1-03 was reported under the taxpayer number for the CSCD. However, this was not automated and will not appear on CICS inquiry. Contact Revenue Accounting to get the old data.

Note: Revenue Accounting allows the county to have the report form sent to the CSCD for completion, and the report form is sent to the address of the CSCD. However, the taxpayer number on the form will be that of the county, not the CSCD.

Also, CSCD offices may handle more than one county, frequently 2 or 3 counties. The data should be separated by county since the CSCD must report the collections for the county for which collected.

26. Specialty Court Program (SCP)

Courts	**County & District only**
Effective	**06-15-07 forward**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Code of Criminal Procedure, Art. 102.0178** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0178**
Report Form	**Form # 40-147**
Purpose	Drug Court Account in the General Revenue fund to fund drug court programs established under Chapter 469, Health and Safety Code, and later transferred to Government Code, Chapter 123.

Rate:

Offense	06-15-07 through 12-31-09	01-01-10 forward
Per conviction	$50.00	$60.00

- Court cost on offenses punishable as a Class B misdemeanor or any higher category of offense under Penal Code, Chapter 49, or Health and Safety Code, Chapter 481.

  If the county has established a drug court program or establishes a drug court program before the expiration of the calendar quarter, they are also allowed to retain, **in addition to** the 10% collection fee, another **50% of the funds collected**. This is to be used exclusively for the development and maintenance of drug court programs operated within the county.

  This means that the County may remit one of the following amounts:

Situation	06-15-07through 12-31-09	01-01-10 forward
County does **not** operate a drug court program and files the return late	$50	$60
County does **not** operate a drug court program and files the return timely and retains a 10% collection fee	$45 ($50-$5)	$54 ($60-$6)
County operates a drug court program but files the return late	$25 ($50 X ½)	$30 ($60 X ½)
County operates a drug court program and files the return timely and retains a 10% collection fee	$20 ($50 X ½ = $25-$5)	$24 ($60 X ½ = $30-$6)

Description:

Applies to offenses committed on or after June 15, 2007.

Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.

Chapter 49 sections included:

- Sec. 49.04: Driving while intoxicated (Class B misdemeanor)*
- Sec. 49.045: Driving while intoxicated with child passenger (felony)
- Sec. 49.05: Flying while intoxicated (Class B misdemeanor)*
- Sec. 49.06: Boating while intoxicated (Class B misdemeanor)
- Sec. 49.065: Assembling or operating an amusement ride while intoxicated (Class B misdemeanor)*
- Sec. 49.07: Intoxication assault (felony)
- Sec. 49.08: Intoxication manslaughter (felony)

* may be enhanced to Class A misdemeanor or felony upon subsequent convictions

These sections are NOT included:

- Sec. 49.02: Public intoxication (Class C misdemeanor)
- Sec. 49.031: Possession of alcoholic beverage in motor vehicle (Class C misdemeanor)

Historical background:
This fund was added by House Bill 530, 80th Session (2007). The bill provided an effective date of June 15, 2007.

This fund is included on the 3rd quarter return for 2007, but only for offenses on or after June 15, 2007.

House Bill 666, 81stSession (2009), increased the court cost to $60. The bill was effective 9-1-09, but the $60 fee was postponed to January 1, 2010, due to the provisions of Government Code, Sec. 51.607.

Senate Bill 462, 83rd Session (2013), transferred Health & Safety Code, Ch. 469 to Ch. 123 in Government Code effective 9-1-13. And, the fund is known as Specialty Court Program Fund instead of Drug Court Program Fund.

27. State Traffic Fine (STF)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-03 forward**
Due date	**Quarterly**
Collection Fee	**5% upon timely filing**
Statute	**Transportation Code, sec. 542.4031** **http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.542.htm#542.4031**
Report Form	**Form # 40-144 (City), line 9, or Form #40-145 (County), line 15**
Purpose	2/3 General Revenue Fund, until deposit reaches $250 million; then to Texas Mobility Fund 1/3 Trauma Facility and Emergency Medical Services, administered by the Department of State Health Services, for use by trauma centers

Rate effective 9-1-03:

- $30 upon conviction of an offense under Transportation Code, Title 7, Subtitle C, Rules of the Road (**Chapters 541-600**).

Description:

- Applies to offenses committed on or after September 1, 2003.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Includes convictions of felonies, Class A, B, and C misdemeanors, and municipal ordinances. See Table V in Chapter 10 for details of offenses subject to the State Traffic Fine.
- **Includes offenses relating to pedestrians or the parking of motor vehicles.** There are no state court costs on parking or pedestrian offenses, except for the State Traffic Fine. This is an exception to the rule when the state gets money from a parking or pedestrian violation. However, it only includes parking and pedestrian offenses under the Rules of the Road, Chapters 541-600, Transportation Code. This does not include municipal ordinances, or offenses of handicapped parking which is in Transportation Code, Chapter 681.

State Traffic Fine applies to all fine-only misdemeanors, as well as Class A/B misdemeanors and felonies listed in the Transportation Code, Subtitle C, Rules of the Road (Chapters 541-600). It, therefore, does **NOT** include:

Failure to display registration insignia (Sec. 502.473)
Expired registration (Sec. 502.407)
Obscured insignia (Sec. 502.475)
Expired driver's license (Sec. 521.025, 521.026)
Failure to change name/address on driver's license (521.054)
Violation of license restrictions (521.221)
Driving while license invalid (521.457)
Commercial driver's licenses (Sec. 522.011)
Failure to maintain insurance (Sec. 601.051)
Commercial motor vehicle offenses (Chapter 644)
Motorcycle headgear offenses (Chapter 661)
Handicapped parking (Sec. 681.011)

State Traffic Fine also does not apply to civil penalties imposed for photographic traffic signal enforcement.

Historical background:

This cost was originally added by House Bill 3588, 78th Session (2003), effective 9-1-03, and it was called "state traffic *fee*." It was amended in the 78th Session 3rd special session (2003) by House Bill 2, effective 1-11-04, and was renamed "state traffic *fine*." It is still considered to be a court cost, and as such, is included along with all other court costs in pro-rations of partial payments.

The State Traffic Fine was due to expire September 1, 2007 (Sec. 542.4031(k) but this expiration was removed by House Bill 2470, 79th Session (2005).

Discussion:

If a defendant is charged with a Subtitle C offense and fails to appear in court, the prosecutor has the right to charge them with a secondary offense for "violation of promise to appear" which is also in the Transportation Code. Some courts mistakenly use a secondary offense of "failure to appear" which is from the Penal Code, Sec. 38.10. The $30 State Traffic Fine applies to Transportation Code Sec. 543.009 but does NOT apply to Penal Code Sec. 38.10.

Also, since this is considered to be a court cost, it can be assessed in addition to the maximum fine allowed for the offense. For example, if the maximum fine for the offense is $200, the court can assess the $200 fine, plus court cost, including the $30 STF.

One of the additional quirks on this fund is that only a 5% collection fee is allowed, rather than usual 10%. This may prove to be a common source of error as audits are done on this fund.

28. Substance Abuse Felony Program (SAF)

Courts	**County and District Courts, County Treasurers, and CSCD offices**
Effective	**9-1-99 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Code Criminal Procedure, Art. 42.12, Sec. 14** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.42.htm#42.12**
Report Form	**Form #40-139** **and supplement Form #40-140**
Purpose	General Revenue Fund

Rate:

- A fee established by a judge for residential aftercare required as a part of a treatment plan for substance abuse.

  If a judge requires as a condition of community supervision that the defendant serve a term of confinement and treatment in a substance abuse treatment facility, the judge shall also require that upon release from the facility the defendant participate in a drug or alcohol abuse continuum of care treatment plan and pay a fee established by the judge for residential aftercare. The amount of the fee is determined by the judge.

Notes:

- Prior to 9-1-03, there was no specific due date in the statute for these fees. Quarterly due dates were established by House Bills 2424 and 2425, 78th Session (2003).
- The report form encompasses both the Sexual Assault Program and the Substance Abuse program, and has two pages: a front page for summary data and a supplement page for case information. The data on the supplement pages is not captured on the computer system; only the summary data is captured. However, the supplement pages are imaged and may be viewed to determine what cases have been reported. The county is to send one check for the total of fees collected for both programs for that quarter.
- A taxpayer may use their own computer printouts or lists instead of the supplement form. The printouts or lists must be 8 ½ x 11 inches only, front only, and include the county's taxpayer number, the quarter being reported, the program for which the fees have been collected, the probationer's case number and name, and the fee amount collected.
- Local Government Code, Section 133.055(b) does not require the County to send zero reports when there is nothing to report.

Historical background:

This fund was created by Senate Bill 365, 76th Session (1999).

House Bill 2424, 78th Session (2003), added Section 133.055 to Subchapter B, Local Government Code, requiring the county treasurer, or custodian of the county treasury, to remit the fees collected for the Substance Abuse Felony Program. This bill also established a due date for this fund for the first time. Previously there was no due date so the reports could be sent at any time by the county or CSCD. The first quarterly report form was for the 3rd quarter of 2003.

The due date was also established as quarterly by House Bill 2425, 78th Session (2003).

Discussion:

The residential aftercare fee is collected from the probationer when the probationer appears before their assigned Community Supervision and Corrections Department (CSCD). Prior to 9-1-03, some CSCDs forwarded the money and information to the County Treasurer, who completed the form and reported it to the Comptroller. Some CSCDs reported the fees directly to the Comptroller, filling out and completing the form without the funds going through the County Treasury. These were typically reported under a taxpayer number assigned to the CSCD. Beginning with September 2003, the reports for the Substance Abuse Felony Program should appear on XIDATA under the county's taxpayer id number. Data prior to 9-1-03 was reported under the taxpayer number for the CSCD. However, it was not automated and will not appear on CICS inquiry. Contact Revenue Accounting for old reported data.

Note: Revenue Accounting allows the county to have the report form sent to the CSCD for completion, and the report form is sent to the address of the CSCD. However, the taxpayer number on the form will be that of the county, not the CSCD.

Also, CSCD offices may handle more than one county, frequently 2 or 3 counties. The date must be separated by county since the CSCD must report the collections for the county for which collected.

29. Time Payment Fee (TP)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-97 forward**
Due date	**Quarterly**
Collection Fee	**None**
Statute	**Local Government Code, Sec. 133.103.** **http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.103** (Previously Government Code, Sec. 51.921, repealed 1-1-04.)
Report Form	**Form # 40-144 (City), line 13, or Form #40-145 (County), line 21**
Purpose	General Revenue Fund

Rate effective 9-1-97:

- $25 per conviction when the defendant has not paid all fines, fees, costs, and restitution by the 31st day after the judgment

  (One-half is remitted to the state, and the other one-half is retained locally. If a city or county has failed compliance for the Collection Improvement Program as administered by the Office of Court Administration, then 100% of the $25 should be remitted to the state during the suspension period per Local Government Code, Section 133.103 (c-1).)

Description:

- Applies to offenses committed on or after September 1, 1997.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Includes convictions of felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- **Includes** offenses relating to pedestrians or the parking of motor vehicles.
- Applies to each court order to pay a fine, court costs, or restitution. If the court consolidates several charges and imposes a single charge on a **single court order**, only one Time Payment Fee applies. If, on the other hand, the court issues more than one order imposing fine, court costs, and/or restitution, a Time Payment Fee is due on each court order not satisfied within 30 days. (See Attorney General Opinion DM-464.)
- If a defendant gets a ticket and is granted the right to take a driving safety course, this is a type of deferral, and court costs are due up front. If at the end of the deferral period the defendant did NOT complete the driving safety course, the court will proceed to judgment and impose the fine. The defendant has up to 30 days from the date of the judgment to pay the remaining amounts due. If not paid within 30 days, then the Time Payment Fee will apply on the 31st day.
- The Time Payment Fee does not apply to a special expense fee. This is not a cost, fine, or restitution. A special expense may only be assessed after the case is dismissed and is enforced by a writ of execution. See Attorney General Opinion JM-526 (1986).

Note:

- Prior to 1-1-04, this fee was remitted monthly on the last day of each month.
- From 09-01-97 through 08-31-99, the Time Payment Fee was due whenever a defendant paid any part of the fine, court costs, or restitution over time rather than immediately.

- Effective 09-01-99, this was amended to clarify that the Time Payment Fee is due whenever a defendant pays any part of a fine, court cost or restitution on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs, or restitution.
- Time Payment Fee does not apply to offenses committed before the effective date of this statute, 09-01-97.

Historical background:

Senate Bill 1417, 75th Session (1997) created the Time Payment Fee, effective 9-1-97.

Government Code Sec. 51.921 was repealed by House Bill 2424, 78th Session (2003), and the Time Payment Fee became part of Local Government Code, Chapter 133, which included the change in definition of "conviction."

Discussion:

If there is no judgment, there are no court costs due and no Time Payment Fee. The clock for the Time Payment Fee begins on the date of judgment. (If the defendant simply mails in payment, the court generally accepts that as a plea of guilty, and the date they accept it and the judge signs off on it becomes the date of judgment.)

If a defendant appears in court and the court enters judgment and approves a pay-out plan that will take longer than 30 days, then the court should not include the Time Payment Fee in the total amount due at that time, but the court should notify the defendant that an additional $25 will be due if the fines and costs are not paid within 30 days of the judgment. If the amount is included at the date of judgment, and the total amount is paid before the 31st day, the court should reverse the imposition of the Time Payment Fee.

The Time Payment fee is always due when there are unpaid costs, fees, or fines more than 30 days after the date of judgment. Whether or not the defendant has entered into a pay-out plan or not is irrelevant. It also does not matter that the court may have issued a capias pro fine for failure to pay the judgment. If the whole thing is not paid within 30 days of the judgment, Time Payment Fee is applicable.

Also, see Tax Code, Sec. 111.053, pertaining to Filing Dates, Weekends and Holidays. If the payments are made to the court and postmarked by the due date, they are accepted as timely. In addition, if the due date falls on a Saturday, Sunday, or legal holiday, then the due date is extended to the next ordinary business day. So if the defendant mailed the payment by the due date (which is the 30th day after the judgment), the Time Payment Fee should not be added.

Appeal to county court: A defendant is charged with an offense in municipal court, found guilty, and the defendant appealed to the county court. If the county court dismisses the appeal and remands it back to the municipal court for execution of sentence, the date the county court remands it back is the date the clock starts ticking for the Time Payment Fee.

The Time Payment Fee does not apply to a special expense fee. This is not a cost, fine, or restitution. A special expense may only be assessed after the case is dismissed and is enforced by a writ of execution. See Attorney General Opinion JM-5236 (1986).

Attorney General Letter Opinion #98-076, dated September 22, 1998, says that the Time Payment Fee must be assessed once per judgment of conviction when a defendant does not make full payment. The court may not assess a second Time Payment Fee when a payment plan is reinstated after default.

30. Truancy Prevention And Diversion Fund (TPDF)

Courts	**Municipal and Justice, County (on appeal) and District (on appeal)**
Effective	**1-1-14 forward**
Due date	**Quarterly**
Collection Fee	**50% per certain requirements**
Statute	**Code of Criminal Procedure, Article 102.015** **http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.015**
Report Form	**Form # 40-144 (City), line 16, or Form #40-145 (County), line 24**
Purpose	General Revenue Fund

Rate:

- $2

Description:

- Applies to offenses committed on or after January 1, 2014.
- Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Includes convictions of Class C misdemeanors, and municipal ordinances.
- **Excludes** offenses relating to pedestrians or the parking of motor vehicles.
- Convicted means a sentence is imposed or the defendant receives deferred disposition in the case
- 50% of funds collected may be retained if the county or municipality has established or is attempting to establish a juvenile case manager program

Historical background:
This fund was created by Senate Bill 1419, 83rd Session (2013). The effective date was 9-1-13 but delayed to 1-1-14 due to the provisions of Government Code, 51.607.

Chapter 3
Municipalities

Introduction

Chart, Applicable Funds by Time Period

Charts, Costs and Fees, Municipal Courts

- January 1, 2014 forward
- January 1, 2010 through December 31, 2013
- January 1, 2008 through December 31, 2009
- January 1, 2006 through December 31, 2007
- January 1, 2004 through December 31, 2005

Local Court Costs, Municipalities

Introduction

Court costs, fees, and fines relating to municipalities (cities) are generated from violations of city ordinances and state laws. These include various misdemeanor convictions punishable by fine only.

The following chart lists the funds applicable in municipal courts by the time period in which each was effective. The name and number of each fund is linked back to the detailed descriptions in Chapter 2.

For reports on or after January 1, 2014, there are 16 active funds to be reported by municipalities as applicable.

Municipalities are responsible for the following funds (numbering relates to descriptions in Chapter 2):

Applicable Funds by Time Period

Ch 2 #	Fund	1-1-04 through 12-31-05	1-1-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-13	1-1-14 forward
2	Child Safety Seat and Seat Belt Violations	X	X	X	X	X
3	Child Safety Seat Court Cost				through 09-27-11	
5	Consolidated Court Fee (2004)	X	X	X	X	X
9	Driving Records Fee		X	X	X	X
13	Excess Highway Fines	X	X	X	X	X
14	Excess Motor Carrier Fines	X	X	X	X	X
15	Failure to Appear/Pay	X	X	X	X	X
16	Indigent Defense Fund			X	X	X
18	Judicial Support Fee	Effective 12-01-05	X	X	X	X
19	Jury Reimbursement Fee	Effective 09-01-05	X	X	X	X
21	Metal Recycling				Effective 09-01-11	X
22	Motor Carrier Weight Violations	X	X	X	X	X
23	Moving Violation Fees				X	X
24	Peace Officer Fees	X	X	X	X	X
27	State Traffic Fine	X	X	X	X	X
29	Time Payment Fee	X	X	X	X	X
30	Truancy Prevention and Diversion Fund					X

Municipal Court Cost Charts for Offenses Committed

- January 1, 2014 forward
- January 1, 2010 through December 31, 2013
- January 1, 2008 through December 31, 2009
- January 1, 2006 through December 31, 2007
- January 1, 2004 through December 31, 2005

Note: In each of the charts for the time periods, references are made to the line number where the fund will be reported on the quarterly report form. These line numbers relate to the forms revised for 2013.

The following abbreviations are used on these charts. Each one is linked back to the detailed descriptions of each fund in Chapter 2 for easy reference. **Abbreviations:**

Abbrev.	Fund	See item # in Chapter 2
CCF (2004)	ConsolidatedCourtFee (2004)	5
IDF	Indigent Defense Fund	16
JS	Judicial Support Fee	18
JRF	Jury Reimbursement Fee	19
STF	State Traffic Fine	27
TPDF	Truancy Prevention and Diversion Fund	30

Municipal Courts
Court Costs and Fees for Offenses
Committed on or After
January 1, 2014

Offense/Description	CCF (2004)	JRF	STF	JS	IDF	TPDF	Total
MUNICIPAL ORDINANCES							
All municipal ordinances, excluding parking & pedestrian	$40	$4	--	$6	$2	$2	$54.00
STATE LAW							
Transportation Code, Title 7, Subtitle C, Rules of the Road							
- parking & pedestrian	--	--	$30	--	--	--	$30.00
- all other misdemeanors	$40	$4	$30	$6	$2	$2	$84.00
Education Code							
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$6	$2	$2	$54.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$6	$2	$2	$54.00
All other misdemeanors punishable by fine only	$40	$4	--	$6	$2	$2	$54.00

Note: Any amounts collected for offenses during this time period should be reported on the City Quarterly Report form:
Consolidated Court Fee (CCF) ***line 1,***
Jury Reimbursement Fee (JRF) ***line 6,***
Indigent Defense Fund (IDF), ***line 7,***
State Traffic Fine (STF) ***line 9,***
Judicial Support Fee (JS) ***line 15.***
Truancy Prevention and Diversion Fund (TPDF) ***line 16.***

Add the following mandatory fees, when applicable:

- **CHILD SAFETY SEAT COURT COST (CSS CC):** Effective **January 1, 2010** (unless qualifying under warning provision prior to 6/1/10) **through September 27, 2011**, a $.15 court cost is assessed for criminal conviction of child safety seat requirements. Children under the age of 8 (unless taller than 4 feet, 9 inches in height) must be secured by a child safety seat. Reported monthly.
- **DRIVING RECORDS FEE (DRF):** Effective **January 1, 2008**, a judge may require a defendant to pay $22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The $22 fee is a combination of the $10 fee in Transportation Code, Section 521.048 and the $12 State electronic Internet portal Fee. Between **January 1, 2006**, and **December 31, 2007**, the fee was $10. Code of Criminal Procedure, Article 45.0511. Reported on line 14 of quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/

or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on line 11 of quarterly report form.

- **MOVING VIOLATION FEES (MVF):** Effective January 1, 2010, a $.10 court cost is assessed on conviction of moving violations. Reported on line 8 of quarterly report form.
- **PEACE OFFICER FEES:** Reported on line 10 of quarterly report form.
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on line 13 of quarterly report form.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Metal Recycling Fines: Effective 09-01-11, cities collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form # 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on line 12 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
January 1, 2010 Through December 31, 2013

Offense/Description	CCF (2004)	JRF	STF	JS	IDF	Total
MUNICIPAL ORDINANCES						
All municipal ordinances, excluding parking & pedestrian	$40	$4	--	$6	$2	$52.00
STATE LAW						
Transportation Code, Title 7, Subtitle C, Rules of the Road						
- parking & pedestrian	--	--	$30	--	--	$30.00
- all other misdemeanors	$40	$4	$30	$6	$2	$82.00
Education Code						
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$6	$2	$52.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$6	$2	$52.00
All other misdemeanors punishable by fine only	$40	$4	--	$6	$2	$52.00

Note: Any amounts collected for offenses during this time period should be reported on the City Quarterly Report form:
Consolidated Court Fee (CCF) ***line 1,***
Jury Reimbursement Fee (JRF) ***line 6,***
Indigent Defense Fund (IDF), ***line 7,***
State Traffic Fine (STF) ***line 9,***
Judicial Support Fee (JS) ***line 15.***

Add the following mandatory fees, when applicable:

- **CHILD SAFETY SEAT COURT COST (CSS CC):** Effective **January 1, 2010** (unless qualifying under warning provision prior to 6/1/10) **through September 27, 2011**, a $.15 court cost is assessed for criminal conviction of child safety seat requirements. Children under the age of 8 (unless taller than 4 feet, 9 inches in height) must be secured by a child safety seat. Reported monthly.
- **DRIVING RECORDS FEE (DRF):** Effective **January 1, 2008**, a judge may require a defendant to pay $22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The $22 fee is a combination of the $10 fee in Transportation Code, Section 521.048 and the $12 State electronic Internet portal Fee. Between **January 1, 2006**, and **December 31, 2007**, the fee was $10. Code of Criminal Procedure, Article 45.0511. Reported on line 14 of quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of

which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on line 11 of quarterly report form.

- **MOVING VIOLATION FEES (MVF):** Effective January 1, 2010, a $.10 court cost is assessed on conviction of moving violations. Reported on line 8 of quarterly report form.
- **PEACE OFFICER FEES:** Reported on line 10 of quarterly report form.
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE**: $50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on line 13 of quarterly report form.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Metal Recycling Fines: Effective 09-01-11, cities collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form # 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on line 12 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
January 1, 2008 Through December 31, 2009

Offense/Description	CCF (2004)	JRF	STF	JS	IDF	Total
MUNICIPAL ORDINANCES						
All municipal ordinances, excluding parking & pedestrian	$40	$4	--	$6	$2	$52.00
STATE LAW						
Transportation Code, Title 7, Subtitle C, Rules of the Road						
- parking & pedestrian	--	--	$30	--		$30.00
- all other misdemeanors	$40	$4	$30	$6	$2	$82.00
Education Code						
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$6	$2	$52.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$6	$2	$52.00
All other misdemeanors punishable by fine only	$40	$4	--	$6	$2	$52.00

Note: Any amounts collected for offenses during this time period should be reported on the City Quarterly Report form:
Consolidated Court Fee (CCF) ***line 1,***
Jury Reimbursement Fee (JRF) ***line 6,***
Indigent Defense Fund (IDF)***, line 7,***
State Traffic Fine (STF) ***line 9,***
Judicial Support Fee (JS) ***line 15.***

Add the following mandatory fees, when applicable:

- **DRIVING RECORDS FEE (DRF):** Effective **January 1, 2008**, a judge may require a defendant to pay $22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The $22 fee is a combination of the $10 fee in Transportation Code, Section 521.048 and the $12 State electronic Internet portal Fee. Between **January 1, 2006**, and **December 31, 2007**, the fee was $10. Code of Criminal Procedure, Article 45.0511. Reported on line 14 of quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on line 11 of quarterly report form.
- **PEACE OFFICER FEES:** Reported on line 10 of quarterly report form.
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.

2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.

- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on line 13 of quarterly report form.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on line 12 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
January 1, 2006 Through December 31, 2007

Offense/Description	CCF (2004)	JRF	STF	JS	Total
MUNICIPAL ORDINANCES					
All municipal ordinances, excluding parking & pedestrian	$40	$4	--	$4	$48.00
STATE LAW					
Transportation Code, Title 7, Subtitle C, Rules of the Road					
- parking & pedestrian	--	--	$30	--	$30.00
- all other misdemeanors	$40	$4	$30	$4	$78.00
Education Code					
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$4	$48.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$4	$48.00
All other misdemeanors punishable by fine only	$40	$4	--	$4	$48.00

Note: Any amounts collected for offenses during this time period should be reported on the City Quarterly Report form:
Consolidated Court Fee (CCF) ***line 1,***
Jury Reimbursement Fee (JRF) ***line 6,***
State Traffic Fine (STF) ***line 9,***
Judicial Support Fee (JS) ***line 15.***

Add the following mandatory fees, when applicable:

- **DRIVING RECORDS FEE (DRF): Effective January 1, 2006**, a judge may require a defendant to pay $10 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. Code of Criminal Procedure, Article 45.0511. Reported on line 14 of quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on line 11 of quarterly report form.
- **PEACE OFFICERS FEES:** Reported on line 10 of quarterly report form.
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.

- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on line 13 of quarterly report form.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on line 12 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
January 1, 2004 Through December 31, 2005

Offense/Description	CCF (2004)	JRF Effective 09-01-05 (1)	STF	JS Effective 12-01-05 (2)	Total See Notes
MUNICIPAL ORDINANCES					
All municipal ordinances, excluding parking & pedestrian	$40	$4	--	$4	$48.00
STATE LAW					
Transportation Code, Title 7, Subtitle C, Rules of the Road					
-parking & pedestrian	--	--	$30	--	$30.00
-all other misdemeanors	$40	$4	$30	$4	$78.00
Education Code					
-Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$4	$48.00
-Sec. 25.094, Failure to Attend School	$40	$4	--	$4	$48.00
All other misdemeanors punishable by fine only	$40	$4	--	$4	$48.00

Note (1): Offenses committed prior to 09-01-05 are not subject to the Jury Reimbursement Fee (JRF).
Note (2): Offenses committed prior to 12-01-05 are not subject to the Judicial Support Fee (JS).

Note: Any amounts collected for offenses during this time period should be reported on the City Quarterly Report form:
Consolidated Court Fee (CCF) ***line 1,***
Jury Reimbursement Fee (JRF) ***line 6,***
State Traffic Fine (STF) ***line 9,***
Judicial Support Fee (JS) ***line 15.***

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on line 11 on quarterly report form.
- **PEACE OFFICERS FEES:** Reported on line 10 on quarterly report form.
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.

The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.

- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on line 13 on quarterly report form.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on line 12 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Table of Local Costs and Fees – Municipalities

The following table shows the description of the statute abbreviations used in the Table of Local Costs and Fees.

Abbreviation	Statute
AB	Alcoholic Beverage Code
CCP	Code of Criminal Procedure
GC	Government Code
H & S	Health & Safety Code
P & W	Parks & Wildlife Code
TC	Transportation Code

Fee	Statute	1-1-04 through 12-31-05	1-1-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-11	1-1-12 forward
Admin. Fee – Operation of Vehicle without registration insignia	TC 502.473			$10	$10	$10
Admin. Fee – Expired Registration	TC 502.407(b)	$10	$10	$20	$20	$20
Admin. Fee – Wrong, Fictitious, Altered, or Obscured Insignia	TC 502.475			$10	$10	$10
Admin. Fee – License to be carried and exhibited on demand	TC 521.025			$10	$10	$10
Admin. Fee – Expired Driver's License	TC 521.026	$10	$10	$20	$20	$20
Admin. Fee – Failure to change name/address	TC 521.054			$20	$20	$20
Admin. Fee – Special restrictions or endorsements	TC 521.221			$10	$10	$10
Admin. Fee – Unsafe vehicle or prohibited equipment	TC 547.004			$10	$10	$10
Admin. Fee – Expired Inspection	TC 548.605	$10	$10	$20	$20	$20
Appellate Court Docket Fee (**City of El Paso only**)	GC 30.00147	$25	$25	$25	$25	$25
Child Safety Fund	CCP 102.014	$2-$25	$2-$25	$2-$25	$2-$25	$2-$25
Clerk's Record	GC 30.00014	$25	$25	$25	$10	$10
Driving Safety Course, admin fee	CCP 45.0511(f)(1)	$10	$10	$10	$10	$10
	CCP 45.0511(f)(2)	Up to max. amt. of fine	Up to max. amt. of fine	Up to max. amt. of fine	Up to max. amt. of fine	Up to max. amt. of fine
Expired certificate of number for vessel	P&W 31.127			$10	$10	$10

Fee	Statute	1-1-04 through 12-31-05	1-1-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-11	1-1-12 forward
Expunction Fee	AB 106.12		$30	$30	$30	$30
	CCP 102.006	X	X	X	X	X
	CCP 45.0216		$30	$30	$30	$30
	CCP 45.055		$30	$30	$30	$30
	H & S 161.255		$30	$30	$30	$30
Failure to Appear or Pay	TC 702.003					$20
Impound Fee	TC 601.263	$15	$15	$15	$15	$15
Jury Fee	CCP 102.004	$3	$3	$3	$3	$3
Juvenile Case Manager Fee	CCP 102.0174		$5	$5	$5	$5
Municipal Court Building Security Fee	CCP 102.017(b)	$3	$3	$3	$3	$3
Municipal Court Technology Fund	CCP 102.0172	Up to $4	Up to $4	Up to $4	Up to $4	Up to $4
Peace Officer fees	CCP 102.011	X	X	X	X	X
Special Expense fee	CCP 45.051(c)	X	X	X	X	X
Teen Court Program	CCP 45.052	$20	$20	$20; or $40 for certain localities	$20; or $40 for certain localities	$20; or $40 for certain localities
Traffic Fee	TC 542.403	$3	$3	$3	$3	$3

Where a block is grayed out, it means the fund was not effective for the time period indicated in the column heading. An X means that the fund was effective for that time period but the amount varies. A dollar amount means that the amount is specific.

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.

Local Costs and Fees

(not intended to be an all-inclusive list)

ADMINISTRATIVE FEES

- **Operation of Vehicle without License Plate or Registration Insignia:** Section 502.473, effective 1-1-08
  - » Municipal court may dismiss the offense of failure to display registration insignia, subsection (a), if the defendant remedies the defect before the defendant's first court appearance. Municipal court may assess an administrative fee not to exceed $10 when the charge is dismissed.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607. House Bill 2357, 82nd Session (2011), effective 1-1-12, renumbered Transportation Code Section 502.404 to 502.473.

- **Expired Registration:** Section 502.407, effective 9-1-95
  - » Municipal court may dismiss the charge of driving with expired motor vehicle registration if the defendant remedies the defect not later than the 20th working day after the date of the offense. Municipal court may assess an administrative fee not to exceed $20 when the charge is dismissed. The fee may not be collected if the defendant is convicted of the offense of expired registration.

Historical note: The $10 administrative fee was added by Senate Bill 971, 74th Session (1995), effective 9-1-95. The fee was increased to $20 by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the increase in the fee was delayed to January 1,2008, by Government Code, Section 51.607.

House Bill 1623, 80th Session (2007), amended subsection (b)(1)(A) to the 20th working day instead of the 10th working day.

- **Wrong, Fictitious, Altered, or Obscured Insignia:** Section 502.475, effective 1-1-08
  - » Municipal court may dismiss charge brought under subsection (a)(3), (5), (6), or (7) if the defendant remedies the defect before the defendant's first court appearance. Municipal court may assess an administrative fee not to exceed $10 when the charge is dismissed.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. The imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607. House Bill 2357, 82nd Session (2011), effective 1-1-12, renumbered Transportation Code Section 502.409 to 502.475.

- **License to be Carried and Exhibited on Demand:** Section 521.025, effective 1-1-08
  - » Municipal court may dismiss charge if defendant produces a driver's license issued to the defendant, appropriate for the type of vehicle operated, and valid at the time of offense. Municipal court may assess an administrative fee not to exceed $10 when the charge is dismissed.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. The imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Expired Driver's License:** Transportation Code, Sec. 521.026, effective 9-1-95
  - » Court may dismiss the charge of driving with an expired license if the defendant remedies the defect within 20 working days. The judge may assess the defendant an administrative fee not to exceed $20 when the charge of driving with an expired driver's license is dismissed. The fee may not be collected if the defendant is convicted of the offense of driving with an expired license.

Historical note: The $10 administrative fee was added by Senate Bill 971, 74th Session (1995), effective 9-1-95. The fee was increased to $20 and the time extended from 10 to 20 days by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Failure to Change Name or Address on License:** Section 521.054, effective 1-1-08
  - » Court may dismiss the charge of failure to change name or address on license if the defendant remedies the defect no later than the 20th working day after the date of the offense and pays an administrative fee not to exceed $20. The court may waive the administrative fee if the waiver is in the best interest of justice.

Historical note: The $20 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Special Restrictions or Endorsements:** Section 521.221, effective 1-1-08
  - » Court may dismiss a charge for a violation of this section if the restriction or endorsement was imposed because of a physical condition that was surgically or otherwise medically corrected before the date of offense, or was in error and that fact is established by the defendant, and the Department of Transportation removes the restriction or endorsement before the defendant's first court appearance. The court shall collect an administrative fee not to exceed $10 if the charge is dismissed.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Unsafe vehicle or prohibited equipment:** Section 547.004, effective 1-1-08
  - » Court may dismiss a charge under this section if the defendant remedies the defect before the defendant's first court appearance and pays an administrative fee not to exceed $10.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Expired Inspection:** Transportation Code, Sec. 548.605, effective 9-1-95
  - » The court shall dismiss a charge of driving with an expired inspection certificate if the defendant remedies the defect within 20 working days, or before the defendant's first court appearance, whichever is later, and the inspection has not been expired for more than 60 days. The court shall assess an administrative fee not to exceed $20 when the charge of driving with an expired inspection certificate is remedied.
  - » The court may dismiss a charge of driving with an expired inspection certificate that has been expired for more than 60 days. Statute is unclear about the application of the administrative fee in this case.

Historical note: The $10 administrative fee was added by Senate Bill 971, 74th Session (1995). It was amended by House Bill 707, 76th Session (1999), to add "working" day and added subsection (c) about the 60 day limitation. The fee was increased to $20 and the time increased to 20 working days by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

APPELLATE COURT DOCKET FEE: Government Code, Sections 30.00147 and 102.141, effective 9-1-85

- Applies only to the City of El Paso
- Appellate court docket fee of $25
- Clerk shall collect the fee on behalf of the appellate court

CHILD SAFETY FUND: Code of Criminal Procedure, Art. 102.014, effective 7-1-91
This is a local court cost and is not to be remitted to the state. However, the **Comptroller is given audit authority over this fund in Local Government Code, Section 106.004**.

Applies to all municipal courts effective 7-1-91. However, see Note below for restriction on first two offenses listed.

Rate:

Offense	7-1-91 through 8-31-97	9-1-97 forward
Transportation Code, Title 7, Subtitle C, when the offense occurs in a school crossing zone (Art. 102.014(c)	$20.00 per conviction	$25.00 per conviction*
Transportation Code, Section 545.066, Passing A School Bus	$20 per conviction	$25 per conviction*
Education Code, Sec. 25.093 (parent contributing to non-attendance) (art. 102.014(d)	$20.00 per conviction	$20.00 per conviction
Education Code, Sec. 25.094 (failure to attend school) (art. 102.014(d)	N/A	$20 per conviction
Parking violations if governing body has adopted ordinance, regulation or order regulating the stopping, standing, or parking of vehicles as allowed by Transportation Code, Sec. 542.202 or Chapter 682, Transportation Code. • Cities with population greater than 850,000: (Art. 102.014(a) • Cities with population less than 850,000: (Art. 102.014(b)	$2- $5 court cost Not to exceed $5 court cost	$2 - $5 court cost Not to exceed $5 court cost

- * **Note:** Between 09-01-97 and 08-31-01, the court cost for these two offenses could **only** be imposed in a municipality with a population of 400,000 or more. This population restriction was removed 9-1-01, allowing it to be imposed in any municipality.
- Includes cases in which deferred disposition is granted.

Historical note:
72nd Session, (1991), Senate Bill 460, (Session Laws, Chapter 830), added Article 6701d-26 to Texas Revised Civil Statutes, the Child Safety Fund. Section 4 of the bill stated that the "money collected under this article is subject to audit by the comptroller." That gives the Comptroller audit authority over this local fund. It was also added in the Local Government Code, Section 106.004.

House Bill 1018, 75th Session (1997), removed the references to Uniform Act Regulating Traffic, and replaced those references with the applicable Transportation Code sections. House Bill 1553, 75th Session (1997), increased the fee from $20 to $25, and limited the school crossing zone offenses to cities with a population of 400,000 or more. It also added Education Code, Section 25.094, to costs in subsection (d).

House Bill 374, 77th Session (2001), effective 9-1-01, removed "with a population of 400,000 or more" from Art. 102.014(c), making it apply to all cities.

Education Code, Sec. 25.093 was previously called "thwarting compulsory attendance."

Notes:
Audit authority for this fund was given in Senate Bill 460 and was added to Local Government Code , Sec. 106.004 as well..

If an offense occurs in a construction zone when workers are present, and this happens to also be a school crossing zone, the Child Safety Fund is due, and the judge has the discretion to double the fine (not the court costs). See Transportation Code, Sec. 542.404.

In 1991, Section 25 of the Education Code was amended, allowing school officials to file a complaint against the parent in either municipal or justice court. If in justice court, it may be filed in either the precinct in which the school is located or in which the parent resides. If filed in the municipal court, it may be filed in the municipal court where the child lives or where the school is located. It also replaces the term "child" with "individual" because a "child" is defined as 17 years or younger. This adds the possibility of prosecuting those who are older than 17 but still defined as students.

A "school crossing zone" is defined in Transportation Code, Sec. 541.302 (13) as "a reduced speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies."

CLERK'S RECORD: Government Code, Sec. 30.00014, effective 9-1-99

- Fee of $25 for preparation of the clerk's record in criminal case
- Applies only in municipal courts of record (*Government Code, Sections 30.00014 and 102.141*)
- If case is reversed on appeal, fee shall be refunded to defendant.
- This fee is in addition to the fee for the actual transcription of the proceedings (aka Reporter's Record).

Historical Note: House Bill 731, 76th Session (1999), added the $25 fee to this section of the Government Code. It was then called a Transcription Fee. Senate Bill 1014, 79th Session (2005), changed the wording of the $25 fee to call it a Clerk's Record. The actual transcript is called a Reporter's Record fee, previously called the statement of facts.

DRIVING SAFETY COURSE ADMINISTRATIVE FEES: Code of Criminal Procedure, Art. 45.0511(f), effective 1975

- Article 45.0511(f)(1) provides that the court may require a person requesting a driving safety course under Subsection (b) to pay a fee at an amount of not more than $10 to cover the cost of administering the statute.
- Article 45.0511(f)(2) provides that a defendant requesting a driving safety course under 45.0511(d) may pay a fee set by the court not to exceed the maximum amount of the fine for the offense committed by the defendant.

Historical note: This $10 fee for driving safety courses was added in 1975 (Section 143A, Article 6701d, VACS). It was recodified in 1995 to Section 143.106, Subtitle C, Rules of the Road, Transportation Code. It was recodified again in 1999 to become Article 45.0511, Code of Criminal Procedure.

Note: The fee in Art. 45.0511(f)(2) is NOT a special expense fee like the one in Art/ 45.051(c). It is an "administrative fee" only, and the amount cannot exceed the maximum amount of the fine allowed by law. The amount of the fine the court assessed is irrelevant, whereas under Art. 45.051, the amount of the fine set by the court limits the amount of the special expense that can be imposed.

Also, these administrative fees are NOT included when calculating fines for Excess Highway Fines. The statute for Excess Highway Fines only refers to Article 45.051, not to Art. 45.0511 for traffic. Therefore, these administrative fees are not included.

EXPIRED CERTIFICATE OF NUMBER FOR VESSEL: Parks and Wildlife, Section 31.127, effective 1-1-08

- Court may dismiss a charge of operating a vessel with an expired certificate of number if the certificate of number has not been expired for more than 60 days, and the defendant remedies the defect not later than the 10th working day after the date of offense and pays an administrative fee not to exceed $10.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

EXPUNCTION FEE:

- Alcoholic Beverage Code, Sec. 106.12: A fee of $30 for each application for expungement, effective 1-1-06.
- Code of Criminal Procedure, Art. 45.0216: A fee in justice court and municipal court in the amount of $30, effective 1-1-06.

- Code of Criminal Procedure, Art. 45.055: A fee of $30 for each application for expungement, effective 1-1-06.
- Code of Criminal Procedure, Art. 102.006, fees for certified copies, effective
- 9-1-85. The expunction fee will be the total for filing an ex parte petition in a civil action in district court (varies by county), $1 plus postage for each certified mailing of notice of the hearing date, and $2 plus postage for each certified mailing of certified copies of an order of expunction.
- Health and Safety Code, Section 161.255: A fee of $30 for each application for expungement, effective 1-1-06.

Historical notes: Senate Bill 1426, 79th Session (2005), added the $30 fee under the Alcoholic Beverage Code, the $30 fees under the Code of Criminal Procedure, Art. 45.0216 and 45.055, and the $30 fee under the Health & Safety Code.

FAILURE TO APPEAR OR PAY: Transportation Code, Section 702.003, effective 1-1-12

- A county assessor-collector or the Department of Motor Vehicles (DMV) may refuse to register a motor vehicle until the owner satisfies certain obligations.
- A municipality having a contract with the county assessor-collector in the county in which the municipality is located or with the DMV may impose an additional $20 fee to a person who has an outstanding warrant for failure to appear or pay a fine that involves the violation of a traffic law.
- A municipality shall notify the county assessor-collector or the DMV regarding a person for whom vehicle registration was denied once all fines and costs are paid, an appeal has been perfected, or charges have been dismissed.
- The $20 fee may be used only to reimburse the DMV or the county assessor-collector for its expenses associated in providing services under the contract.

Historical Note: Senate Bill 971, 74th Regular Session (1995) added Transportation Code, Section 702.003 to allow for a municipality to contract with a county to deny the vehicle registration of a person who had an outstanding warrant related to a traffic law. Senate Bill 1386, 82nd Regular Session (2011) added subsection (e-1) to allow a municipality to charge the $20 fee.

IMPOUND FEE: Transportation Code, Section 601.263, effective 9-1-95

- Impound fee of $15 per day for each day of impoundment of the defendant's vehicle
- Vehicle shall be impounded on a second or subsequent conviction under Transportation Code, Section 601.191, failure to maintain insurance on the vehicle (case must be filed as a second or subsequent offense).

Historical note: The impound fee was added by Senate Bill 971, 74th Session (1995), effective 9-1-95.

JURY FEE: Code of Criminal Procedure, Art. 102.004, effective 9-1-99 for cities

- A defendant convicted by a jury in a trial before a municipal court shall pay a jury fee of $3.
- A defendant who requests a trial by jury and who withdraws the request not earlier than 24 hours before the time of trial shall pay a jury fee of $3, if the defendant is convicted of the offense or final disposition of the defendant's case is deferred.

- If two or more defendants are tried jointly, only one jury fee of $3 may be imposed. If the defendants sever and are tried separately, each defendant convicted shall pay the jury fee.

Historical note: The $3 jury fee was enacted in 1965 for counties (Article 45.08, Code of Criminal Procedure, which was subsequently recodified into Article 102.004, CCP). Art. 102.004 originally did not apply to municipalities. Senate Bill 1230, 76th Session (1999), added municipalities, effective 9-1-99.

Note: Under CCP, Art. 102.011(a)(7), there is a $5 fee for summoning a jury. It could be in addition to the $3 jury fee under Art. 102.004. However, the $5 fee in Art. 102.011 can only be applied if the summoning of a jury was performed by a peace officer. If it was a court clerk or staff performing this function, the $5 fee cannot be applied.

JUVENILE CASE MANAGER FEE: Code of Criminal Procedure, Art. 102.0174, effective 1-1-06

- a fee not to exceed $5 as a court cost on the conviction of a fine-only misdemeanor offense in municipal court. Effective 9-1-11, a municipality must employ a juvenile case manager in order to assess the $5.
- fee must be adopted by the municipality
- adoption of fee must authorize the judge to waive the fee in a case of financial hardship
- to be used to finance the salary and benefits of a juvenile case manager employed under Article 45.056, Code of Criminal Procedure.

Historical note: This fee was added by House Bill 1575, 79th Session (2005), effective 9-1-05. However, imposition of the fee was postponed to January 1, 2006, by Government Code, Section 51.607. Senate Bill 1489, 82nd Session (2011), effective 9-1-11, added the condition of employing a juvenile case manager in order to assess the $5 cost.

MUNICIPAL COURT BUILDING SECURITY FEE: Code of Criminal Procedure, Art. 102.017, effective 8-28-95

- Governing body by ordinance may create the Municipal Court Building Security Fee.
- Defendant convicted of misdemeanor to pay $3 security fee as cost of court.
- Fee is imposed if sentence is imposed, or defendant receives deferred adjudication or deferred disposition.
- Clerks shall collect the costs and pay them to the municipal treasurer for deposit into the Municipal Court Building Security Fund.
- Fund may be used to finance items for the purposes of security personnel, services, and items relating to buildings housing a municipal court. Examples of appropriate uses are listed in the statute.

Historical Note: This fee was added by Senate Bill 349, 74th Session (1995), effective 8-28-95. Subsection (f), which stated that this fund was to expire on 9-1-05, was repealed by House Bill 1066, 78th Session (2003). House Bill 1380, 80th Session (2007), amended the purposes for use of the money.

MUNICIPAL COURT TECHNOLOGY FUND: Code of Criminal Procedure, Art. 102.0172, effective 9-1-99

- Governing body by ordinance may create the Municipal Court Technology Fund.
- May require defendant convicted of a misdemeanor offense to pay a technology fee not to exceed $4 as cost of court.
- Fee is imposed if sentence is imposed, or defendant receives deferred adjudication or deferred disposition.
- Clerks shall collect the costs and pay them to the municipal treasurer for deposit into the Municipal Court Technology fund.
- Fund may be used to finance the purchase of technological enhancements for a municipal court or municipal court of record. Examples of appropriate uses are listed in the statute.

Historical background: This fee was created by Senate Bill 601, 76th Session (1999), effective 9-1-99. It was set to expire on 9-1-05. House Bill 1066, 78th Regular Session (2003), eliminated the expiration clause.

PEACE OFFICER FEES: Code of Criminal Procedure, Art. 102.011, effective 9-1-87 with multiple amendments (see statute for details of each category below). These services must be performed by a peace officer for the fee to be applicable.

- $5 for issuing written notice to appear in court*
- $5 for making an arrest without a warrant*
- $50 for executing or processing an issued arrest warrant or capias*
- $5 for summoning a witness
- $35 for serving a writ not otherwise listed in this article
- $10 for taking and approving a bond
- $5 for commitment or release
- $5 for summoning a jury
- $8 for each day's attendant of a prisoner in a habeas corpus case
- $0.29 per mile for mileage required of an officer to perform a service
- $10 for each day spent by an officer attaching a witness outside the county
- Costs of overtime paid to a peace officer for time spent testifying in the trial of the case and for traveling to/from testifying in the trial of the case

  *If this service is performed by a peace officer with statewide authority, 20% of the amount is to be remitted to the state.

Historical note: Fees for services of peace officers actually originated in 1965. It was recodified in 1985.

SPECIAL EXPENSE FEE: Code of Criminal Procedure, Article 45.051(c), effective 1981 (previously Code Crim. Proc. Art 45.54)

- Under Art. 45.051(c), Suspension of Sentence and Deferral of Final Disposition, if the complaint is dismissed, a special expense not to exceed the amount of the fine assessed may be imposed.

Historical note: The special expense fee was enacted in 1981 (Article 45.54, CCP). It was recodified in 1999 to become Article 45.051, CCP.

Note: This fee in 45.051 is a "special expense" fee. It cannot exceed the amount of the fine that was assessed by the court. For example, if the maximum amount of the fine was $200, but the court assessed a $100 fine which was deferred, then at the end of the deferral period, the court can only impose a special expense not to exceed the $100. This "special expense" fee **IS** included in calculations for fines when calculating Excess Highway Fines. This is not the same as the administrative fee for driving safety course deferrals. See "Driving Safety Course administrative fees."

TEEN COURT: Code of Criminal Procedure, Article 45.052

- A municipal court may defer proceedings against a defendant who is under the age of 18 or who is enrolled full time in an accredited program leading toward a high school diploma. If the defendant has not completed a Teen Court program in the previous two years, and makes an oral or written request to attend the Teen Court program, the court may defer proceedings for up to 180 days.
- Subsection (e) states that the court may require the defendant requesting the Teen Court program to pay a fee not to exceed $10 to pay for the costs of administering this statute. A person who requests the Teen Court program and fails to complete it is not entitled to a refund of the $10 fee.
- Subsection (g) states that, in addition to the $10 administrative fee, the court may also require the defendant pay a $10 fee to pay for the costs of the Teen Court for performing its duties. This $10 fee is to be paid to the Teen Court. A person who requests the Teen Court program and fails to complete it is not entitled to a refund of the $10 fee.
- A court that is located in the Texas-Louisiana border region, as defined by Section 2056.002, Government Code, may charge a fee of $20 instead of $10 in each of the above two sections. This applies to 18 counties: Bowie, Camp, Bass, Delta, Franklin, Gregg, Harrison, Hopkins, Lamar, Marion, Morris, Panola, Red River, Rusk, Smith, Titus, Upshur, and Wood. Effective 1-1-08.

Historical Note: The fee under subsection (g) was added by House Bill 120, 74th Session (1995).

House Bill 2949, 80th Session (2007), allows the counties in the Texas-Louisiana border region to charge $20 for subsections (e) and (g), effective 9-1-07. However, the fee increase was delayed to 1-1-08 by Government Code, Section 51.607.

TRAFFIC FEE: Transportation Code, Sec. 542.403, effective 9-1-91

- Defendant convicted of a misdemeanor under Transportation Code, Title 7, Subtitle C, Rules of the Road, shall pay $3 as a cost of court.
- The officer who collects the cost shall deposit it in the municipal treasury.

Historical note: The local $3 Traffic Fee was added by House Bill 70, 72nd Session (1991), added to Sec. 143, Uniform Act Regulating Traffic. It was recodified into the Transportation Code by Senate Bill 971, 74th Session (1995).

Notes: Transportation code, Title 7, Subtitle C, Rules of the Road, includes chapters 541-600 only. This includes moving violations (Chapter 545), and inspections of vehicles (Chapter 548), but does not include expired registration (Chapter 502), driver's licenses (Chapter 521), or insurance (Chapter 601). See Chapter 10, Table V, for offenses under the Rules of the Road.

It is possible to find that the court is charging this local Traffic Fee on violations for commercial motor vehicles, such as equipment, brakes, lights, etc. If the offense is being filed as a Chapter 547 offense, then the local Traffic Fee would apply. If the offense is being filed as a federal safety motor carrier offense in Chapter 644, the local Traffic Fee does not apply. There may be offenses that fall under both, so the auditor may have to determine how it was filed.

Chapter 4
Counties

Introduction Chart, Applicable Funds by Time Period

Abbreviations

Charts, Costs and Fees, Justice Courts

- January 1, 2014 forward
- January 1, 2010 through December 31, 2013
- January 1, 2008 through December 31, 2009
- January 1, 2006 through December 31, 2007
- January 1, 2004 through December 31, 2005

Charts, Costs and Fees, County and District Courts

- June 14, 2013 forward
- January 1, 2008 through June 13, 2014
- January 1, 2006 through December 31, 2007
- January 1, 2004 through December 31, 2005

Table of Local Court Costs and Fees – Justice, County, and District Courts

Description of Local Costs and Fees for Counties

Introduction

Court costs, fees, and fines relating to counties are generated from violations of state laws. These include various misdemeanor convictions punishable by fine only, Class A and B misdemeanors, and felonies.

The following chart lists the funds applicable in county courts by the time period in which each was effective. The name and number of each fund is linked back to the detailed descriptions in Chapter 2.

Counties
Applicable Funds by Time Period

Counties are responsible for the following funds (numbering relates to descriptions in Chapter 2):

#	FUND	01-01-04 through 12-31-05	01-01-06 through 12-31-07	01-01-08 through 12-31-09	01-01-10 through 12-31-13	01-01-14 forward
1	Bail Bond Fees	X	X	X	X	X
2	Child Safety Seat and Seat Belt Violations	X	X	X	X	X
3	Child Safety Seat Court Cost				through 09-27-11	
4	Compensation to Victims of Crime Auxiliary Fund	X	X	X	X	X
5	Consolidated Court Fee (2004)	X	X	X	X	X
6	DNA Testing Fee-Convictions	X	X	X	X	X
7	DNA Testing Fee-Community Supervision				X	X
8	DNA Testing Fee-Juvenile				X	X
9	Driving Records Fee		X	X	X	X
10	Electronic Filing Fee				Effective 9-1-13	X
11	EMS Trauma Fund	X	X	X	X	X
12	Excess Funds from Sale of Property Forfeited	X	X	X	X	X
13	Excess Highway Fines				Effective 09-01-11	X
14	Excess Motor Carrier Fines	X	X	X	X	X
15	Failure to Appear/Pay	X	X	X	X	X
16	Indigent Defense Fund			X	X	X
17	Judicial Fund	X	X	X	X	X
18	Judicial Support Fee	Effective 12-01-05	X	X	X	X

#	FUND	01-01-04 through 12-31-05	01-01-06 through 12-31-07	01-01-08 through 12-31-09	01-01-10 through 12-31-13	01-01-14 forward
19	Jury Reimbursement Fee	X	X	X	X	X
20	Juvenile Probation Diversion Fund	X	X	X	X	X
21	Metal Recycling				Effective 09-01-11	X
22	Motor Carrier Weight Violations	X	X	X	X	X
23	Moving Violation Fees				X	X
24	Peace Officer Fees	X	X	X	X	X
25	Sexual Assault Program Fund	X	X	X	X	X
26	Specialty Court Program		Effective 6-15-07	X	X	X
27	State Traffic Fine	X	X	X	X	X
28	Substance Abuse Felony Program	X	X	X	X	X
29	Time Payment Fee	X	X	X	X	X
30	Truancy Prevention and Diversion Fund					X

Where a block is grayed out, the fund is not effective for that time period. An X means that the fund was effective for the time periods in the column headings, unless otherwise indicated.

Abbreviations

The following abbreviations are used on these charts. Each one is linked back to the detailed descriptions of each fund in Chapter 2 for easy reference.

Abbreviations

Abbrev.	Fund	See Item # in Chapter 2
CCF (2004)	Consolidated Court Fee (2004)	5
EFF	Electronic Filing Fee	10
IDF	Indigent Defense Fund	16
JS	Judicial Support Fee	18
JRF	Jury Reimbursement Fee	19
SCP	Specialty Court Program	26
STF	State Traffic Fine	27
TPDF	Truancy Prevention and Diversion Fund	30

Note: In each of the charts for the time periods, references are made to the line number where the fund will be reported on the quarterly report form. These line numbers relate to the forms revised for 2013.

Justice Courts
Court Costs and Fees for Offenses Committed on or After January 1, 2014

Offense/Description	CCF (2004)	JRF	STF	JS	IDF	TPDF	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road							
- parking & pedestrian	--	--	$30	--		--	$30.00
- all other misdemeanors	$40	$4	$30	$6	$2	$2	$84.00
Education Code							
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$6	$2	$2	$54.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$6	$2	$2	$54.00
All other misdemeanors punishable by fine only	$40	$4	--	$6	$2	$2	$54.00

Note: The above amounts collected for offenses during this time period should be reported on the County Quarterly Report form:
Consolidated Court Fee (CCF) ***line 1,***
Jury Reimbursement Fee (JRF) ***line 12,***
Indigent Defense Fund (IDF), ***line 13,***
State Traffic Fine (STF) ***line 15,***
Judicial Support Fee (JS) ***line 23.***
Truancy Prevention and Diversion Fund (TPDF) ***line 24***

Add the following mandatory fees, when applicable:

- **CHILD SAFETY SEAT COURT COST (CSS CC):** Effective **January 1, 2010** (unless qualifying under warning provision prior to 6/1/10) **through September 27, 2011**, a $.15 court cost is assessed for criminal conviction of child safety seat requirements. Children under the age of 8 (unless taller than 4 feet, 9 inches in height) must be secured by a child safety seat. Reported monthly.
- **DRIVING RECORDS FEE (DRF):** Effective **January 1, 2008**, a judge may require a defendant to pay $22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The $22 fee is a combination of the $10 fee in Transportation Code, Section 521.048 and the $12 Texas OnLine Fee. Between **January 1, 2006**, and **December 31, 2007**, the fee was $10. Code of Criminal Procedure, Article 45.0511. Reported on line 22 of quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on line 17 of quarterly report form.
- **MOVING VIOLATION FEES (MVF):** Effective January 1, 2010, a $.10 (ten cents) court cost is assessed on conviction of moving violations. Reported on line 14 of quarterly report form.
- **PEACE OFFICER FEES:** Reported on line 16 of quarterly report form.
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.

2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.

- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on line 21 of quarterly report form.

Note: Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Metal Recycling Fines: Effective 09-01-11, counties collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form # 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on line 20 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

Justice Courts
Court Costs and Fees for Offenses Committed
January 1, 2010 Through December 31, 2013

Offense/Description	CCF (2004)	JRF	STF	JS	IDF	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road						
- parking & pedestrian	--	--	$30	--		$30.00
- all other misdemeanors	$40	$4	$30	$6	$2	$82.00
Education Code						
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$6	$2	$52.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$6	$2	$52.00
All other misdemeanors punishable by fine only	$40	$4	--	$6	$2	$52.00

Note: The above amounts collected for offenses during this time period should be reported on the County Quarterly Report form:
Consolidated Court Fee (CCF) ***line 1,***
Jury Reimbursement Fee (JRF) ***line 12,***
Indigent Defense Fund (IDF), ***line 13,***
State Traffic Fine (STF) ***line 15,***
Judicial Support Fee (JS) ***line 23.***

Add the following mandatory fees, when applicable:

- **CHILD SAFETY SEAT COURT COST (CSS CC):** Effective **January 1, 2010** (unless qualifying under warning provision prior to 6/1/10) **through September 27, 2011**, a $.15 court cost is assessed for criminal conviction of child safety seat requirements. Children under the age of 8 (unless taller than 4 feet, 9 inches in height) must be secured by a child safety seat. Reported monthly.
- **DRIVING RECORDS FEE (DRF):** Effective **January 1, 2008**, a judge may require a defendant to pay $22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The $22 fee is a combination of the $10 fee in Transportation Code, Section 521.048 and the $12 Texas OnLine Fee. Between **January 1, 2006**, and **December 31, 2007**, the fee was $10. Code of Criminal Procedure, Article 45.0511. Reported on line 22 of quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on line 17 of quarterly report form.
- **MOVING VIOLATION FEES (MVF):** Effective January 1, 2010, a $.10 (ten cents) court cost is assessed on conviction of moving violations. Reported on line 14 of quarterly report form.
- **PEACE OFFICER FEES:** Reported on line 16 of quarterly report form.
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.

2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.

- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on line 21 of quarterly report form.

Note: Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Metal Recycling Fines: Effective 09-01-11, counties collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form # 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on line 20 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

Justice Courts
Court Costs and Fees for Offenses Committed
January 1, 2008 Through December 31, 2009

Offense/Description	CCF (2004)	JRF	STF	JS	IDF	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road						
- parking & pedestrian	--	--	$30	--		$30.00
- all other misdemeanors	$40	$4	$30	$6	$2	$82.00
Education Code						
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$6	$2	$52.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$6	$2	$52.00
All other misdemeanors punishable by fine only	$40	$4	--	$6	$2	$52.00

Note: The above amounts collected for offenses during this time period should be reported on the County Quarterly Report form:
Consolidated Court Fee (CCF) ***line 1,***
Jury Reimbursement Fee (JRF) ***line 12,***
Indigent Defense Fund (IDF), ***line 13,***
State Traffic Fine (STF) ***line 15,***
Judicial Support Fee (JS) ***line 23.***

Add the following mandatory fees, when applicable:

- **DRIVING RECORD FEE (DRF):** Effective January 1, 2008, a judge may require a defendant to pay $22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The $22 fee is combination of the $10 fee in Transportation Code, Section 521.048 and the $12 State electronic Internet portal fee. Between **January 1, 2006**, and December 31, 2007, the fee was $10. Code of Criminal Procedure, Article 45.0511. Reported on Line 22 of quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on Line 17 of quarterly report form.
- **PEACE OFFICER FEES:** Reported on Line 16 of quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant, capias, or capias pro fine. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on Line 21 of quarterly report form.

Note: Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form # 40-138.
- Excess Motor Carrier Fines, for qualifying counties only, per Transportation Code, Sec. 644.102. Reported on Form # 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on Line 20 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

Justice Courts
Court Costs and Fees for Offenses Committed
January 1, 2006 Through December 31, 2007

Offense/Description	CCF (2004)	JRF	STF	JS	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road					
- parking & pedestrian	--	--	$30	--	$30.00
- all other misdemeanors	$40	$4	$30	$4	$78.00
Education Code					
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$4	$48.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$4	$48.00
All other misdemeanors punishable by fine only	$40	$4	--	$4	$48.00

Note: The above amounts collected for offenses during this time period should be reported on the County Quarterly Report form:
Consolidated Court Fee (CCF) line 1,
Jury Reimbursement Fee (JRF) line 12,
State Traffic Fine (STF) line 15,
Judicial Support Fee (JS) line 23.

Add the following mandatory fees, when applicable:

- **DRIVING RECORD FEE (DRF): Effective January 1, 2006**, a judge may require a defendant to pay $10 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. Reported on Line 22of quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on Line 17of quarterly report form.
- **PEACE OFFICERS FEES:** Reported on Line 16 of quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on Line 21of quarterly report form.

Note: Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form # 40-138.
- Excess Motor Carrier Fines, for qualifying counties only, per Transportation Code, Sec. 644.102. Reported on Form # 40-130.

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on Line 20of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

Justice Courts
Court Costs and Fees for Offenses Committed
January 1, 2004 Through December 31, 2005

Offense/Description	CCF (2004)	JRF *Effective 09-01-05 (1)*	STF	JS *Effective 12-01-05 (2)*	Total See Notes
Transportation Code, Title 7, Subtitle C, Rules of the Road					
- parking & pedestrian	--	--	$30	--	$30.00
- all other misdemeanors	$40	$4	$30	$4	$78.00
Education Code					
- Sec. 25.093, Parent Contributing to Nonattendance	$40	$4	--	$4	$48.00
- Sec. 25.094, Failure to Attend School	$40	$4	--	$4	$48.00
All other misdemeanors punishable by fine only	$40	$4	--	$4	$48.00

Note (1): Offenses committed prior to 09-01-05 are not subject to the Jury Reimbursement Fee (JRF).

Note (2): Offenses committed prior to 12-01-05 are not subject to the Judicial Support Fee (JS).

Note: Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form on:
Consolidated Court Fee (CCF) line 1,
Jury Reimbursement Fee (JRF) line 12,
State Traffic Fine (STF) line 15,
Judicial Support Fee (JS) line 23.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on Line 17of quarterly report form.
- **PEACE OFFICERS FEES:** Reported on Line 16of quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on Line 21of report form.

Note: Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form # 40-138.

- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form # 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on Line 20 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Convictions
on or After June 14, 2013

Offense/Description	CCF (2004)	DNA	EMS	JRF	STF	JS	IDF	SCP	EFSF (Effective 9-1-13)	Total
Education Code										
- Sec. 25.093, Parent Contributing to Nonattendance	$40	--	--	$4	--	$6	$2	--	$5	$57.00
- Sec. 25.094, Failure to Attend School	$40	--	--	$4	--	$6	$2	--	$5	$57.00
Transportation Code, Title 7, Subtitle C, Rules of the Road										
- parking & pedestrian	Na	--	--	--	$30	--	--	--	$5	$35.00
- all other misdemeanors punishable by fine only	$40	--	--	$4	$30	$6	$2	--	$5	$87.00
- Class A and B misdemeanors	$83	--	--	$4	$30	$6	$2	--	$5	$130.00
- Felonies	$133	--	--	$4	$30	$6	$2	--	$5	$180.00
Penal Code										
Sec. 21.07 – Public lewdness	$83	$50	--	$4	--	$6	$2	--	$5	$150.00
Sec. 21.08 – Indecent Exposure	$83	$50	--	$4	--	$6	$2	--	$5	$150.00
Sec. 20.04(a)(4) – Aggravated kidnapping	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 21.11 – Indecency with a child	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 22.011- Sexual Assault	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 22.021- Aggravated sexual assault	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 25.02- Prohibited Sexual Conduct	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 30.02(d) – Burglary	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 43.05- Compelling prostitution	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 43.25- Sexual performance by a child	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 43.26- Possession or promotion of child pornography	$133	$250	--	$4	--	$6	$2	--	$5	$400.00
Sec. 49.02, Public intoxication, Class C misdemeanor	$40	--	---	$4	--	$6	$2	--	$5	$57.00
Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	$40	--	---	$4	--	$6	$2	--	$5	$57.00

Offense/Description	CCF (2004)	DNA	EMS	JRF	STF	JS	IDF	SCP	EFSF (Effective 9-1-13)	Total
Sec. 49.04, driving while intoxicated, Class A/B misdemeanor	$83	--	$100	$4	--	$6	$2	$60	$5	$260.00
Felony	$133		$100	$4	--	$6	$2	$60	$5	$310.00
Sec. 45.045, driving while intoxicated with child passenger, Felony	$133	--	$100	$4	-	$6	$2	$60	$5	$310.00
Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor	$83	--	$100	$4		$6	$2	$60	$5	$260.00
Felony	$133		$100	$4		$6	$2	$60	$5	$310.00
Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor	$83	--	$100	$4	--	$6	$2	$60	$5	$260.00
Felony	$133		$100	$4		$6	$2	$60	$5	$310.00
Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor	$83	--	$100	$4	--	$6	$2	$60	$5	$260.00
Felony	$133		$100	$4		$6	$2	$60	$5	$310.00
Sec. 49.07, Intoxication assault, felony	$133	--	$100	$4	--	$6	$2	$60	$5	$310.00
Sec. 49.08, Intoxication manslaughter, Felony	$133	--	$100	$4	--	$6	$2	$60	$5	$310.00
Health & Safety Code, Chapter 481										
Class B	$83			$4		$6	$2	$60	$5	$160
Felonies	$133			$4		$6	$2	$60	$5	$210
All other:										
Class C, punishable by fine only	$40	--	--	$4	--	$6	$2		$5	$57.00
Class A/B	$83	--	--	$4	--	$6	$2		$5	$100.00
Felonies	$133	--	--	$4	--	$6	$2		$5	$150.00

Note: Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form other than noted below:

Consolidated Court Fee (CCF) ***line 1,***
DNA Testing Program (DNA) ***line 7,***
EMS Trauma Fund (EMS) ***line 10,***
Jury Reimbursement Fee (JRF) ***line 12,***
Indigent Defense Fund (IDF)***, line 13,***
State Traffic Fine (STF) ***line15,***
Judicial Support Fee (JS) ***line 23.***
Specialty Court Program (SCP) Form #40-147.
Electronic Filing System Fund (EFSF), Form #40-151.

Add the following mandatory fees, when applicable:

- **BAIL BOND FEE:** $15.00 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 surety per incident. Not required on the posting of a personal or cash bond. Reported on line 6 on quarterly report form.
- **CHILD SAFETY SEAT COURT COST (CSS CC):** Effective **January 1, 2010** (unless qualifying under warning provision prior to 6/1/10) **through September 27, 2011**, a $.15 (15 cent) court cost is assessed for criminal conviction of child safety seat requirements. Children under the age of 8 (unless taller than 4 feet, 9 inches in height) must be secured by a child safety seat. Reported monthly.
- **DNA TESTING FEE – COMMUNITY SUPERVISON (DNA CS): Effective January 1, 2010**, a $34 fee on placement of a person convicted of a felony on community supervision, including deferred adjudication community supervision, but excluding offenses listed for the $250 fee in Code of Criminal Procedure 102.020(a)(1). Reported on line 8 on quarterly report form.
- **DNA TESTING FEE – JUVENILE (DNA JV): Effective January 1, 2010**, a $50 fee for a child adjudicated of certain felonies if committed to a Texas Juvenile Justice Department (TJJD) facility or a $34 fee for a child adjudicated of certain felonies not committed to a TJJD facility. Reported on line 9 of quarterly report form.
- **DRIVING RECORDS FEE (DRF): Effective January 1, 2008**, a judge may require a defendant to pay a fee of $22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The $22 fee is a combination of the $10 fee in Transportation Code, Section 521.048 and the $12 State electronic Internet portal fee. Between January 1, 2006, and December 31, 2007, the fee was $10. Reported on line 22 on quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on line 17 on quarterly report form.
- **MOVING VIOLATION FEES (MVF):** Effective January 1, 2010, a $.10 court cost is assessed on conviction of moving violations. It does not apply to district courts. Reported on line 14 of quarterly report form.
- **PEACE OFFICER FEES:** Reported on line 16 on quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant, capias, or capias pro fine. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **JUDICIAL FUND**: $15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court. This is mandatory for all statutory county courts as of October 1, 2006, but optional for constitutional county courts IF the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on lines 18 and 19 of the quarterly report form.
- **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 the fee. Reported on line 11 of quarterly report form.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on line 21 of quarterly report form.

Note: County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on line 20 of quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.
- Substance Abuse Felony Program Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses
Committed January 1, 2008 Through June 13, 2014

Offense/Description	CCF (2004)	DNA	EMS	JRF	STF	JS	IDF	SCP	Total
Education Code									
- Sec. 25.093, Parent Contributing to Nonattendance	$40	--	--	$4	--	$6	$2	--	$52.00
- Sec. 25.094, Failure to Attend School	$40	--	--	$4	--	$6	$2	--	$52.00
Transportation Code, Title 7, Subtitle C, Rules of the Road									
- parking & pedestrian	Na	--	--	--	$30	--	--	--	$30.00
- all other misdemeanors punishable by fine only	$40	--	--	$4	$30	$6	$2	--	$82.00
- Class A and B misdemeanors	$83	--	--	$4	$30	$6	$2	--	$125.00
- Felonies	$133	--	--	$4	$30	$6	$2	--	$175.00
Penal Code, Chapter 49									
Sec. 21.07 – Public lewdness	$83	$50	--	$4	--	$6	$2	--	$145.00
Sec. 21.08 – Indecent Exposure	$83	$50	--	$4	--	$6	$2	--	$145.00
Sec. 20.04(a)(4) – Aggravated kidnapping	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 21.11 – Indecency with a child	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 22.011- Sexual Assault	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 22.021- Aggravated sexual assault	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 25.02- Prohibited Sexual Conduct	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 30.02(d) – Burglary	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 43.05- Compelling prostitution	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 43.25- Sexual performance by a child	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 43.26- Possession or promotion of child pornography	$133	$250	--	$4	--	$6	$2	--	$395.00
Sec. 49.02, Public intoxication, Class C misdemeanor	$40	--	---	$4	--	$6	$2	--	$52.00
Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	$40	--	---	$4	--	$6	$2	--	$52.00
Sec. 49.04, driving while intoxicated, Class A/B misdemeanor	$83	--	$100	$4	--	$6	$2	$50	$245.00
Felony	$133		$100	$4		$6	$2	$50	$295.00
Sec. 45.045, driving while intoxicated with child passenger, Felony	$133	--	$100	$4	--	$6	$2	$50	$295.00

Offense/Description	CCF (2004)	DNA	EMS	JRF	STF	JS	IDF	SCP	Total
Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4		$6 $6	$2 $2	$50 $50	$245.00 $295.00
Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$6 $6	$2 $2	$50 $50	$245.00 $295.00
Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$6 $6	$2 $2	$50 $50	$245.00 $295.00
Sec. 49.07, Intoxication assault, felony	$133	--	$100	$4	--	$6	$2	$50	$295.00
Sec. 49.08, Intoxication manslaughter, felony	$133	--	$100	$4	--	$6	$2	$50	$295.00
Health & Safety Code, Chapter 481									
Class B Felonies	$83 $133			$4 $4		$6 $6	$2 $2	$50 $50	$145 $195
All other:									
Class C, punishable by fine only	$40	--	--	$4	--	$6	$2		$52.00
Class A/B	$83	--	--	$4	--	$6	$2		$95.00
Felonies	$133	--	--	$4	--	$6	$2		$145.00

Note: Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form other than noted below:
Specialty Court Program (SCP)*, Form #40-147.*

Add the following mandatory fees, when applicable:

- **BAIL BOND FEE:** $15.00 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 surety per incident. Not required on the posting of a personal or cash bond. Reported on quarterly report form.
- **DRIVING RECORDS FEE (DRF): Effective January 1, 2008**, a judge may require a defendant to pay a fee of $22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The $22 fee is a combination of the $10 fee in Transportation Code, Section 521.048 and the $12 State electronic Internet portal fee. Between January 1, 2006, and December 31, 2007, the fee was $10. Reported on quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form. .
- **PEACE OFFICER FEES:** Reported on quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.

2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant, capias, or capias pro fine. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.

- **JUDICIAL FUND:** $15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court. This is mandatory for all statutory county courts as of October 1, 2006, but optional for constitutional county courts IF the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on the quarterly report form.
- **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 the fee. Reported on quarterly report form.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on quarterly report form.

Note: County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.
- Substance Abuse Felony Program Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses Committed
January 1, 2006 Through December 31, 2007

Offense/Description	CCF (2004)	DNA	EMS	JRF	STF	JS	SCP Eff. 6-15-07	Total
Education Code								
- Sec. 25.093, Parent Contributing to Nonattendance	$40	--	--	$4	--	$4	--	$48.00
- Sec. 25.094, Failure to Attend School	$40	--	--	$4	--	$4	--	$48.00
Transportation Code, Title 7, Subtitle C, Rules of the Road								
- parking & pedestrian	Na	--	--	--	$30	--	--	$30.00
- all other misdemeanors punishable by fine only	$40	--	--	$4	$30	$4	--	$78.00
- Class A and B misdemeanors	$83	--	--	$4	$30	$4	--	$121.00
- Felonies	$133	--	--	$4	$30	$4	--	$171.00
Penal Code, Chapter 49								
Sec. 21.07 – Public lewdness	$83	$50	--	$4	--	$4	--	$141.00
Sec. 21.08 – Indecent Exposure	$83	$50	--	$4	--	$4	--	$141.00
Sec. 20.04(a)(4) – Aggravated kidnapping	$133	$250	--	$4	--	$4	--	$391.00
Sec. 21.11 – Indecency with a child	$133	$250	--	$4	--	$4	--	$391.00
Sec. 22.011- Sexual Assault	$133	$250	--	$4	--	$4	--	$391.00
Sec. 22.021- Aggravated sexual assault	$133	$250	--	$4	--	$4	--	$391.00
Sec. 25.02- Prohibited Sexual Conduct	$133	$250	--	$4	--	$4	--	$391.00
Sec. 30.02(d) – Burglary	$133	$250	--	$4	--	$4	--	$391.00
Sec. 43.05- Compelling prostitution	$133	$250	--	$4	--	$4	--	$391.00
Sec. 43.25- Sexual performance by a child	$133	$250	--	$4	--	$4	--	$391.00
Sec. 43.26- Possession or promotion of child pornography	$133	$250	--	$4	--	$4	--	$391.00
Sec. 49.02, Public intoxication, Class C misdemeanor	$40	--	---	$4	--	$4	--	$48.00
Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	$40	--	---	$4	--	$4	--	$48.00
Sec. 49.04, driving while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$4 $4	$50 $50	$241.00 $291.00
Sec. 45.045, driving while intoxicated with child passenger, Felony	$133	--	$100	$4	--	$4	$50	$291.00
Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4		$4 $4	$50 $50	$241.00 $291.00

Offense/Description	CCF (2004)	DNA	EMS	JRF	STF	JS	SCP Eff. 6-15-07	Total
Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$4 $4	$50 $50	$241.00 $291.00
Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$4 $4	$50 $50	$241.00 $291.00
Sec. 49.07, Intoxication assault, felony	$133	--	$100	$4	--	$4	$50	$291.00
Sec. 49.08, Intoxication manslaughter, felony	$133	--	$100	$4	--	$4	$50	$291.00
Health & Safety Code, Chapter 481								
Class B Felonies	$83 $133	--	--	$4 $4	--	$4 $4	$50 $50	$141 $191
All other:								
Class C, punishable by fine only	$40	--	--	$4	--	$4	--	$48.00
Class A/B	$83	--	--	$4	--	$4	--	$91.00
Felonies	$133	--	--	$4	--	$4	--	$141.00

Note: Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form other than noted below: Specialty Court Program (SCP), Form #40-147.
Note: Specialty Court Program should not be collected on offenses prior to 6-15-07.

Add the following mandatory fees, when applicable:

- **BAIL BOND FEE:** $15.00 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 surety per incident. Not required on the posting of a personal or cash bond. Reported on quarterly report form.
- **DRIVING RECORDS FEE (DRF): Effective January 1, 2006**, a judge may require a defendant to pay a fee of $10 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. Reported on quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on the quarterly report form.
- **PEACE OFFICERS FEES:** Reported on the quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **JUDICIAL FUND:** $15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court, IF the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on the quarterly report form . If the Statutory County Court is NOT partici-

pating in the program, the $15 court cost shall be assessed in Statutory County Court but is retained locally. (Note: Effective October 1, 2006, participation is mandatory for all statutory county courts.) See "Table of Local Costs and Fees"

- **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 the fee. Reported on the quarterly report form.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on the quarterly report form.

Note: County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.
- Substance Abuse Felony Program Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses Committed
January 1, 2004 Through December 31, 2005

Offense/Description	CCF (2004)	DNA	EMS	JRF *Effective 09-01-05 (1)*	STF	JS *Effective 12-1-05 (2)*	Total See Notes
Education Code							
- Sec. 25.093, Parent Contributing to Nonattendance	$40	--	--	$4	--	$4	$48.00
- Sec. 25.094, Failure to Attend School	$40	--	--	$4	--	$4	$48.00
Transportation Code, Title 7, Subtitle C, Rules of the Road							
- parking & pedestrian	NA	--	--	--	$30	--	$30.00
- all other misdemeanors punishable by fine only	$40	--	--	$4	$30	$4	$78.00
- Class A and B misdemeanors	$83	--	--	$4	$30	$4	$121.00
- Felonies	$133	--	--	$4	$30	$4	$171.00
Penal Code, Chapter 49							
Sec. 21.07 – Public lewdness	$83	$50	--	$4	--	$4	$141.00
Sec. 21.08 – Indecent Exposure	$83	$50	--	$4	--	$4	$141.00
Sec. 20.04(a)(4) – Aggravated kidnapping	$133	$250	--	$4	--	$4	$391.00
Sec. 21.11 – Indecency with a child	$133	$250	--	$4	--	$4	$391.00
Sec. 22.011- Sexual Assault	$133	$250	--	$4	--	$4	$391.00
Sec. 22.021- Aggravated sexual assault	$133	$250	--	$4	--	$4	$391.00
Sec. 25.02- Prohibited Sexual Conduct	$133	$250	--	$4	--	$4	$391.00
Sec. 30.02(d) – Burglary	$133	$250	--	$4	--	$4	$391.00
Sec. 43.05- Compelling prostitution	$133	$250	--	$4	--	$4	$391.00
Sec. 43.25- Sexual performance by a child	$133	$250	--	$4	--	$4	$391.00
Sec. 43.26- Possession or promotion of child pornography	$133	$250	--	$4	--	$4	$391.00
Sec. 49.02, Public intoxication, Class C misdemeanor	$40	-	--	$4	--	$4	$48.00
Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	$40	-	--	$4	--	$4	$48.00
Sec. 49.04, driving while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$4 $4	$191.00 $241.00
Sec. 49.045, driving while intoxicated with child passenger, Felony	$133	--	$100	$4	--	$4	$241.00
Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$4 $4	$191.00 $241.00

Offense/Description	CCF (2004)	DNA	EMS	JRF *Effective 09-01-05 (1)*	STF	JS *Effective 12-1-05 (2)*	Total See Notes
Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$4 $4	$191.00 $241.00
Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor Felony	$83 $133	--	$100 $100	$4 $4	--	$4 $4	$191.00 $241.00
Sec. 49.07, Intoxication assault, felony	$133	--	$100	$4	--	$4	$241.00
Sec. 49.08, Intoxication manslaughter, felony	$133	--	$100	$4	--	$4	$241.00
All other:							
Class C, punishable by fine only	$40	--	--	$4	--	$4	$48.00
Class A/B	$83	--	--	$4	--	$4	$91.00
Felonies	$133	--	--	$4	--	$4	$141.00

Note (1): Offenses committed prior to 09-01-05 are not subject to the Jury Reimbursement Fee (JRF).

Note (2): Offenses committed prior to 12-01-05 are not subject to the Judicial Support Fee (JS).

Note: Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **BAIL BOND FEE:** $15.00 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 surety per incident. Not required on the posting of a personal or cash bond. Reported on the quarterly report form.
- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on the quarterly report form.
- **PEACE OFFICERS FEES:** Reported on the quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **JUDICIAL FUND:** $15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court, IF the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on lines 18 and 19 of the quarterly report form. (If the Statutory County Court is NOT participating in the program, the $15 court cost shall be assessed in the Statutory County Court but is retained locally.

- **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 the fee. Reported on the quarterly report form.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on the quarterly report form.

Note: County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102 Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.
- Substance Abuse Felony Program Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

Table of Local Court Costs and Fees – Justice, County, and District Courts

(See descriptions later in this chapter)
Not intended to be an all-inclusive listing of all possible local costs and fees.

Abbreviations of Court:

J – Justice Court
C – County Court
D – District Court

Abbreviations of Statute:

AB – Alcoholic Beverage Code
CCP – Code of Criminal Procedure
FC – Family Code
GC – Government Code
H&S – Health & Safety Code
HR – Human Resources Code
LGC – Local Government Code
P&W – Parks & Wildlife Code
TC – Transportation Code

Court	Fee	Statute	1-1-04 through 12-31-05	1-1-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-11	1-1-12 forward
J, C, D	Admin. Fee – Operation of vehicle without license plate or registration insignia	TC 502.473			$10	$10	$10
J, C, D	Admin. Fee – Expired Registration	TC 502.407(b)	$10	$10	$20	$20	$20
J, C, D	Admin. Fee – Wrong, fictitious, altered, or obscured license plate	TC 502.475			$10	$10	$10
J, C, D	Admin. Fee – License to be carried and exhibited on demand	TC 521.025			$10	$10	$10
J, C, D	Admin. Fee – Expired Driver's License	TC 521.026	$10	$10	$20	$20	$20
J, C, D	Admin. Fee – Failure to change name/address	TC 521.054			$20	$20	$20
J, C, D	Admin. Fee – Special restrictions or endorsements	TC 521.221			$10	$10	$10
J, C, D	Admin. Fee – Unsafe vehicle or prohibited equipment	TC 547.004			$10	$10	$10
J, C, D	Admin. Fee – Expired Inspection	TC 548.605	$10	$10	$20	$20	$20
C, D	Animal Cruelty	H&S 821.023(e)	X	X	X	X	X
C, D	Bail Fees	CCP 17.42, 17.43, 17.441	X	X	X	X	X
J, C, D	Certified Copy Fee	CCP 102.005(d)	X	X	X	X	X
J, C, D	Child Safety Fund	CCP 102.014 (d) only	$20	$20	$20	$20	$20

Court	Fee	Statute	1-1-04 through 12-31-05	1-1-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-11	1-1-12 forward
C, D	Child Sexual Assault	CCP 102.0186		$100	$100	$100	$100
C, D	Clerk Fee	CCP 102.005 (a)	$40	$40	$40	$40	$40
C, D	Community Supervision Fees	CCP 42.12	X	X	X	X	X
		GC 76.015	$25-$40	$25-$40	$25-$40	$25-$60 Effective 9-1-11	$25-$60
J, C, D	County Transaction Fee	CCP 102.072	Up to $2	Up to $2	Up to $2	Up to $2	Up to $2
C, D	Court Reporter Fee (Dallas, McLennan, and Tarrant Counties only)	GC 25.0593, 25.1572, 25.2223	$3	$3	$3	$3	$3
J	Courthouse Security Fund, Justice court only	CCP 102.017(b)	$3	$4	$4	$4	$4
C, D	Courthouse Security Fund, misdemeanor	CCP 102.017 (b)	$3	$3	$3	$3	$3
D	Courthouse Security Fund, felony	CCP 102.017 (a)	$5	$5	$5	$5	$5
D	Crime Stopper's Fund reimbursement	CCP 37.073	X	X	X	X	X
J, C, D	Deferred Disposition Fee, misdemeanor	CCP 45.051 (b)(7)	X	X	X	X	X
C	Dishonored Check Fee	LGC 118.011(b)	$15-$30	$15-$30	$15-$30	$15-$30	$15-$30
J, C, D	Driving Safety Course, administrative fee	CCP 45.0511 (f)(1)	$10	$10	$10	$10	$10
J, C, D	Driving Safety Court, administrative fee	CCP 45.0511 (f)(2)	X	X	X	X	X
C, D	Evaluation Fee	CCP 102.018(b)	X	X	X	X	X
J, C, D	Expired certificate of number for vessel	P&W 31.127			$10	$10	$10
J, C, D	Expunction Fee	AB 106.12		$30	$30	$30	$30
		CCP 102.006	X	X	X	X	X
		CCP 45.0216, 45.055		$30	$30	$30	$30
		H&S 161.255		$30	$30	$30	$30
J, C, D	Failure to Appear or Pay	TC 502.185	X	X	X	X	$20
J, C, D	Impound Fee	TC 601.263	$15 per day	$15 per day	$15 per day	$15 per day	$15 per day
J, C, D	Insufficient funds checks	CCP 102.007	X	X	X	X	X
C	Judicial Fund	GC 51.702 (l) and (m)	$15	$15 through 9-30-07			

Court	Fee	Statute	1-1-04 through 12-31-05	1-1-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-11	1-1-12 forward
J	Jury Fee	CCP 102.004	$3	$3	$3	$3	$3
C, D	Jury Fee	CCP 102.004	$20	$20	$20	$20	$20
J	Justice Court Technology Fund	CCP 102.0173	$4	$4	$4	$4	$4
J, C, D	Juvenile Case Manager Fee	CCP 102.0174		$5	$5	$5	$5
C, D	Juvenile Delinquency Prevention Fund (Graffiti Eradication Fund),	CCP 102.0171	$5	$5	$50	$50	$50
C, D	Juvenile Justice and Teen Court	FC 53.03, 54.032, 54.061	X	X	X	X	X
C	Juvenile Placement Fund (Comal County only)	HR 152.0522	$4	$4	$4	$4	$4
C, D	Juvenile Probation Fee	FC 54.061	$15 per month	$15 per month	$15 per month	$15 per month	$15 per month
C, D	Magistrate's Fee (Brazos County only)	GC 54.1116	X	X	X	X	X
J	Misdemeanor Fee	CCP 102.009	Up to $7	Up to $7	Up to $7	Up to $7	Up to $7
J, C, D	Peace Officer fees (1965)	CCP 102.001, 102.011	X	X	X	X	X
C, D	Pre-trial Diversion Fee (El Paso County only)	GC 54.745	$100	$100	$100	$100	$100
C, D	Pretrial Intervention Program under Gov. Code Sec. 76.011 (6-18-90)	CCP 102.012	X	X	X	X	X
J, C, D	Prosecutor's Fee (misdemeanor or gambling)	CCP 102.008	$25	$25	$25	$25	$25
C, D	Records Management and Preservation Fund	CCP 102.005 (f)	$20 through 6-16-05; $25 effective 6-17-05	$25	$25	$25	$25
C, D	Regional Veterans Program Fee	CCP 102.0178					$60 Effective 1-1-14
C, D	Restitution Fee	CCP 42.037		$12	$12	$12	$12
J, C, D	Special Expense Fee	CCP 45.051 (c)	X	X	X	X	X
C, D	Technology Fund	CCP 102.0169				$4	$4

Court	Fee	Statute	1-1-04 through 12-31-05	1-1-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-11	1-1-12 forward
J	Teen Court	CCP 45.052	$20	$20	$20; $40 for certain counties	$20; $40 for certain counties	$20; $40 for certain counties
C	Teen Dating Violence	FC 54.0325					$20
J, C, D	Toll Fee	TC 284.0701, 284.2031, 284.208, 452.0613	X	X	X	X	X
J, C, D	Traffic Fee	TC 542.403	$3	$3	$3	$3	$3
C, D	Unlawful Possession	P&W 12.110(b)	Effective 6-18-05 X	X	X	X	X
C, D	Visual Recording Fee	CCP 102.018	$15	$15	$15	$15	$15
J, C, D	Witness Fees	CCP 102.002	X	X	X	X	X

Description of Local Costs and Fees for Counties

Not intended to be an all-inclusive listing of all local costs and fees

ADMINISTRATIVE FEES

- **Operation of Vehicle without License Plate or Registration Insignia:** Section 502.473, effective 1-1-08
  - » Court may dismiss the offense of failure to display registration insignia (subsection (a) if the defendant remedies the defect before the defendant's first court appearance. Court may assess an administrative fee not to exceed $10 when the charge is dismissed.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607. House Bill 2357, 82nd Session (2011), effective 1-1-12, renumbered Transportation Code Section 502.404 to 502.473.

- **Expired Registration:** Section 502.407, effective 9-1-95
  - » Court may dismiss the charge of driving with expired motor vehicle registration if the defendant remedies the defect not later than the 20th working day after the date of the offense. Court may assess an administrative fee not to exceed $20 when the charge is dismissed. The fee may not be collected if the defendant is convicted of the offense of expired registration.

Historical note: The $10 administrative fee was added by Senate Bill 971, 74th Session (1995), effective 9-1-95. The fee was increased to $20 by House Bill 1623, 80th Session (2007), effective 9-1-97. However, the increase in the fee was delayed to January 1,2008, by Government Code, Section 51.607.

House Bill 1623, 80th Session (2007), amended subsection (b)(1)(A) to the 20th working day instead of the 10th working day.

- **Wrong, Ficticious, Altered, or Obscured Insignia:** Section 502.475, effective 1-1-08
  - » Court may dismiss charge brought under subsection (a)(3), (5), (6), or (7) if the defendant remedies the defect before the defendant's first court appearance. Court may assess an administrative fee not to exceed $10 when the charge is dismissed.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. The imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607. House Bill 2357, 82nd Session (2011), effective 1-1-12, renumbered Transportation Code Section 502.409 to 502.475.

- **License to be Carried and Exhibited on Demand:** Section 521.025, effective 1-1-08
  - » Court may dismiss charge if defendant produces a driver's license issued to the defendant, appropriate for the type of vehicle operated, and valid at the time of offense. Court may assess an administrative fee not to exceed $10 when the charge is dismissed.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. The imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Expired Driver's License:** Transportation Code, Sec. 521.026, effective 9-1-95
  - » Court may dismiss the charge of driving with an expired license if the defendant remedies the defect within 20 working days. The judge may assess the defendant an administrative fee not to exceed $20 when the charge of driving with an expired driver's license is dismissed. The fee may not be collected if the defendant is convicted of the offense of driving with an expired license.

Historical note: The $10 administrative fee was added by Senate Bill 971, 74th Session (1995), effective 9-1-95. The fee was increased to $20 and the time extended from 10 to 20 days by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Failure to Change Name or Address on License:** Section 521.054, effective 1-1-08
  - » Court may dismiss the charge of failure to change name or address on license if the defendant remedies the defect no later than the 20th working day after the date of the offense and pays an administrative fee not to exceed $20. The court may waive the administrative fee if the waiver is in the best interest of justice.

Historical note: The $20 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Special Restrictions or Endorsements:** Section 521.221, effective 1-1-08
  - » Court may dismiss a charge for a violation of this section if the restriction or endorsement was imposed because of a physical condition that was surgically or otherwise medically corrected before the date of offense, or was in error and that fact is established by the defendant, and the Department of Transportation removes the restriction or endorsement before the defendant's first court appearance. The court shall collect an administrative fee not to exceed $10 if the charge is dismissed.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Unsafe vehicle or prohibited equipment:** Section 547.004, effective 1-1-08
  - » Court may dismiss a charge under this section if the defendant remedies the defect before the defendant's first court appearance and pays an administrative fee not to exceed $10.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- **Expired Inspection:** Transportation Code, Sec. 548.605, effective 9-1-95
  - » The court shall dismiss a charge of driving with an expired inspection certificate if the defendant remedies the defect within 20 working days, or before the defendant's first court appearance, whichever is later, and the inspection has not been expired for more than 60 days. The court shall assess an administrative fee not to exceed $20 when the charge of driving with an expired inspection certificate is remedied.
  - » The court may dismiss a charge of driving with an expired inspection certificate that has been expired for more than 60 days. Statute is unclear about the application of the administrative fee in this case.

Historical note: The $10 administrative fee was added by Senate Bill 971, 74th Session (1995). It was amended by House Bill 707, 76th Session (1999), to add "working" day and added subsection (c) about the 60 day limitation. The fee was increased to $20 and the time increased to 20 working days by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

ANIMAL CRUELTY: Health & Safety Code, Sec. 821.023(e), effective 9-1-03

- Applies to defendant guilty of offense under Penal Code, Sec. 42.09, Cruelty to Animals
- Defendant may be ordered to pay actual costs of investigation, expert witnesses, housing and care of the animal(s), public sale, and humane destruction of the animal(s).
- Applies in county or district court.

Historical note: These costs were added by House Bill 1119, 78th Session (2003), effective 9-1-03.

BAIL FEES: Code of Criminal Procedure, Art. 17.42, 17.43, and 17.441(d)

- Art. 17.42, Sec. 4, provides for a personal bond fee of $20 or 3% of the amount of bail fixed for the accused, whichever is greater. The court may waive the fee or assess a lesser fee if good cause is shown.
- Art. 17.43, provides for the defendant to pay the cost of home curfew and electronic monitoring
- Art. 17.441(d) provides for the defendant to pay a fee not to exceed $10 to cover the cost of verification or monitoring motor vehicle ignition interlock

Historical notes: Sec. 17.42 and Sec. 17.43 were added in 1989. Sec. 17.441(d) was added by Senate Bill 205, 76th Session (1999), effective 9-1-99.

CERTIFIED COPY FEE: Code of Criminal Procedure, Art. 102.005(d), effective 9-1-95

- The fee imposed by law for issuing a certified or noncertified copy is in addition to the fee imposed by Art. 102.005(a).
- The clerk may issue a copy only if a person requests the copy and pays the appropriate fee as required by Sections 118.011, 118.014, 118.0145, 118.052, 118.060, and 118.0605, Local Government Code, and Sections 51.318 and 51.319, Government Code.

Historical notes: Art. 102.005(d) was added by Senate Bill 349, 74th Session (1995). Previously, a fee of $1 per page for certified copy was required in Art. 102.005. This appears to have been effective 9-1-85 but is not verified.

CHILD SAFETY FUND: Code of Criminal Procedure, Art. 102.014, effective 7-1-91. This is a local court cost and is not to be remitted to the state. However, the **Comptroller is given audit authority over this fund in Local Government Code, Section 106.004**.

Rate:

Offense	7-1-91 through 8-31-97	9-1-97 forward
Education Code, Sec. 25.093 (parent contributing to non-attendance) (art. 102.014(d)	$20.00 per conviction	$20.00 per conviction
Education Code, Sec. 25.094 (failure to attend school) (art. 102.014(d)	N/A	$20 per conviction

Historical note:
72nd Session(1991), Senate Bill 460, (Session Laws, Chapter 830), added Article 6701d-26 to Texas Revised Civil Statutes. It added the Child Safety Fund. Section 4 stated that the "money collected under this article is subject to audit by the comptroller." That gives the Comptroller audit authority over this local fund. It was also added in the Local Government Code, Section 106.004.

Notes:
Senate bill 460 included the audit authority for the Comptroller, and it was also added into the Local Government Code, Section 106.004.

If an offense occurs in a construction zone when workers are present, and this happens to also be a school crossing zone, the Child Safety Fund is due, and the judge has the discretion to double the fine (not the court costs). See Transportation Code Sec. 542.404.

In 1991, Section 25 of the Education Code was amended, allowing school officials to file a complaint against the parent in either municipal or justice court. If in justice court, it may be filed in either the precinct in which the school is located or in which the parent resides. It also replaces the term "child" with "individual" because a "child" is defined as 17 years or younger. This adds the possibility of prosecuting those who are older than 17 but still defined as students.

CHILD SEXUAL ASSAULT: Code of Criminal Procedure, Art. 102.0186, effective 1-1-06.

- Court cost of $100 on conviction of certain sections of Penal Code
- Only applies to Penal Code:
  - » Sec. 21.02, Continuous Sexual Abuse of Young Child/Chidren (effective 9-1-07)
  - » Sec. 21.11, Indecency with a child
  - » Sec. 22.011(a)(2), Sexual assault
  - » Sec. 22.021(a)(1)(B), Aggravated sexual assault
  - » Sec. 43.25, Sexual performance by a child

  - Sec. 43.251, Employment harmful to children
  - Sec. 43.26, Possession or promotion of child pornography
- For deposit into county child abuse prevention fund, administered by or under direction of commissioners' court.

Historical note: Senate Bill 6, 79th Session (2005), created this fee, effective 9-1-05, but it was postponed to 1-1-06 under Government Code, Section 51.607. House Bill 8, 80th Session (2007), added one category of offenses to those subject to the $100 court cost, for Sec. 21.02, effective 9-1-07.

CLERK FEE: Code of Criminal Procedure, Art. 102.005(a), effective 9-1-85, amended 1989.

- Applies to offenses in a county court, county court at law, or a district court
- Defendant shall pay for the services of the clerk of the court a fee of $40
- To be used for the clerical duties of the clerk

Historical note: Senate Bill 577, 76th Session (1999), repealed subsection (e) of art. 102.005.

COMMUNITY SUPERVISION FEES: Code of Criminal Procedure, Art. 42.12

- Court may order a variety of costs and fees to be paid by defendant under Art. 42.12. A partial list includes:
  - Sec. 11 (a)(18), reimbursement to General Revenue fund for payments to victims
  - Sec. 11 (a)(21), amount for crime stopper's organization
  - Sec. 11 (g), payment to children's advocacy center
  - Sec. 11 (h), payment to family violence shelter center. Effective 1-1-10, the judge shall require a fee of $100. Prior to this date, the judge had discretion to allow a fee not to exceed $100.
  - Sec. 11 (j), costs of treatment, supervision and rehabilitation for sex offenders
  - Sec. 19 (a), community supervision monthly fee of $25-$60
  - Sec. 19 (e), additional community supervision monthly fee for certain offenses

Historical notes: Sec. 19(a) was amended by House Bill 598, 77th Session (2001), increasing the maximum fee from $40 to $60. All the fees were enacted sometime prior to 1995.

Section 11(h) was amended by Senate Bill 81, 81st Session (2009). A judge granting community supervision to a person convicted of an offense under Title 5, Penal Code involving family violence shall require the person to pay $100 to a family violence center.

COMMUNITY SUPERVISION FEE: Government Code, Sec. 76.015, effective 9-1-97

- May apply if a defendant is not paying a supervision fee under Art. 42.12, Sec. 19, Code of Criminal Procedure
- Applies to an individual who participates in a CSCD program or receives department services
- Administrative fee of not less than $25 or more than $40 per month through 8-31-11.
- Administrative fee of not less than $25 or more than $60 per month effective 9-1-11.

Historical note: This fee was enacted by Senate Bill 898, 75th Session (1997), effective 9-1-97. Senate Bill 880, 82nd Session (2011) increased the upper range from $40 to $60. The bill specifically stated that Government Code 51.607 does not apply; therefore, the fee increase was effective 9-1-11 and not delayed until 1-1-12. Senate Bill 953, 82nd Session (2011) also increased the upper range from $40 to $60.

COUNTY TRANSACTION FEE: Code of Criminal Procedure, Art. 102.072, effective 5-23-95.

- Fee may be collected by officers listed in Code of Criminal Procedure, Art. 103.003 or community supervision and corrections departments.
- Fee not to exceed $2 per transaction.
- Between 5-23-95 and 9-1-99, this applied only to a county with a population of 2.8 million or more.
- Does not apply to a transaction related to the collection of child support. (This provision added 9-1-99).

Historical note: The fee was originally created in House Bill 2265, 74th Session (1995), effective 5-23-95. It was amended by House Bill 662, 76th Session (1999), to eliminate the restriction to counties with a population of 2.8 million or more.

COURT REPORTER FEE: Government Code, Sec. 25.0593, 25.1572, 25.2223

- Applies only to statutory county courts in Dallas, McLennan and Tarrant Counties
- If court reporter is required to take testimony, fee of $3 applies

Historical notes: All 3 of these fees were added at least by 1991.

COURTHOUSE SECURITY FUND: Code of Criminal Procedure, Art. 102.017, effective 9-1-93.

- A defendant convicted of a felony in district court shall pay a $5 security fee, effective 9-1-93.
- A defendant convicted of a misdemeanor in county court, county court at law, or district court shall pay a $3 security fee, effective 9-1-93.
- A defendant convicted of a misdemeanor in JP court shall pay a $4 security fee, effective 1-1-06. Prior to 1-1-06, the fee in JP court was $3.
- Conviction includes deferred disposition and deferred adjudication.

Historical note: The fee was originally added in 1993 by Senate Bill 243, and amended in 1995 by Senate Bill 349 and Senate Bill 959, 74th Session (1995). In Senate Bill 182 75th Session (1997), added JP courts with a $3 fee, effective 9-1-97. House Bill 1177, 76th Session (1999), amended some of the specified uses for the money. The fee in justice court was increased from $3 to $4 by House Bill 1934, 79th Session (2005), effective 9-1-05, but the increase was postponed to 1-1-06 by Government Code, Section 51.607. Senate Bill 550, 79th Session (2005), amended the purposes of the money collected. House Bill 1380, 80th Session (2007), amended the purposes for the use of the money.

CRIME STOPPER'S FUND REIMBURSEMENT: Code of Criminal Procedure, Art. 37.073, effective 9-1-89

- Applies only to convictions of felonies
- Court may order defendant to repay all or part of a reward to a crime stopper's organization
- Court may consider financial hardship on defendant in determining amount to be repaid

DEFERRED DISPOSITION FEE: Code of Criminal Procedure, Art. 45.051(b)(7)

- Applies only to misdemeanors punishable by fine only with deferred disposition
- Court may order defendant to pay costs of any diagnostic testing, psychosocial assessment, or participation in a treatment or education program

DISHONORED CHECK (RETURNED CHECK) FEE: Local Government Code, Sec. 118.011(b)

- County Clerk may collect a fee of not less than $15 or not more than $30 for a returned check.
- Prior to 9-1-03, the maximum fee was $25.

Historical background: The original fee from $15 to $25 was enacted by Senate Bill 220, 71st Regular Session (1989). House Bill 249, 78th Regular Session (2003), increased the maximum from $25 to $30.

Discussion:
The date the check was written is the offense date. If the retailer waits some time before going to court to file a complaint, the date they do that is irrelevant. The date of the offense is the date the hot check was written. There is a 2 year statute of limitations for the retailer to file a complaint for a hot check.

DRIVING SAFETY COURSE ADMINISTRATIVE FEES: Code of Criminal Procedure, Art. 45.0511(f), effective 1975

- Article 45.0511(f)(1) provides that the court may require a person requesting a driving safety course under Subsection (b) to pay a fee at an amount of not more than $10 to cover the cost of administering the statute.
- Article 45.0511(f)(2) provides that a defendant requesting a driving safety course under 45.0511(d) may pay a fee set by the court not to exceed the maximum amount of the fine for the offense committed by the defendant.

Historical note: This $10 fee for driving safety courses was added in 1975 (Section 143A, Article 6701d, VACS). It was recodified in 1995 to Section 143.106, Subtitle C, Rules of the Road, Transportation Code. It was recodified again in 1999 to become Article 45.0511, Code of Criminal Procedure.

Note: The fee in 45.0511(f)(2) is NOT a special expense fee like the one in 45.051(c). It is an "administrative fee" only, and the amount cannot exceed the maximum amount of the fine allowed by law. The amount of the fine the court assessed is irrelevant, whereas under 45.051, the amount of the fine set by the court limits the amount of the special expense that can be imposed.

Also, these administrative fees are NOT included when calculating fines for Excess Highway Fines. The statute for Excess Highway Fines only refers to Article 45.051, not to 45.0511 for traffic. Therefore, these administrative fees are not included.

EVALUATION FEE: Code of Criminal Procedure, Art. 102.018 (b), effective 9-1-94

- Relates only to the conviction of an offense relating to the driving or operating of a motor vehicle punishable under Penal Code, Sec. 49.04(b), Driving While Intoxicated
- Cost is an amount equal to the cost of an evaluation of the defendant performed under Code of Criminal Procedure, Art. 42.12, Sec. 13(a)
- Costs are due in addition to other court costs, and is also due on probation
- Court may waive cost when defendant is determined to be indigent

Historical note: This was created in 1993 as Art. 102.017 (effective 9-1-94) and renumbered to Art. 102.018 by Senate Bill 959, 74th Session (1995).

EXPUNCTION FEES:

- Alcoholic Beverage Code, Sec. 106.12: A fee of $30 for each application for expungement, effective 1-1-06.
- Code of Criminal Procedure, Art. 45.0216: A fee in justice court in the amount of $30, effective 1-1-06.
- Code of Criminal Procedure, Art. 45.055: A fee of $30 for each application for expungement, effective 1-1-06.
- Code of Criminal Procedure, Art. 102.006, fees for certified copies, effective
- 9-1-85.
- Health and Safety Code, Section 161.255: A fee of $30 for each application for expungement, effective 1-1-06.

Historical notes: Senate Bill 1426, 79th Session (2005), added the $30 fee under the Alcoholic Beverage Code, the $30 fees under the Code of Criminal Procedure, Art. 45.0216 and 45.055, and the $30 fee under the Health & Safety Code.

FAILURE TO APPEAR OR PAY: Transportation Code, Section 502.185, effective 9-1-97

- A county assessor-collector or the Department of Motor Vehicles (DMV) may refuse to register a motor vehicle until the owner satisfies certain obligations.
- The county must have a contract with the DMV.
- Effective 9-1-97 and prior to 1-1-12, a county was allowed to charge a fee of an unspecified amount to a person who owed the county money for a fine, fee, or tax that was 90 or more days past due.
- Effective 1-1-12, the statute was amended by adding subsection (a)(2) for failing to appear in connection with a complaint, citation, information, or indictment in a court in the county in which a criminal proceeding is pending against the owner of a vehicle owner. Additionally, subsection (f) was amended to specify the fee amount of $20 allowed to be charged by the county.

Historical Note: House Bill 1532, 75th Regular Session (1997) added Transportation Code, Section 502.185. Senate Bill 1386, 82nd Regular Session (2011) amended the section effective 9-1-11; however, due to the delay provisions of Government Code 51.607, the fee was effective 1-1-12.

GRAFFITI ERADICATION FEE: see Juvenile Delinquency Prevention Fund.

IMPOUND FEE: Transportation Code, Section 601.263, effective 9-1-95

- Impound fee of $15 per day for each day of impoundment of the defendant's vehicle
- Vehicle may be impounded on a second or subsequent conviction under Transportation Code, Section 601.191, failure to maintain insurance on the vehicle

Historical note: The impound fee was added by Senate Bill 971, 74th Session (1995), effective 9-1-95.

INSUFFICIENT FUNDS CHECKS: Code of Criminal Procedure, Art. 102.007 and 102.0071

- County and District Court fee, Art. 102.007, effective 1985
- County or District Attorney may apply fee to offenses under Penal Code:
  - » Sec. 31.03, Theft
  - » Sec. 31.04, Theft of service
  - » Sec. 32.21, Forgery
  - » Sec. 32.41, Issuance of bad check
- Justice Court dishonored check, Art. 102.0071, effective 9-1-91.
- JP court fees applies to Penal Code:
  - » Sec. 31.03, Theft
  - » Sec. 31.04, Theft of service
  - » Sec. 32.41, Issuance of bad check

Historical note: Amounts were increased under Art. 102.07 by Senate Bill 174, 75th Session (1997), and Senate Bill 284, 76th Session (1999).

JUDICIAL FUND: Government Code, sec. 51.702 (l) and (m), effective 9-1-03 through 9-30-07

- A $15 court cost on any criminal conviction in statutory county court
- If the statutory county court is NOT participating in the Judicial Fund supplemental salary program under Sec. 51.702 (a) and (b), the $15 court cost is retained locally.
- Applies to offenses committed on or after 9-1-03 and before 10-1-2007
- Includes cases in which probation or deferred adjudication is granted
- Includes convictions under chapter 521, Transportation Code, and Subtitle C, Title 7, Transportation Code.
- Excludes offenses relating to pedestrians or the parking of motor vehicles

Historical background: House Bill 1945, 78th Regular Session, provides that all statutory county courts will collect this $15 court cost. Previously, only counties participating in the Judicial Fund were allowed to collect this fee. Senate Bill 600, 80th Session (2007), made participation in the Judicial Fund mandatory for all statutory county courts, effective 10-1-07.

JURY FEE: Code of Criminal Procedure, Art. 45.026 and 102.004, effective 9-1-85

- A defendant convicted by a jury in a trial before a justice court shall pay a jury fee of $3.
- A defendant who requests a trial by jury in justice court, and who withdraws the request not earlier than 24 hours before the time of trial, shall pay a jury fee of $3, if the defendant is convicted of the offense or final disposition of the defendant's case is deferred.
- A defendant who requests a trial by jury in justice court and who fails to appear may be required to pay the costs on impaneling the jury (Art. 45.026)

- If two or more defendants are tried jointly, only one jury fee of $3 may be imposed in the justice court. If the defendants sever and are tried separately, each defendant convicted shall pay the jury fee.
- A defendant convicted by a jury in a county court, county court at law, or a district court shall pay a jury fee of $20.

Historical note: This $3 fee was enacted in 1965 as Article 45.08, Code of Criminal Procedure. It was subsequently recodified to become Article 102.004. Senate Bill 1060, 74th Session (1995), added the provision that the fee is due in justice court when a jury has been requested and withdrawn less than 24 hours before trial. It also added Section 30.007 to Civil Practice and Remedies Code about "Demand for Jury Trial in Justice Court; Failure to Appear." A defendant who fails to appear may be charged with the costs of impaneling the jury. Effective 9-1-95.

Note: Under CCP, Art. 102.011(a)(7), there is a $5 fee for summoning a jury. It could be in addition to the jury fee under Art. 102.004. However, the $5 fee in Art. 102.011 can only be applied if the summoning of a jury was performed by a peace officer. If it was a court clerk or staff performing this function, the $5 fee cannot be applied.

JUSTICE COURT TECHNOLOGY FUND: Code of Criminal Procedure, Art. 102.0173, effective 9-1-01

- a defendant convicted of a misdemeanor offense in a justice court is to pay a technology fee not to exceed $4 as a cost of court.
- Fee was discretionary when created 9-1-01, but became mandatory on 1-1-06.
- Fee applies to convictions, including deferred disposition
- Money collected is to be deposited to the Justice Court Technology Fund in the county treasury, for specific purposes outlined in the statute.

Historical note: This fee was created by House Bill 177, 77th Session (2001), effective 9-1-01. It contained a provision for this fee to expire on September 1, 2005. However, House Bill 1418, 79th Regular Session (2005), repealed the expiration clause, and made the fee mandatory rather than discretionary. Attorney General Opinion GA-0560, dated August 6, 2007, said the fund may not be used to finance continuing education and training for a constable.

JUVENILE CASE MANAGER FEE: Code of Criminal Procedure, Art. 102.0174, effective 1-1-06

- Fee is not to exceed $5 as a court cost on the conviction of a fine-only misdemeanor offense in justice or county court. Effective 9-1-11, a county must employ a juvenile case manager in order to assess the $5.
- Fee must be adopted by the commissioners court, and must authorize the judge to waive the fee in a case of financial hardship
- The fund is to be used to finance the salary and benefits of a juvenile case manager employed under Article 45.056, Code of Criminal Procedure.

Historical note: This fee was added by House Bill 1575, 79th Session (2005), effective 9-1-05. However, imposition of the fee was postponed to January 1, 2006, by Government Code, Section 51.607. Senate Bill 1489, 82nd Session (2011), effective 9-1-11 added the condition of employing a juvenile case manager in order to assess the $5 cost.

JUVENILE DELINQUENCY PREVENTION FUND (formerly Graffiti Eradication Fee): Code of Criminal Procedure, Art. 102.0171, effective 9-1-97.

- Applies to county court, county court at law, or District court
- Court cost of $50 for conviction under Penal Code, Sec. 28.08, Graffiti. Prior to 1-1-08, the fee was $5.
- To be deposited into the County Juvenile Delinquency Prevention Fund
- Effective 9-1-97, named changed on 9-1-03

Historical background: This fee was created by Senate Bill 758, 75th Session (1997), effective 9-1-97. House Bill 1828, 78th Regular Session (2003), changed the name of this fee from the Graffiti Eradication Fee to the Juvenile Delinquency Prevention Fund.. Not to be confused with the Juvenile Crime and Delinquency Fund or the Juvenile Probation Diversion Fund.

House Bill 2151, 80th Session (2007), increased the fee from $5 to $50, effective 9-1-07. The increase was delayed to 1-1-08 by Government Code, Section 51.607.

JUVENILE JUSTICE AND TEEN COURT: Family Code, Section 53.03, 54.032 and 54.061

- Sec. 53.03(d), court may require fee of $15 per month for deferred prosecution services, effective 1979
- Sec. 54.032(e), court may require fee of $10 to pay for costs of administering this section, effective 9-1-89
- Sec. 54.032(g), court may also require fee of $10 to cover the cost of the Teen Court's duties, effective 9-1-95
- Sec. 54.061(a), court may require fee of $15 per month for probation.

Historical note: The fee in Sec. 53.03 was adopted in 1973.

The fee in Sec. 54.032 was added in 1989, and amended by House Bill 120, 74th Session (1995), to add the second $10 fee under subsection (g). House Bill 822, 77th Session (2001), changed some of the timelines allowed in subsections (a) and (c). House Bill 2319, 78th Session (2003), amended some stipulations under subsections (a) and (f).

The fee in Sec. 54.061 was added either in 1979, 1981 or 1987.

JUVENILE PLACEMENT FUND: Human Resources Code, Sec. 152.0522, effective 9-1-89

- Applies only to Comal County (see statute Sec. 152.0522)
- Criminal court cost of $4 in District or Statutory County Court
- Criminal court cost $1.50 in Justice court

JUVENILE PROBATION FEE: Family Code, Section 54.061

- Applies if juvenile is placed on probation under Family Code, Section 54.04(d)(1)
- Court shall order child or parents to pay a $15 probation fee per month
- To be deposited to a fund for juvenile probation or community based juvenile corrections services or facilities
- Court may waive collection of the fee upon a finding of financial hardship

Historical note: Fee was added in 1979, amended in 1981 and 1987.

MAGISTRATE'S FEE: Government code, Sec. 54.1116, effective 6-14-01

- Applies only to Brazos County, to county and district courts
- Nonprevailing party to pay costs of magistrate

Historical notes: This fee for Brazos County was added by Senate Bill 1434, 77th Session (2001), effective 6-14-01.

MISDEMEANOR FEE: Code of Criminal Procedure, Art. 102.009, effective 9-1-83, amended 2001.

- Applies only to counties with a population of 3.3 million or more
- Applies only to Class C misdemeanors in Justice Courts
- Cost may not exceed $7 for each conviction

Historical note: House Bill 2810, 77th Session (2001), changed the population restriction from 2 million to 3.3 million, effective 9-1-01.

PARKS AND WILDLIFE OFFENSES:

- Parks & Wildlife Code, Section 12.110(b), effective 6-18-05
  - » requires that the actual expense of any storage, care, feeding, cold storage, or processing that may be necessary for an unlawfully possessed game bird, fowl, animal, game fish, or exotic animal shall be assessed against the violator on the violator's conviction.

Historical note: This section was added by House Bill 2026, 79th Session (2005), effective on June 18, 2005.

- Parks & Wildlife Code, Section 31.127, effective 1-1-08
  - » Court may dismiss a charge of operating a vessel with an expired certificate of number if the certificate of number has not been expired for more than 60 days, and the defendant remedies the defect not later than the 10th working day after the date of offense and pays an administrative fee not to exceed $10.

Historical note: The $10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 9-1-07. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

PEACE OFFICER FEES: Code of Criminal Procedure, Art. 102.001 and 102.011, effective 9-1-87 with multiple amendments (see statute for details of each category below). These services must be performed by a peace officer for the fee to be applicable.

- $5 for issuing written notice to appear in court *
- $5 for making an arrest without a warrant *

- $50 for executing or processing an issued arrest warrant or capias *
- $5 for summoning a witness
- $35 for serving a write not otherwise listed in this article
- $10 for taking and approving a bond
- $5 for commitment or release
- $5 for summoning a jury
- $8 for each day's attendant of a prisoner in a habeas corpus case
- $0.29 per mile for mileage required of an officer to perform a service
- $10 for each day spent by an officer attaching a witness outside the county
- Costs of overtime paid to a peace officer for time spent testifying in the trial of the case or for traveling to/from testifying in the trial of the case

* If this service is performed by a peace officer with statewide authority, 20% of the amount is to be remitted to the state.

Historical note: Fees for services of peace officers actually originated in 1965. It was recodified in 1985.

PRETRIAL DIVERSION FEE (EL PASO COUNTY ONLY): Government Code, Sec. 54.745, effective 9-1-89

- Applies only to El Paso County
- Fee of $100 for defendant's request for speedy trial
- Fee is nonrefundable
- Court may waive the fee for good cause

PRETRIAL INTERVENTION PROGRAM: Code of Criminal Procedure, Art. 102.012, effective 6-18-90, amended 1995 and 2005.

- Supervision fee of not more than $60 per month as a condition of participating in the pretrial intervention program
- In lieu of, or in addition to, the $60 monthly fee, defendant may be ordered to pay or reimburse CSCD for any other expense incurred as a result of defendant's participation in the pretrial intervention program, other than an expense described by Article 102.0121.*
- Prior to 9-1-05, the fee was not to exceed $500 for supervision of defendant in pretrial intervention program by Community Supervision and Corrections Department.
- *Effective 9-1-07, Article 102.0121 is added, providing that a district attorney, criminal district attorney, or county attorney may collect a fee in an amount not to exceed $500 to be used to reimburse a county for expenses, including expenses of the district attorney's, criminal district attorney's, or county attorney's office, related to a defendant's participation in a pretrial intervention program offered in that county. The district attorney, criminal district attorney, or county attorney may collect the fee from any defendant who participates in a pretrial intervention program administered in any part by the attorney's office. Fees collected under this article shall be deposited in the county treasury in a special fund to be used solely to administer the pretrial intervention program.
- Applies in County and District Courts

Historical note: Senate Bill 1006, 79th Session (2005), amended the fee from an amount not to exceed $500, to a monthly supervision fee of $60. Article 102.0121 was added by House Bill 2385, 80th Session (2007), effective 9-1-07.

PROSECUTOR'S FEE (District Attorney Fee): Code of Criminal Procedure, Art. 102.008, effective 9-1-85

- Applies to convictions of misdemeanors or gambling offenses
- Fee of $25 for the trying of the case by the district or county attorney
- If the court appoints an attorney to represent the state in the absence of the district or county attorney, the appointed attorney is entitled to the fee otherwise due.
- No fee for the trying of a case may be charged against a defendant prosecuted in a justice court for violation of a penal statute or of the Uniform Act Regulating Traffic on Highways.
- If two or more defendants are tried jointly, only one fee may be charged under this article. If the defendants sever and are tried separately, each defendant shall pay the fee.
- A defendant is liable for fees imposed by Subsection (a) if the defendant is convicted of an offense and the defendant does not appeal the conviction or the conviction is affirmed on appeal.

Historical Note: This fee was added in 1985 and amended in 1989.

RECORDS MANAGEMENT AND PRESERVATION FUND: Code of Criminal Procedure, Art. 102.005(f), effective 9-1-93

- Applies to county court (statutory or constitutional), or District court
- The current $25 fee is split, $22.50 for records management in various county offices, and $2.50 for records management and preservation services performed by the clerk of the court
- Fee is:

Prior to 1999	9-1-99 through 6-16-05	6-17-05 forward
$10	$20	$25

Historical note: This fee was created 9-1-93. House Bill 2968, 76th Session (1999), increased the records management fee in county and district courts from $10 to $20, effective 9-1-99. Senate Bill 526, 79th Session (2005), increased the fee from $20 to $25, effective 6-17-05.

Note: See Attorney General Letter Opinion 92-77, dated 11-20-92, which says that if a county clerk imposes this fee on documents filed in the county clerk's office, it must be imposed on all of them, without any exempted, and the same amount must be imposed on all of them without variance.

REGIONAL VETERANS PROGRAM FEE: Code of Criminal Procedure, Article 102.0178, effective 9-1-13

- Allows the county to retain $60 fee
- Not necessary to participate in a regional program to collect the fee

Historical note: This fee was added by Senate Bill 462, 83rd Session (2013), effective 9-1-13.

RESTITUTION FEE: Code of Criminal Procedure, Article 42.037(g), effective 1-1-06

- allows the court to impose a one-time restitution fee of $12 if the court allows a defendant to make restitution in specified installment payments
- one-half of the fee if to be retained by the county
- one-half is to be remitted to the Compensation to Victims of Crime Fund.

Historical note: This fee was added by House Bill 1751, 79th Session (2005), effective 9-1-05. Due to the provisions of Government Code, Section 51.607, the fee is postponed until January 1, 2006.

SPECIAL EXPENSE FEE: Code of Criminal Procedure, Articles 45.051(c), effective 1981

- Under suspension of sentence and deferral of final disposition, if the complaint is dismissed, a special expense not to exceed the amount of the fine assessed may be imposed.

Historical note: The special expense fee was enacted in 1981 (Article 45.54, CCP). It was recodified in 1999 to become Article 45.051, CCP.

TECHNOLOGY FUND: Code of Criminal Procedure, Article 102.0169, effective 1-1-10

- A defendant convicted of a criminal offense in a county court, statutory county court, or district court shall pay a $4 county and district court technology fee.
- This fee may be used only to finance the cost of continuing education and training for county court, statutory county court, or district court judges and clerks regarding technological enhancements for those courts and the purchase and maintenance of technological enhancements for a county court, statutory county court, or district court including computer systems, computer networks, computer hardware, computer software, imaging systems, electronic kiosks, and docket management systems.
- The fund shall be administered by or under the direction of the commissioners court of the county.

Historical Note: This fee was added by House Bill 3637, 81st Session (2009), effective 9-1-09. Due to the provisions of Government Code, Section 51.607, the fee is postponed until January 1, 2010.

TEEN COURT: Code of Criminal Procedure, Article 45.052

- A Justice court may defer proceedings against a defendant who is under the age of 18 or who is enrolled full time in an accredited program leading toward a high school diploma. If the defendant has not completed a Teen Court program in the previous two years, and makes an oral or written request to attend the Teen Court program, the court may defer proceedings for up to 180 days.
- Subsection (e) states that the court may require the defendant requesting the Teen Court program to pay a fee not to exceed $10 to pay for the costs of administering this statute. A person who requests the Teen Court program and fails to complete it is not entitled to a refund of the $10 fee.
- Subsection (g) states that, in addition to the $10 administrative fee, the court may also require the defendant pay a $10 fee to pay for the costs of the Teen Court for performing its duties. This $10 fee is to be paid to the Teen Court. A person who requests the Teen Court program and fails to complete it is not entitled to a refund of the $10 fee.
- A court that is located in the Texas-Louisiana border region, as defined by Section 2056.002, Government Code, may charge a fee of $20 instead of $10 in each of the above two sections. This applies to

18 counties: Bowie, Camp, Bass, Delta, Franklin, Gregg, Harrison, Hopkins, Lamar, Marion, Morris, Panola, Red River, Rusk, Smith, Titus, Upshur, and Wood. Effective 1-1-08.

Historical Note: The fee under subsection (g) was added by House Bill 120, 74th Session (1995).

House Bill 2949, 80th Session (2007), allows the counties in the Texas-Louisiana border region to charge $20 for subsections (e) and (g), effective 9-1-07. However, the fee increase was delayed to 1-1-08 by Government Code, Section 51.607.

TEEN DATING VIOLENCE: Family Code, 54.0325

- A county that has approved a teen dating violence program allows a juvenile court, on the recommendation of the prosecuting attorney, to defer adjudication proceedings for not more than 180 days if a child is a first offender who is alleged to have engaged in conduct that violated a misdemeanor penal law that involved dating violence.
- A child must complete the program not later than the last day of the deferral period and appear in court once a month for monitoring purposes.
- Subsection (g) allows the court to assess a fee not to exceed $10 to cover the administrative costs.
- Subsection (h) allows the court to assess a fee not to exceed $10 to cover program costs.

Historical Note: Family Code, 54.0325 was added by House Bill 2496, 82nd Session (2011) effective 9-1-11. Due to the provisions of Government Code, Section 51.607, the fee is postponed until January 1, 2012.

TOLL FEES: Transportation Code, Sec. 228.055, 284.0701, 284.2031 and 284.208

- Sec. 228.055 provides for an administrative cost up to $100 for offenses under Sec. 228.054 for failure or refusal to pay toll, effective 6-14-05.
- Chapter 284 offenses apply only to certain jurisdictions as outlined in Transportation Code, Sec. 284.002, effective 1-1-04.
- Sec. 284.0701 provides for an administrative cost up to $100 for offenses under Transportation Code, Sec. 284.070 (Nonpayment of Toll)
- Sec. 284.2031 provides for a $1 court cost on conviction of an offense under Transportation Code, Sec. 284.070 (Nonpayment of Toll), Sec. 284,0701 (Administrative Cost), or Sec. 284.203 (Violation of Order).
- Sec. 284.208 provides for a $1 court cost for a hearing if the defendant is found liable for violation of the order prohibiting operation of a motor vehicle on a toll project (Sec. 284.202).
- Sec. 452.0613 provides for a penalty up to $100 if a person does not pay within 30 days for offenses related to high occupancy vehicle lanes operated by a regional transportation authority..

Historical notes: House Bill 2702, 79th Regular Session (2005) added the fees in Sec. 228.055, effective 6-14-05. Senate Bill 1464, 78th Regular Session (2003), adds these fees under Chapter 284. The effective date was September 1, 2003, but due to Gov. Code Sec. 51.607, the effective date was postponed to January 1, 2004. Senate Bill 990, 82nd Session (2011) added Section 452.0613, effective September 1, 2011.

TRAFFIC FEE: Transportation Code, Sec. 542.403, effective 9-1-91

- Defendant convicted of misdemeanor under Transportation Code, Title 7, Subtitle C, Rules of the Road, shall pay $3 as a cost of court.

Historical note: The local $3 Traffic Fee was added by House Bill 70, 72nd Session, 1991, added to Sec. 143, Uniform Act Regulating Traffic. In 1995, it was recodified into the Transportation Code by Senate Bill 971, 74th Session.

Notes: Transportation Code, Title 7, Subtitle C, Rules of the Road, includes only chapters 541-600. This includes moving violations (Chapter 545), and inspections of vehicles (Chapter 548), but does **not** include expired registration (Chapter 502), driver's licenses (Chapter 521), or insurance (Chapter 601). See Table V in Chapter 10 for details on offenses included in the Rules of the Road.

It is possible to find that the court is charging this local Traffic Fee on violations for commercial motor vehicles, such as equipment, brakes, lights, etc. If the offense is being filed as a Chapter 547 offense, then the local Traffic Fee would apply. If the offense is being filed as a federal safety motor carrier offense in Chapter 644, the local Traffic Fee does not apply. There may be offenses that fall under both, the court should determine how it was filed.

VISUAL RECORDING FEE: Code of Criminal Procedure, Art. 102.018, effective 9-1-94

- Applies to Penal Code, Sec. 49.04 convictions (Driving while intoxicated)
- Applies only in county and district courts
- Fee of $15 applies if law enforcement agency visually recorded the defendant with an electronic device

WITNESS FEES: Code of Criminal Procedure, Article 102.002, effective 9-1-85

- Applies to JP, county and district courts
- Clerks shall keep records of witnesses in the case
- Defendant, upon conviction, is liable for costs of witnesses

Historical note: This was added in 1985. Senate Bill 577, 76th Session (1999), repealed subsections (a), (b), and (c) of Art. 102.002.

Chapter 5
Civil Fees

Introduction

Table of Civil Fees by Time Period

Birth Certificate Fees

Electronic Filing Fee

Filing Fee for Legal Services for Indigents

Judicial Fund Filing Fees

Judicial Support Fee

Juror Donations

Marriage License Fees

Nondisclosure Fees

Photographic Enforcement Systems

Civil Fees Retained Locally

Introduction

There are several state fees collected in civil cases and on other records in the offices of the county and district clerks, and local registrars for birth certificates.

All of the fees listed in this chapter apply to county offices. The Birth Certificate Fee also applies to a local registrar in a municipality.

All of these fees are to be remitted quarterly, by the last day of the month following a calendar quarter, on the Civil Fees Form #40-141, with the exception of the Photographic Traffic Signal fee, which is remitted annually on Form #40-146 and the Electronic Filing Fee, which is remitted quarterly on Form #40-151.

Table of Civil Fees by Time Period

Fund	9-1-03 thru 8-31-05	9-1-05 thru 8-31-07	9-1-07 thru 8-31-13	9-1-13 forward
Birth Certificate Fee	X	X	X	X
Electronic Filing Fee				X
Filing Fee for Legal Services for Indigents	X	X	X	X
Judicial Fund	X	X	X	X
Judicial Support Fee		12-01-05	X	X
Juror Donations	X	X	X	X
Marriage License Fees	X	X	X	X
Nondisclosure Fees	X	X	X	X
Photographic Enforcement Systems			X	X

Where a block is grayed out, it means the fund was not in effect during that time period. An X means that the fund was effective for the time periods indicated in the column headings, unless otherwise noted.

Birth Certificate Fee

Reported by	County Clerks and Local Registrars
Effective	9-1-95
Due Date	Quarterly
Collection Fee	None
Statute	**Local Gov. Code, Sec. 118.011, 118.015, 133.004** http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.011 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.015 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.004 **Health & Safety Code, Sec. 191.0045, 191.022** http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.191.htm#191.0045 http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.191.htm#191.022
Purpose	Work and Family Policies Fund

Rate: $2 per certified copy of birth certificate, of which

-90%, or $1.80, is remitted to the state, and

-10%, or 20 cents, is retained locally.

Description:

The $2 fee is in addition to other fees required by the Bureau of Vital Statistics for certified copies of birth certificates. It is reported by the county clerks to the county treasurer for remittance to the Comptroller, or by the local registrars in the municipalities.

Reporting after 1-1-04:

Effective January 1, 2004, Birth Certificate Fees are included on the Civil Fees Report, #40-141, line 1. The number of birth certificates will be reported in Column 1 and the total collected in Column 2 ($1.80 times the number in Col 1.). Column 4, "Amount Due", should be the same as Column 2.

Exemptions:

Law enforcement agency or child fatality review team (Health & Safety Code, Sec. 191.0046). This is effective May 3, 2005.

Historical background:

The birth certificate fees were added by House Bill 1341, 74th Session (1995), effective 9-1-95.

The exemption for the law enforcement agency or child fatality review team was added by Senate Bill 239, 79th Session (2005), effective 5-3-05.

Discussion:

Local Registrars are defined in Health & Safety Code, Sec. 191.022. This includes JP's and municipal clerks or secretaries. Revenue Accounting had numerous JP's and municipal clerks/secretaries that were set up on the computer with their own taxpayer numbers for reporting Birth Certificate Fees, instead of using the city's or county's taxpayer number. These have now been changed to the appropriate city or county taxpayer numbers, but the auditor should look for Birth Certificate Fees to be sure that they are properly reported.

The fees charged by the Bureau of Vital Statistics are found in the Health & Safety Code, Sec. 191.0045. Local Registrars may charge an additional $2 and $1 fee as provided in 191.0045 (e) and (h). Senate Bill 1524, 79th Session (2005), effective 1-1-06, allows county clerks to charge the same fee charged by the Bureau of Vital Statistics for issuing a certified copy of a birth or death certificate. County clerks may also charge an additional $1 for preserving vital statistics of birth, death, fetal death, marriage, and divorce and annulment records.

The statutes regarding fees for birth certificates does not list any exemptions*, and the Department of Health has not issued any to this effect. However, they cannot control what the county clerks or local registrars do. If the clerk/registrar chooses to give a birth certificate for free, TDH does not intervene. If the clerk/registrar used the TDH internet system to obtain the certificate, they will still owe TDH the fee ($1.83) regardless; they also should collect the regular fees from the customer and remit $1.80 to the Comptroller.

* There are a couple of exemptions from the birth certificate fees. Government Code, Section 603.003(a)(1) exempts veterans when needed for filing claims against the US Government, and Local Government Code, Sec. 118.011(d) exempts Immigration and Naturalization Service (INS) when the request is related to a criminal history. Otherwise, no exemptions for senior citizens, juveniles, Little League, etc.

Electronic Filing Fee

Reported by	Justice, County, Statutory County, Statutory Probate, and District Courts
Effective	9-1-13
Due Date	Quarterly
Collection Fee	None (per LGC 133.058(d)(3)
Statute	**Government Code, Sec. 51.851** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.51.htm#51.851**
Purpose	Office of Court Administration, support a statewide electronic filing technology project for courts in this state

Rate:

Court	9/1/13 forward
District, County, Statutory County, Statutory Probate	$20
Justice	$10

Description:

The fees apply to the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee to be used as provided by Section 51.852 of the Government Code.

A court may waive payment of the fee for an individual the court determines is indigent.

Historical Note:
House Bill 2302, 83rd Session (2013), effective 9-1-13 created the electronic filing fee. The bill specifically stated that Government Code 51.607 did not apply, so the effective date was not delayed to 1-1-14.

Filing Fee for Legal Services for Indigents

Reported by	Justice, County and District Courts
Effective	9-1-97
Due Date	Quarterly
Collection Fee	5%
Statute	**Local Government Code, Sec. 133.151 - 133.153** http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.151
Purpose	Supreme Court, for providing basic legal services to indigent individuals

Rate (based on the date of the filing of the document):

Court	Prior to 01-01-10	01-01-10 forward
Justice of the Peace (Sec. 133.153)	$2	$6
Statutory and Constitutional County Courts (Sec. 133.153)	$5	$10
District Court in divorce and family law matters (Sec. 133.151 and 133.152)*	$5	$5
District Court in matters other than divorce and family law (Sec. 133.151 and 133.152)*	$10	$10

***Section 133.151 applies to District Courts, for the original filing of a civil suit only.** It directs the District Court to collect $45 for divorce and family law cases, and $50 for any other cases. Of the $45 collected, $5 applies to the Filing Fund for Legal Services for Indigents, and $40 applies to the Judicial Fund. Of the $50 fee, $10 applies to the Filing Fund for Legal Services for Indigents, and $40 to the Judicial Fund. (This $40 fee was previously separately identified as the District Clerk Filing Fee in Government Code, Section 51.701, which was repealed effective January 1, 2004, and replaced by Local Government Code, Section 133.151. See "Judicial Fund Filing Fees" in this chapter.)

***Section 133.152 applies to District Courts**, for the filing of any civil action or proceeding requiring a filing fee, including appeals, counterclaims, cross-actions, interventions, interpleaders, or third party actions requiring a filing fee. This fee is:

- $5 for family law cases and proceedings as defined by Government Code, Section 25.0002, and
- $10 in any case other than family law cases and proceedings defined by Government Code, Section 25.0002.

This fee is to be collected IN ADDITION to the fee collected in Section 133.151, and is to be reported on line 10c of the report form. See Attorney General Opinion GA-0491, dated December 4, 2006, for more details.

To allow courts time to change their procedures, the Comptroller did not require the collection of the Section 133.152 fee on original filings before April 1, 2007.

Prior to the issuance of the Attorney General Opinion, the fee in Section 133.152 was for the filing of a document **other than** the original filing of a civil suit. This includes appeals, and the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee. It was **not** to be added to the fee provided for in Section 133.151.

Section 133.153 applies to all such filings in the justice court, and statutory and constitutional county courts, including the original filing of the civil case.

Appellate Courts: Government Code, Sec. 51.941, applies to the Texas Supreme Court and Courts of Appeals. These courts shall collect a $25 fee on the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third party action requiring a filing fee. These court fees are to be collected in the same manner as other fees, fines, or costs in the case, and remitted to the comptroller not later than the last day of the month following each calendar quarter.

Effective 9-1-2007, Government Code, Section 51.0051, requires the Supreme Court and the courts of appeals to collect an additional fee on the filing of any application or proceeding otherwise requiring a filing fee, including an appeal. The additional fee is set by order or rule of the Supreme Court in an amount necessary to defray costs and expenses incurred in the operation of the court, not to exceed $50. This was added by Senate Bill 1182, 80th Session (2007).

These two courts report on Form #40-136 under subtype 62.

Exclusions:

- This statute does **not** apply to municipal courts.
- Excludes Title IV-D cases, for child support, paternity, etc., filed by the Office of the Attorney General.
  - » This refers to Part D, Title IV, Social Security Act, relating to the location of an absent parent, determination of parentage, or establishment, modification, or enforcement of a child support or medical support obligation. In Texas, the designated Title IV-D agency is the Office of the Attorney General. They file suits for enforcement of child support, establishment of paternity, etc. "UIFSA" cases (Uniform Interstate Family Support Act), which are child support cases from another state, are included in this exemption.
  - » Section 231.202, Family Code, outlines the authorized costs and fees in a Title IV-D case, including certain filing fees, and fees for issuance and service of process as provided by certain sections of the Family Code and Government Code. Section 231.204 is a listing of prohibited fees in Title IV-D cases, and the judicial fund is specifically listed as a prohibited fee, and that includes the Filing Fee for Legal Services for Indigents, District Clerk Filing Fees, and Judicial Fund Filing Fees.

Reporting after 1-1-04:

As of 1-1-04, these fees are included on the Civil Fees report form #40-141. These fees are reported by

- Justice Courts on Line 6,
- Statutory Probate Courts on Line 7a,
- Statutory County Courts on Line 8a, and
- Constitutional County Courts on Line 9a.
- District Courts:
  - » If this is the original filing of a Divorce or Family Law Case, this $5 fee is added to the $40 Judicial Fund fee, and the entire $45 is reported on Line 10a.
  - » If this is the original filing of a case other than Divorce of Family Law, this $10 fee is added to the $40 Judicial Fund fee, and the entire $50 is reported on Line 10b.
  - » Effective 4-1-07, if this is for the filing of an original or subsequent or additional document in a case that was previously filed:
    - ° The $5 fee for Divorce or Family Law is reported on Line 10c
    - ° The $10 fee for cases other than Divorce or Family Law is reported on Line 10c.

» Prior to 4-1-07, if this is for the filing of a subsequent or additional document in a case that was previously filed:
  - The $5 fee for Divorce or Family Law is reported on Line 10c
  - The $10 fee for cases other than Divorce or Family Law is reported on Line 10c.

DISTRICT COURT - CIVIL CASES

		Prior to 01/01/04			01/01/04 - 03/31/07			4/1/07 & after			
Filing Type	Fund	Form	Report Line	Amount	Form	Report Line	Amount	Form	Report Line	Amount	Note
Original Filing, Divorce & Family Law	Filing Fee for Legal Services for Indigents	40-136	1	$ 5			$ 5	40-141	10a & 10c	$ 10	(1)
	Judicial Fund	40-116	2	40			40	40-141	10a	40	(1)
				$ 45	40-141	10a	$ 45			$ 50	
Original Filing, Other than divorce/family law	Filing Fee for Legal Services for Indigents	40-136	1	$ 10			$ 10	40-141	10b & 10c	$ 20	(2)
	Judicial Fund	40-116	2	40			40	40-141	10b	40	(2)
				$ 50	40-141	10b	$ 50			$ 60	
Subsequent Filing, Divorce & Family Law	Filing Fee for Legal Services for Indigents Judicial Fund	40-136	1	$ 5	40-141	10c	$ 5	40-141	10c	$ 5	
Subsequent Filing, Other than divorce/family law	Filing Fee for Legal Services for Indigents Judicial Fund	40-136	1	$ 10	40-141	10c	$ 10	40-141	10c	$ 10	

Note on 4/1/07 & after:

(1) Of the $45 reported on Line 10a, $40 goes to the Judicial Fund and $5 for Filing Fee for Legal Services for Indigents. Per AG Opinion GA-0491, the District Clerk is to collect an additional $5 for Filing Fee for Legal Services for Indigents and report it on Line 10c.

(2) Of the $50 reported on Line10b, $40 goes to the Judicial Fund and $10 for Filing for Legal Services for Indigents. Per AG Opinion GA-0491, the District Clerk is to collect an additional $10 for Filing Fee for Legal Services for Indigents and report it on Line 10c.

Historical note:

The Filing Fee for Legal Services for Indigents was created by Senate Bill 1534, 75th Session (1997), effective 9-1-97. Attorney General Opinion GA-0491, dated December 4, 2006, determined that the fee in Section 133.152 was to be collected **in addition** to the fee in Section 133.151 in all cases.

House Bill 3637, 81st Session (2009), effective 9-1-09, amended Local Government Code Section 133.152(a) to add clarifying language to indicate that the fees in this section were in addition to the fee in Section 133.151.

House Bill 4718, 81st Session (2009), effective 9-1-09, amended Government Code Section 25.0702 by adding Subsection (c) allowing Ector County courts at law having concurrent civil jurisdiction with the district courts to assess the same fees that would be assessed in the district court for that case.

Discussion:

This applies to civil cases, so there is no fine. If the county fails to collect the filing fee, there's no fine money from which to take the filing fee. The county is not responsible for paying it out of county funds, so there is no audit adjustment. We should, however, advise the county in writing, that this needs to be corrected. This should also be documented in the audit plan, and the letter included as an exhibit in the audit package.

On tax cases, they collect the fees on the back end, which the property owner pays up or when the property is auctioned. They just need to be sure the filing fees are included in the papers.

This fund should not be confused with the portion of the Consolidated Court Fee that goes to the Fair Defense Fund. These fees are unrelated.

Judicial Fund Filing Fees

Reported by	County, Probate and District Courts
Effective	9-22-86 with multiple amendments
Due Date	Quarterly
Collection Fee	None
Statute	**Local Government Code, Sec. 133.151** **http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.151** **Government Code, Sections 51.702, 51.703, and 51.704** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.51.htm#51.702**
Purpose	Judicial Fund, administered by Comptroller, used for District Judges salaries, administration, etc.

Rates effective January 1, 2004:

- a $40 filing fee:
  - » In all District Courts, on the original filing of a civil suit (Local Gov. Code, Section 133.151) (This is combined with the Filing Fee for Legal Services for Indigents in Section 133.151.)
  - » In Constitutional County Courts that qualify under Government Code, Section 26.006 and Section 51.703 on or after June 19, 1999 (see Chapter 10, Judicial fund chart for participating counties and dates).
  - » In all Statutory County Courts as of 10-1-2007. Prior to 10-1-07, in Statutory County Courts that qualified under Government Code, Section 51.702 on or after July 1, 1992 (see Chapter 10, Judicial fund chart for participating counties and dates).*
  - » In all Statutory Probate Courts as of 9-1-2007. Prior to 9-1-07, in Statutory Probate Courts that qualified under Government Code, Section 51.704 on or after October 1, 1999 (see Chapter 10, Judicial fund chart for participating counties and dates).*

***Resolutions:**

- Fees in Statutory County Courts prior to 10-1-07, and
- Statutory Probate Courts prior to 9-1-07:

  Apply ONLY IF the county commissioner's court has adopted a resolution authorizing the fees. Resolutions are not required for fees in Constitutional County Court.

  For years beginning 7-1-92 through 7-1-95, the resolution had to be filed with the Comptroller by June 1st of each year for which the county wanted to adopt the additional court costs and fees. Beginning with 7-1-96, the resolution had to be filed by June 1, and would continue in effect until appropriately rescinded by the county. To rescind the resolution, the county commissioners' court must submit notification to the comptroller of their desire to rescind by June 1st of the year in which they wish to withdraw.

  Also, effective 8-28-95, a county that was not eligible to participate on July 1st of a year, but that would become eligible to participate later in that year, must submit a resolution to the comptroller by June 1st, and the comptroller would determine what date the county was to begin collecting the costs and fees.

  Note: Resolutions are not required for Statutory County Courts after 10-1-2007 or for Statutory Probate Courts after 9-1-2007.

Exclusions:

- Actions taken by the Department of Aging and Disability Services for guardianship. (Human Resources Code, Sec. 161.107, as added by Senate Bill 6, 79th Session (2005)).
- Excludes Title IV-D cases, for child support, paternity, etc, filed by the Office of the Attorney General.
  - » This refers to Part D, Title IV, Social Security Act, relating to the location of an absent parent, determination of parentage, or establishment, modification, or enforcement of a child support or medical support obligation. In Texas, the designated Title IV-D agency is the Office of the Attorney General. They file suits for enforcement of child support, establishment of paternity, etc. "UIFSA" cases (Uniform Interstate Family Support Act), which are child support cases from another state, are included in this exemption.
  - » Section 231.202, Family Code, outlines the authorized costs and fees in a Title IV-D case, including certain filing fees, and fees for issuance and service of process as provided by certain sections of the Family Code and Government Code. Section 231.204 is a listing of prohibited fees in Title IV-D cases, and the judicial fund is specifically listed as a prohibited fee, and that includes the Filing Fee for Legal Services for Indigents, District Clerk Filing Fees, and Judicial Fund Filing Fees.
  - » This statute does not apply to municipal courts.

Reporting after 1-1-04:

As of 1-1-04, they are included on the Civil Fees Report Form #40-141:

- Statutory Probate Courts report this on Line 7b,
- Statutory County Courts report this on Line 8b,
- Constitutional County Courts report this on Line 9b.
- District Courts
  - » If this is the original filing of a Divorce or Family Law Case, this $40 fee is added to the $5 fee for Filing Fee for Legal Services for Indigents, and the entire $45 is reported on Line 10a.
  - » If this is the original filing of a case other than Divorce of Family Law, this $40 fee is added to the $10 Filing Fee for Legal Services for Indigents, and the entire $50 is reported on Line 10b.
  - » If this is for the filing of a subsequent or additional document in a case that was previously filed, there is no Judicial Fund filing fee to be collected. Only the $5 or $10 Filing Fee for Legal Service for Indigents is to be reported on Line 10c.

Historical note:
House Bill 2837, 75th Session (1997), increased the fee from $30 to $40 and allocated the $40 to the statutory county court when assigned from District Court. Effective 9-1-97

House Bills 1123 and 3211, 76th Session (1999), added Sec. 51.703 for constitutional county courts participating in the supplemental salary program, effective 6-19-99.

House Bill 1123 also added Sec. 51.704 for Statutory Probate courts, effective 10-1-99.

Senate Bill 600, 80th Session (2007), amended Government Code, Section 51.702, and makes participation mandatory for all Statutory County Courts, effective 10-1-07.

House Bill 2359, 80th Session (2007), amended Government Code, Section 51.704, and makes participation mandatory for all Statutory Probate Courts effective 9-1-07.

House Bill 4718, 81st Session (2009), effective 9-1-09, amended Government Code Section 25.0702 by adding Subsection (c) allowing Ector County courts at law having concurrent civil jurisdiction with the district courts to assess the same fees that would be assessed in the district court for that case.

Discussion:
Attorney General Opinion JC-0196 dated March 17, 2000, stated that a commissioners court may not end its participation in the middle of a program year.

Judicial Support Fee

Reported by	County and District Courts
Effective	12-1-05
Due Date	Quarterly
Collection Fee	**None**
Statute	**Local Government Code, Sec. 133.154:** **http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.154**
Purpose	Judicial Fund, administered by Comptroller, for judicial salary supplements, etc.

Rate:

Judicial Support Fee	12-1-05 thru 12-31-07	1-1-08 forward
On the filing of any civil suit	$37	$42

Description: The fee is in addition to other fees authorized or required by law, and applies only to District Courts, Statutory County Courts, and Constitutional County Courts. Any fees collected in December 2005 are to be included in the report form for the 4th quarter of 2005. This is reported on the Civil Fees report form #40-141, Line 12.

Historical note:

This fee added by House Bill 11, 79th Session, 2nd Special Session (2005). Effective date is December 1, 2005, and it was specifically exempted from Government Code, Section 51.607.

Attorney General Opinion GA-0486, dated November 21, 2006, states that this Judicial Support Fee does not apply to bail bond forfeitures because no civil suit is filed.

Senate Bill 600, 80th Session (2007), increased the fee from $37 to $42, effective 10-1-07, but Gov. Code Section 51.607 delayed the fee increase to January 1, 2008.

Juror Donation Program

Reported by	Justice, County and District Courts
Effective	9-1-95
Due Date	Quarterly
Collection Fee	None
Statute	**Government Code, Section 61.003** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.61.htm#61.003**
Purpose	Compensation to Victims of Crime Fund, administered by the Texas Attorney General, for victims of crime, for reimbursement of expenses, counseling, etc.

Rate:

Each person who reports for jury service may donate all or a specific portion of the juror's daily reimbursement for jury service to:

- The Compensation to Victims of Crime fund under Code of Crim. Proc., Chap. 56;
- The child welfare fund under Family Code, Chap. 264 (9-1-97 through 8-31-99 only);
- The child welfare board of the county, appointed under Family Code, Sec. 264.005 (only 9-1-99 forward);
- Any program selected by the commissioners court that is operated by a public or private nonprofit organization and that provides shelter and services to victims of family violence (only 9-1-97 forward); or
- Any other program approved by the commissioners' court (only 9-1-97 forward). Effective 9-1-07, this includes a program established under Article 56.04(f), Code of Criminal Procedure, that offers psychological counseling to jurors in criminal cases involving graphic evidence or testimony.

Effective 9-1-07, the juror may donate all, or a specific amount designated by the juror. The juror must be provided a form letter which must include a blank in which the juror may enter the amount of the daily reimbursement the person wishes to donate. Between 9-1-97 and 8-31-07, the donation must be all or nothing; partial donations are not allowed.

The statute was originally effective 9-1-95 but applied to jury summons issued on or after 1-1-96. Amendments made on 9-1-97 and 9-1-99 apply to jury summons issued on or after 9-1-97 or 9-1-99, respectively.

Exclusions:

This statute does not apply to municipal courts. However, if any municipal courts do remit juror donations, they are deposited to the Compensation to Victims of Crime Fund in the same manner that as donations from the county.

Reporting after 1-1-04:

Effective 1-1-04, juror donations are included on the Civil Fees Report Form #40-141, Line 5.

Note: This is a separate fund from the criminal court cost named "Jury Reimbursement Fund." The Juror Donation Program is for donations by jurors of the payment they receive for performing jury service. The Jury Reimbursement fund is a court cost to be imposed on criminal offenses.

Historical note:

The Juror Donation Program was created in Senate Bill 359, 74th Session (1995). It was effective 9-1-95 but applied to jury summons issued on or after January 1, 1996. House Bill 1886, 75th Session (1997), and Senate Bill 756, 75th Session (1997), allows donations in addition to CVC and required the donation to be all or nothing, no partials allowed. It also allowed donations to the Comptroller for CVC and child welfare. Effective 9-1-97.

House Bill 1204 and Senate Bill 560, 80th Session (2007), amended Government Code, Section 61.003, to allow the juror to donate all, or a specific amount designated by the juror, to the programs outlined in the statute. This change was effective 9-1-07.

Discussion:

The statute only mentions counties in regard to juror donations, leaving it unclear what a city can or cannot do. Cities have been advised that it is best for cities not to pay jurors, but if they do, they have to provide a donation form and follow the same programs designated by the county they are in. The city cannot create its own donation list; they must follow the same ones designated by the county. This would include the CVC program. However, there is no vehicle for the city to remit the CVC donations to the Comptroller. If a city has CVC donations to remit, they need to send a check and a letter to Revenue Accounting for special handling. The money cannot be deposited into the CVC fund but is deposited into General Revenue since there is no statute for municipal court juror donations.

Marriage License Fees

Reported by	County Clerks
Effective	9-1-85
Due Date	Quarterly
Collection Fee	None
Statute	**Local Government Code, Sections 118.011, 118.018, 118.019, 118.022** http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.011 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.018 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.019 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.022
Purpose	$3 to the Family Trust Fund, administered by the Texas Attorney General $12.50 to the Child Abuse and Neglect Prevention Trust Fund, administered by the Department of Family and Protective Services

Rate: The full fee is shown in the table below, along with the amount to be remitted to the Comptroller.

Item	9-1-08 forward
Marriage license fee	$60 (remit ½)
Declaration of informal marriage	$25 (remit ½)

Exemption:

Effective September 1, 2008, the fee for the marriage license is exempted for an applicant who completes a premarital education course and provides a course completion certificate to the county clerk. The course must have been completed not more than one year prior to the date of the marriage license application. The exemption does not apply to the declaration of informal marriage.

Reporting after 1-1-04:

Effective 1-1-04, the fees are to be reported on the Civil Fees Report Form, #40-141. The Marriage License Fees are reported on Line 2, and the $12.50 for Declarations of Informal Marriage are reported on Line 3.

Historical background:

Senate Bill 1475, 77th Session (2001), effective 9-1-01, amended this statute. The money from marriage license fees was previously dedicated to the Children's Trust fund of Texas. Senate Bill 1475 abolished that fund and transferred the duties to the Department of Protective and Regulatory Services. The fund was renamed the "child abuse and neglect prevention account." The Comptroller previously called this fund the Children's Trust Fund, since the funds were dedicated to this fund. When Senate Bill 1475 made this change, the name was changed to Marriage License Fees. There were no other changes to the fund at this time.

House Bill 2685, 80th Session (2007), amended the Family Code to provide for premarital education courses, and increased marriage license fee, and exemptions from the marriage license fee for applicants who have completed such a course. These provisions are effective September 1, 2008.

Nondisclosure Fee

Reported by	County and District Courts
Effective	9-1-03
Due Date	Quarterly
Collection Fee	None
Statute	**Government Code, sec. 411.081** **http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm#411.081**
Purpose	General Revenue Fund

Rate:

$28 fee per petition for order of nondisclosure of criminal history record information related to the offense for which the individual received deferred adjudication community supervision under Sec. 5, Article 42.12, Code of Criminal Procedure. The defendant must have subsequently received a discharge and dismissal. Applies to all petitions filed in the court on or after September 1, 2003, regardless of date of offense.

The petition must be filed in the court that placed the individual on deferred adjudication. The petition and fee may be accepted by the court only:

1. after the discharge and dismissal, if the offense was a misdemeanor other than one described by subsection (2);
2. after the 5th anniversary of the discharge and dismissal, if the offense was a misdemeanor under Chapters 20, 21, 22, 25, 42, or 46, Penal Code; or
3. after the 10th anniversary of the discharge and dismissal, if the offense was a felony.
4. if during the period of the deferred adjudication community supervision for which the order of nondisclosure is requested, and during the periods described in (1), (2), or (3) as applicable, the person was not convicted of or placed on deferred adjudication for any other offense other than an offense under the Transportation Code punishable by fine only.

Exclusions:

- An Order of Nondisclosure does NOT apply to:
  1. an offense requiring registration as a sex offender under chapter 62, Code of Criminal Procedure;
  2. an offense under Section 20.04, Penal Code;
  3. an offense under Penal Code, Sections 19.02, 19.03, 22.04, 22.041, 25.07, or 42.072
  4. any other offense involving family violence, as defined by Section 71.004, Family Code.
- This statute does not apply to municipalities.

Note: This Nondisclosure fee is included on Civil Fees report form #40-141 beginning with the third quarter of 2003. The September collections are to be included in the third quarter report. For the third and fourth quarters of 2003, this was the only active item on the Civil Fees report form. This is currently reported on Line 4 of the Civil Fees report form.

Historical Background:

This fee was added by Senate Bill 1477, 78th Regular Session (2003). It applies only to petitions filed on or after September 1, 2003, regardless of date of offense.

When this fee came into being, Revenue Accounting created the new quarterly Civil Fees Report Form, effective September 1, 2003. From September 1 through December 31, the Nondisclosure Fee was the only item reported on this form. On January 1, 2004, the remainder of the form became applicable for reporting. So for 2 quarters (actually 4 months), this fee was the only item on the Civil Fees form.

Amendments were made to the provisions and dissemination of an order of nondisclosure by House Bill 1303 and Senate Bill 9, 80th Session (2007).

Discussion:

The nondisclosure fee has to be filed in the court where the conviction occurred. Some of those courts handle criminal cases exclusively, so the nondisclosure fee will appear on a criminal docket. The danger here is that some computer systems may automatically generate criminal court costs or other costs, which are not applicable here. Some of those courts handle both civil and criminal, so the county will have to decide how they want to handle the nondisclosure fees and decide which docket they will enter it into. Some will create a separate docket just for nondisclosure petitions. How it is docketed is fine, as long as it is remitted to the Comptroller on the Civil Fees form.

There is an Attorney General Opinion, #GA-0330, dated June 10, 2005, that says a clerk may not condition the filing of a petition for an order of nondisclosure upon a fee other than the $28 fee authorized by the Government Code, Section 411.081(d).

Photographic Enforcement Systems

Reported by	Municipal, Justice, County and District Courts in local authorities who have passed ordinance
Effective	9-1-07
Due Date	Annually, 60 days after end of city's/county's fiscal year
Collection Fee	None
Statute	**Transportation Code, Sections 707.007 – 707.008** http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.707.htm#707.007
Purpose	Regional Trauma Account

Rate:

- Administrative penalty not to exceed $75 per violation
- After authorized deductions, one-half of administrative penalty is to be remitted to the Comptroller

Exemptions:

- Effective 9-1-09, a local authority is prohibited from imposing or attempting to impose a civil penalty on the owner of an authorized emergency vehicle. However, an employer is not prohibited from taking disciplinary action against an employee who, as the operator of an authorized emergency vehicle, operated the vehicle in violation of a rule or policy of the employer.

Deductions:

- Costs of purchasing or leasing equipment that is part of or used in connection with the photographic traffic signal enforcement system;
- Costs of installing the photographic traffic signal enforcement system, including the costs of installing cameras, flashes, computer equipment, loop sensors, detectors, utility lines, data lines, poles and mounts, networking equipment, and associated labor costs;
- Costs of operating the photographic traffic signal enforcement system, including the costs of creating, distributing, and delivering violation notices, review of violations conducted by employees of the local authority, processing of fine payments and collections, and the costs associated with administrative adjudications and appeals; and
- Costs of maintaining the general upkeep and functioning of the photographic traffic signal enforcement system.

Note: The deductions will be listed on the report form but will not be entered into the reporting database. To see deductions reported, the report form will have to be viewed via imaging.

Penalty:

If under Section 133.059, Local Government Code, the Comptroller conducts an audit of a local authority and determines that they retained more than the amounts authorized, or failed to deposit amounts as required, the Comptroller may impose a penalty on the local authority equal to twice the amount they retained in excess of the amount authorized or failed to deposit as required.

Description:

The governing body of a local authority by ordinance may implement a photographic traffic signal enforcement system. The local authority has the option of contracting for the administration and enforcement of the system, and may contract for the installation or operation of the system.

Note: The civil penalties for photographic signal enforcement are reported on Form #40-146. This annual report, due 60 days after the end of city's/county's fiscal year, will begin with a fiscal year ending on or after September 1, 2007. Any **revenue received** by the city/county on or after September 1, 2007, is to be remitted, regardless of whether the penalty was imposed before, on, or after the effective date of September 1, 2007.

Historical background:

Senate Bill 1119, 80th Session (2007), effective January 1, 2008, added Chapter 707 to the Transportation Code to provide authority for use of the photographic traffic signal enforcement program and the related civil or administrative penalties. House Bill 1623, 80th Session (2007), includes similar language. Senate Bill 926, 81st Session (2009), effective September 1, 2009 added Section 707.0021 prohibiting 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.

Civil Fees Retained Locally

(This is not intended to be an all-inclusive listing)

Fee	9-1-03 through 12-31-05	1-1-06 through 8-31-07	9-1-07 through 12-31-09	1-1-10 through 12-31-13	1-1-14 forward
Alternative Dispute Resolution fee	Not to exceed $10	Not to exceed $10	Not to exceed $10	Not to exceed $10	Not to exceed $10
Appellate Judicial System Fees	X	X	X; as of 6/19/09 in specified counties	X; as of 6/19/09 in specified counties	X; as of 6/19/09 in specified counties
Court Record Preservation Fee				$10	$10
Court Reporter Fee	$15	$15	$15; as of 6/19/09, $30 in specified counties	$15; as of 6/19/09, $30 in specified counties	$15; as of 6/19/09, $30 in specified counties
Court Security Fee	Not to exceed $5	Not to exceed $5	Not to exceed $5	Not to exceed $5	Not to exceed $5
District Court Records Archive Fee			Effective 6-19-09; Up to $5	Up to $5 through 8-31-13; up to $10 effective 9-1-13	Up to $10 through 8-31-19
Electronic Filing System Fee					$2 from 1-1-14 through 08-31-19
Family Protection Fee (1-1-04)	Not to exceed $15 **(1-1-04)**	Not to exceed $30	Not to exceed $15 **(6-15-07)**	Not to exceed $15	Not to exceed $15
Family Code Filing Fees	X	X	X	X	X
Government Code Filing Fee	X	X	X	X	X
Human Resources Code filing fees	X	X	X	X	X
Interpreter's Fee	$3	$3	$3	$3	$3
Jury Fee	X	X	X	X	X
Law Library Fee	Not to exceed $35	Not to exceed $35	Not to exceed $35	Not to exceed $35	Not to exceed $35
Local Government Code filing fees	X	X	X	X	X
Probate Court Actions		$25	$25	$25	$25
Records Archive Fee	Not more than $5	Not more than $5	Not more than $5	Not more than $5; up to $10 effective 9-1-13	Up to $10 through 8-31-19
Records Management and Preservation Fee – County Court	Not more than $5	Not more than $5	Not more than $5	Not more than $5; up to $10 effective 9-1-13	Up to $10 through 8-31-19
Records Management and Preservation Fee – District Court	$10 **(1-1-04)**	$10	$10	$10	$10
Returned Check Fee	X	X	X	X	X
Sheriffs and Constable Fees	X	X	X	X	X
Vital Statistics Records Fee	X	X	X	X	X
Witness Fee	X	X	X	X	X

Where a block is grayed out, the fund was not effective for that time period. An X means that the fund was effective for the time periods in the column headings, unless otherwise indicated.

ALTERNATIVE DISPUTE RESOLUTION FEE: Civil Practice and Remedies Code, Section 152.004, allows the commissioners court to set a court cost in each civil case not to exceed $10 to establish and maintain an alternative dispute resolution system. The fee does not apply to a suit for delinquent taxes, a condemnation proceeding under Chapter 21, Property Code, or to a proceeding under Subtitle C, Title 7, Health and Safety Code (Chapters 572-578 relating to the Texas Mental Health Code).

Historical note: The fee was set either by the 70th or 71st Session (1987 or 1989). The fee has been the same since at least 1989.

APPELLATE JUDICIAL SYSTEM FEES: Government Code, Chapter 22, Subchapter C, allows the commissioners court of certain counties to set a court cost of **not more than $5** for each civil suit filed in county court (constitutional and statutory), probate court, or district court. The fee does not apply to a suit filed by the county or to a suit for delinquent taxes.

Fees apply in these districts:

- First and Fourteenth Court of Appeals District fee: Government Code, Section 22.2021 (effective 9-1-89) – mandatory fee up to $5
- Second Court of Appeals District: Government Code, Section 22.2031 (effective 9-1-13 but postposed to 1-1-14 by Government Code, Section 51.607) – mandatory $5 fee (House Bill 410, 83rd Legislature, 2013); prior law (effective 9-1-91) – permissive fee up to $5
- Third Court of Appeals District: Government Code, Section 22.2041 (effective 1-1-06, added by Senate Bill 241, 79th Regular Session, 2005) – mandatory $5 fee
- Fourth Court of Appeals District: Government Code, Section 22.2051 (effective 9-1-97) – mandatory fee up to $5
- Fifth Court of Appeals District: Government Code, Section 22.2061 (effective 9-1-89) – mandatory fee up to $5
- Sixth Court of Appeals District: Government Code, Section 22.2071 (effective 9-1-09 but postponed to 1-1-10 by Government Code, Section 51.607) – mandatory $5 fee (Senate Bill 658, 81st Legislature, 2009)
- Seventh Court of Appeals District: Government Code, Section 22.2081 (effective immediately – 6/19/09 upon order entered in the minutes by commissioners court) – mandatory $5 fee (Senate Bill 1259, 81st Legislature, 2009. Both Senate Bills 1208 and 1259 added language for the Seventh Court of Appeals District, but since the effective dates of both bills irreconcilably conflict, the provisions of the Code Construction Act (Sec. 311.025, Govt. Code) would apply. Sec. 311.025(a) provides that if statutes enacted at the same session of the legislature are irreconcilable, the statute latest in date of enactment prevails. The date of enactment is the date on which the last legislative vote is taken on the bill enacting the statute. (Sec. 311.025(d)). For SB 1208 the latest date of enactment would be May 26, 2009; for SB 1259 the latest date of enactment would be May 29, 2009; consequently, SB 1259 prevails.)
- Eighth Court of Appeals District: Government Code, Section 22.2091 (effective 9-1-11 but postponed to 1-1-12 by Government Code, Section 51.607) – mandatory $5 fee (Senate Bill 605, 82nd Session, 2011)
- Ninth Court of Appeals District: Government Code, Section 22.2101 (effective 9-1-07 but postponed to 1-1-08 by Government Code, Section 51.607) - mandatory $5 fee (Senate Bill 325, 80th Legislature, 2007)
- Eleventh Court of Appeals District: Government Code, Section 22.2121 (effective 9-1-05, but postponed to 1-1-06 by Government Code, Section 51.607) - mandatory $5 fee
- Twelfth Court of Appeals District: Government Code, Section 22.2131 (effective 9-1-09 but postponed to 1-1-10 by Government Code, Section 51.607) – mandatory $5 fee (Senate Bill 659, 81st Legislature, 2009)

- Thirteenth Court of Appeals District: Government Code, Section 22.2141 (effective 9-1-01) – mandatory fee up to $5

The state is divided in 14 courts of appeals districts. Each district is outlined in Government Code, Section 22.201:

- First and Fourteenth Court of Appeals Districts (Houston) are composed of the counties of Austin, Brazoria, Burleson, Chambers, Colorado, Fort Bend, Galveston, Grimes, Harris, Trinity, Walker, Waller, and Washington.
- Second Court of Appeals District (Fort Worth) is composed of the counties of Archer, Clay, Cooke, Denton, Hood, Jack, Montague, Parker, Tarrant, Wichita, Wise and Young.
- The Third Court of Appeals District (Austin) is composed of the counties of Bastrop, Bell, Blanco, Burnet, Caldwell, Coke, Comal, Concho, Fayette, Hays, Irion, Lampasas, Lee, Llano, McCulloch, Milam, Mills, Runnels, San Saba, Schleicher, Sterling, Tom Green, Travis, and Williamson
- The Fourth Court of Appeals District (San Antonio) is composed of the counties of Atascosa, Bandera, Bexar, Brooks, Dimmit, Duval, Edwards, Frio, Gillespie, Guadalupe, Jim Hogg, Him Wells, Karnes, Kendall, Kerr, Kimble, Kinney, LaSalle, McMullen, Mason, Maverick, Medina, Menard, Real, Starr, Sutton, Uvalde, Val Verde, Webb, Wilson, Zapata, and Zavala.
- Fifth Court of Appeals District (Dallas) is composed of the counties of Collin, Dallas, Grayson, Hunt, Kaufman, Rockwall, and Van Zandt.
- Sixth Court of Appeals District (Texarkana) is composed of the counties of Bowie, Camp, Cass, Delta, Fannin, Franklin, Gregg, Harrison, Hopkins, Hunt, Lamar, Marion, Morris, Panola, Red River, Rusk, Titus, Upshur, and Wood.
- Seventh Court of Appeals District (Amarillo) is composed of the counties of Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Kent, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Terry, Wilbarger, Wheeler, and Yoakum.
- Eighth Court of Appeals District (El Paso) is composed of the counties of Andrews, Brewster, Crane, Crockett, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reagan, Reeves, Terrell, Upton, Ward, and Winkler.
- Ninth Court of Appeals District (Beaumont) is composed of the counties of Hardin, Jasper, Jefferson, Liberty, Montgomery, Newton, Orange, Polk, San Jacinto, and Tyler.
- Tenth Court of Appeals District (Waco) is composed of the counties of Bosque, Brazos, Burleson, Coryell, Ellis, Falls, Freestone, Hamilton, Hill, Johnson, Leon, Limestone, Madison, McLennan, Navarro, Robertson, Somervell, and Walker.
- Eleventh Court of Appeals District (Eastland) is composed of the counties of Baylor, Borden, Brown, Callahan, Coleman, Comanche, Dawson, Eastland, Ector, Erath, Fisher, Gaines, Glasscock, Haskell, Howard, Jones, Knox, Martin, Midland, Mitchell, Nolan, Palo Pinto, Scurry, Shackelford, Stephens, Stonewall, Taylor, and Throckmorton.
- Twelfth Court of Appeals District (Tyler) is composed of the counties of Anderson, Angelina, Cherokee, Gregg, Henderson, Houston, Nacogdoches, Rains, Rusk, Sabine, San Augustine, Shelby, Smith, Trinity, Upshur, Van Zandt, and Wood.
- Thirteenth Court of Appeals District (Corpus Christi and Edinburg) is composed of the counties of Aransas, Bee, Calhoun, Cameron, DeWitt, Goliad, Gonzales, Hidalgo, Jackson, Kenedy, Kleberg, Lavaca, Live Oak, Matagorda, Nueces, Refugio, San Patricio, Victoria, Wharton, and Willacy.

There do **not** appear to be any fees authorized for the Tenth Court of Appeals (Waco).

COURT RECORD PRESERVATION: Government Code, Section 51.708, provides that the clerk shall collect a fee of not more than $10 in each civil case filed in the court to be used for court record preservation for the courts in the county.

- Fee collected by the clerk of a county court, statutory county court, or district court in each civil case filed in the court
- Fee of not more than $10, effective 1-1-10
- The fee is to be deposited in a court record preservation account and may only be used to digitize court records and preserve the records from natural disasters.

Historical note: This fee was created by House Bill 3637, 81st Session (2009), effective 9-1-09, but postponed to 1-1-10 due to the provisions of Government Code, Sec. 51.607.

COURT REPORTER FEE: Government Code, Section 51.601(a), establishes a fee of $15 as a court cost in each civil case filed with the clerk of a court that has an official court reporter. Effective 6-19-09, Government Code, Section 51.601(a-1), establishes a fee of $30 as a court cost in each civil case filed with the clerk of a 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.

- Exemption: See Human Resources Code, Section 161.107, for exemptions for Department of Aging and Disability Services in guardianship cases (added by Senate Bill 6, 79th Session (2005).
- Attorney General Opinion #GA-0372, dated 11-3-05, says a county clerk may not collect a court reporter service fee under Government Code, Section 51.601 if the county court has not appointed an official court reporter.

Historical note: This fee was set either by the 69th or 71st Session (1985 or 1989). The rate has been the same since at least 1989.

House Bill 4529, 81st Session (2009), added subsection (a-1) to Government Code 51.601 to add a $30 court reporter fee for a county on the Texas-Mexico border that contains a municipality with a population of 500,000 or more.

COURT SECURITY FEE: Local Government Code, Section 291.008, allows the commissioners court to set a fee not to exceed $5 to be collected at the time of filing in each civil case in a county court (statutory and constitutional) or district court.

Historical note: This fee was added by 73rd Regular Session, effective 9-1-93.

DISTRICT COURT RECORDS ARCHIVES FEE: Government Code, Section 51.305(b)

- During the period of 9-1-13 through 8-31-19, the fee is temporarily increased up to $10.
- The county commissioners court may adopt a district court records archive fee of not more than $5 for the filing of a suit in district court.
- The money generated from the fee may be expended only for the preservation and restoration of the district court records archive.

Historical note: These fees were added by Senate Bill 1685, 81st Session (2009), effective 6-19-09. House Bill 1513, 83rd Session (2013), temporarily increased the fees to $10 effective 9-1-13.

ELECTRONIC FILING SYSTEM FEE: Effective January 1, 2014, Government Code, Sec. 72.031

- A local government or appellate court that uses the electronic filing system may charge a fee of $2 for each electronic filing transaction if the fee is necessary to recover the actual system operating costs reasonably incurred, the costs are for directly maintaining the system, the governing body approves the fee, and the local government or appellate court annually certify to the Office of Court Administration that the fee is necessary to recover actual system operating costs incurred.
- A court shall waive payment of any fee due for an individual the court determines is indigent.

Historical Note: This fee was added by House Bill 2302, 83rd Session (2013), effective 9-1-13 but delayed until 1-1-14 due to the provisions of Government Code 51.607. It expires 9-1-19. Since the fee expires and is not being changed, the delay provisions of Government Code 51.607 do not apply.

FAMILY PROTECTION FEE: Effective January 1, 2004, Government Code, Sec. 51.961

- Requires Commissioners Courts to adopt a fee not to exceed $30 to be collected at the time a suit for dissolution of marriage is filed.
- From January 1, 2004, through December 31, 2005, adoption of the fee was discretionary, and could not exceed $15, which was all retained locally. Rate was increased to a maximum of $30 effective January 1, 2006, with one-half to be remitted to Comptroller. (See historical notes below.) The fee was decreased to $15 effective June 15, 2007, and the provision about a portion to be remitted to the Comptroller was repealed.
- The Department of Aging and Disability Services (DADS), a political subdivision of the state, or a state agency with which the Department contracts under Section 161.103, Human Resources Code, are exempt from posting a bond or paying the cost or fee in guardianship proceedings. (Human Resources Code, Sec. 161.107)

Historical note: This fee was added by House Bill 2292, 78th Regular Session, effective 9-1-03, but postponed to 1-1-04 by Gov. Code Sec. 51.607. Adoption of the fee was discretionary and was not to exceed $15.

In 2005, Senate Bill 6, 79th Regular Session, amended this to make adoption of the fee mandatory and raised the maximum allowable amount to $30. It also required that one-half of the fee collected be sent to the state comptroller for deposit to the child abuse and neglect prevention trust fund. The increase in the allowable fee amount was effective January 1, 2006. However, the Attorney General in AG Opinion No. GA-0387 issued December 28, 2005, determined that the portion of the fee that was to be sent to the Comptroller for deposit in this trust fund was unconstitutional.

The fee was decreased to $15 by House Bill 764, 80th Session (2007), effective June 15, 2007, and the statute outlining the portion to be remitted to the state was repealed. Any monies that had been remitted to the Comptroller were refunded.

FAMILY CODE FILING FEES:

- Section 8.262: $15 fee for issuing a writ of withholding
- Section 8.267: $15 fee for filing copy of writ of withholding to subsequent employer
- Sec. 8.302: $15 fee for issuing and delivering modified writ of withholding or notice of termination.
- Section 8.303: $15 fee for issuing and delivering notice of termination of withholding
- Section 45.106: $10 for issuance of change of name certificate
- Section 81.003: $16 fee for protective order fee
- Section 108.006: $15 fee for filing suit requesting adoption of child
- Section 110.002: $15 filing fee for suit or motion for modification, enforcement, transfer, or contempt, or a notice of application for judicial writ of withholding, petition for license suspension, or motion to revoke a stay of license suspension.

- Section 110.004: A fee not to exceed $15 for each order or writ of income withholding issued by the clerk and delivered to an employer.
- Section 110.005: $45 fee for filing a transferred case to the clerk of the court to which the case is transferred.
- Section 110.006: A fee adopted by a domestic relations office or child support service fee under Section 203.005.
- Section 158.319: $15 fee for filing a writ or withholding
- Section 158.403: A fee not to exceed $15 for filing a request for modified writ of withholding or notice of termination.
- Section 158.503: A fee not to exceed $15 for filing an administrative writ to employer
- Section 160.762: A fee assessed by the court for genetic testing in relation to a child

Historical note: These fees appear to have been recodified in the Family Code in 1995, but original source unidentified.

GOVERNMENT CODE FILING FEES:

- Section 51.317: District Clerk shall collect fees at the time a suit or action is filed, including an appeal from an inferior court. There are also fees for filing a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition, and for issuing a citation or other writ or process. It also includes a $10 Records Management and Preservation fee. (See Records Management and Preservation Fee below and District Court Records Archive Fee above.)
- Section 51.318: In addition to the fees in Section 51.317, the District Clerk shall collect fees for issuing a subpoena, citation, commission for deposition, writ of execution, order of sale, writ of injunction, garnishment, attachment, or sequestration. There are also fees for researching records, making copies, abstracting a judgment, or approving a bond. The District Clerk may not charge the U.S. Immigration and Naturalization Service a fee for a copy of any document on file, or of record in the clerk's office relating to an individual's criminal history, regardless of whether the document is certified.
- Section 51.319: Other fees are allowed relating to estates, minors, and serving process.
  - » Note: The Department of Aging and Disability Services is exempt from the fees required in Sections 51.317, 51.318, and 51.319 in guardianship cases, effective 9-1-05.

Historical note: The exemption for Dept of Aging and Disability Services was created in Senate Bill 6, 79th Regular Session (2005), effective 9-1-05. Sections 51.317, 51.318, and 51.319 were originally created in 1985, and amended multiple times. House Bill 2398, 74th Session (1995), increased some of the fees and amended the application of them. Additional revisions were made by House Bill 2273, 75th Session (1997). Fees were increased in Section 51.317 by House Bill 1905 and House Bill 3167, 78th Regular Session (2003), effective 1-1-04. Wording was modified to "not to exceed" $1 in Govt. Code Section 51.318(b)(7) by Senate Bill 1233, 82nd Session (2011).

HUMAN RESOURCES CODE FILING FEES:

- Section 152.0522: Comal County juvenile placement special fund
- Section 152.1752: Montague County adoption case
- Section 152.1873: Orange County divorce case
- Section 152.1874: Orange County adoption case
- Section 152.2496: Wichita County adoption case

Historical note: Each of these statutes says "added in 1989" but this could be the date the Human Resources Code was codified. Original source unknown.

INTERPRETER'S FEE: Civil Practice and Remedies Code, Section 21.051, a fee of $3 for use of an interpreter in civil cases. Effective 9-1-87.

JURY FEE: Government Code, Section 51.604, establishes a jury fee for each civil case in which a person applies for a jury trial. In District Court the fee is $30; in County Court (constitutional or statutory) the fee is $22.

> **Historical note:** The fee was added in 1987. The rate was $20 in District Court and $17 in county court, and was increased to $30 and $22 by House Bill 2273, 75th Session (1997), effective 9-1-07. Prior to 1995, the fee was authorized only in counties with a population of 2 million or more. This stipulation was removed by House Bill 2398, 74th Session, 1995.

LAW LIBRARY FEE: Local Government Code, Sec. 323.023, allows commissioners court to adopt a fee not to exceed $35 to be collected in each civil case filed in county or district court, except for suits for delinquent taxes. The fee is to be deposited into the county treasury for the county law library fund.

> **Historical note:** This fee was added in 1987. It was originally a maximum of $20, and was increased to a maximum of $35 by House Bill 1477, 76th Session (1999), effective 9-1-99.

LOCAL GOVERNMENT CODE FILING FEES:

- Section 118.011 includes several fees for personal property or real property documents, certified or non-certified papers, bond approvals, brand registrations, and oath administrations.
  - » Exemption: See Human Resources Code, Section 161.107, for exemptions for Department of Aging and Disability Services in guardianship cases (added by Senate Bill 6, 79th Session (2005).
  - » Local Government Code, Section 118.011(a): Personal Property Records and Real Property Records Filing, $5 for first page plus $4 for each additional page.

> **Historical note:** This fee was increased by House Bill 950, 79th Session (2005), effective 9-1-05, but the increase was postponed to January 1, 2006, by Government Code, Section 51.607. Prior to 1-1-06, the fee for filing personal property records was $2, and the fee for filing real property documents was $3 for the first page and $2 for each additional page.

- Sec. 118.011 (f) for Records Archive Fee was added 9-1-01, allowing counties adjacent to an international border to charge a fee of not more than $5. The fee was to expire Sept 1, 2008. The fee is more fully described in Sec. 118.025. It was amended to become the County Clerk's Archive Fee, applying to all counties, when the words "adjacent to an international border" were removed in 2003. (See Records Archive Fee below.)

> **Historical note:** This fee was added by House Bill 370, 77th Session (2001), effective 9-1-01. It was amended to become the County Clerk's Archive Fee by Senate Bill 1731, 78th Session (2003). This removed the words "adjacent to an international border" making it apply to all counties. House Bill 1513, 83rd Session (2013) temporarily increased the fee to $10.

- Section 118.052 includes several fees for civil court actions, probate actions, and other fees.
  - » Exemption: See Human Resources Code, Section 161.107, for exemptions for Department of Aging and Disability Services in guardianship cases.

Historical note: A $25 fee for the filing of a probate document not listed in Local Government Code, Section 118.052(2), was added by House Bill 1404, 79th Regular Session (2005). The exemption for DADS was added by Senate Bill 6, 79th Regular Session (2005). A supplemental court-initiated guardianship fee was added by HB 1295, 80th Session (2007). Senate Bill 819, 80th Session (2007), also amended Section 118.052(2).

- Section 118.121 and 118.122 pertain to several fees which may be collected in justice courts and small claims courts. The fee of $25 ($15 prior to 1-1-08) in justice courts and $25 ($10 prior to 1-1-08) in small claims courts is required on all filings of documents and all other processes and procedures in a civil matter. The fee is to be paid one time by the plaintiff or party initiating the action, cross action, third party action, or intervention. As of January 1, 2006, this includes the filings of counterclaims.

Historical note: This fee was added in 1987. Additions were made in House Bill 2309, 75th Session (1997). Counterclaims were added by Senate Bill 1424, 79th Session (2005), effective September 1, 2005, but due to Government Code, Sec. 51.607, the fee on counterclaims is not included until January 1, 2006. Fees were increased by Senate Bill 1412, 80th Session (2007), effective 9-1-07 but increases delayed by Government Code, Section 51.607.

PROBATE COURT ACTIONS: Local Government Code, Section 118.052, requires various fees for probate filings. A $25 fee is added, effective 1-1-06, if the document is not listed in 118.052 (2)(B), is over 25 pages in length, and is filed after the order approving the Inventory and Appraisement, or more than 120 days after the initial filing of the action, whichever occurs first. Local Government Code, Section 118.067, added a supplemental court-initiated guardianship fee of $20, effective January 1, 2008.

Historical note: The $25 fee in Sec. 118.052(2)(B)(vii) was added by House Bill 1404, 79th Session (2005), effective 9-1-05. Due to Government Code, Section 51.607, the fee is effective on January 1, 2006. The supplemental guardianship fee was added by House Bill 1295, 80th Session (2007).

RECORDS ARCHIVE FEE: Local Government Code, Sections 118.011 and 118.025

- During the period of 9/1/13 through 8/31/19, the fee is temporarily increased to $10.
- Prior to 9/1/13 and after 8/31/19, the fee may not be more than $5 on each public document, including any instrument, document, paper, or other record that the county clerk is authorized to accept for filing or maintaining.
- County Commissioners must adopt the fee as part of the county's annual budget
- Fee is for the preservation and restoration services performed by the county clerk in connection with maintaining a county clerk's records archive, specifically public documents filed with the county clerk before January 1, 1990.
- Funds may NOT be used to purchase, lease, or develop computer software to geographically index public records, excluding indexing public records by lot and block description as provided by Local Government Code, Section 193.009(b)(4).
- Prior to 9-1-03, the fee was limited to counties adjacent to an international boundary. This restriction was removed effective 9-1-03.

Historical background: House Bill 370, 77th Regular Session created this fee. It was to expire 9-1-08; however, Senate Bill 526, 79th Regular Session repealed the subsections allowing for expiration of the fee on 9-1-08. Senate Bill 1731, 78th Regular Session, removed the words "adjacent to an international boundary," thus making the Records Archive Fee applicable to all counties, effective 9-1-03. House Bill 1513, 83rd Regular Session temporarily increased this fee up to $10 through 8-31-19. The bill was effective 9-1-13.

RECORDS MANAGEMENT AND PRESERVATION FEE – COUNTY COURT:

Local Government Code Sections 118.011(b)(2) and 118.0216 provide that the county clerk of a county shall, if the commissioners court adopts the fee, collect not more than $5. The rate allowed for the period of 9-1-13 through 8-31-19 is not more than $10.

Historical note: This fee was created by Senate Bill 770, 72nd Session (1991), effective 9-1-91. The original rate was $5. House Bill 1513, 83rd Session (2013), effective 9-1-13, temporarily increases the maximum allowable rate to $10 for the period of 9-1-13 through 8-31-19.

RECORDS MANAGEMENT AND PRESERVATION FEE – DISTRICT COURT: Government Code, Section 51.317(b)(4), provides that the court shall collect a fee of $10 for records management and preservation to be collected at the time a suit or action is filed.

- Fee collected by District Clerk upon filing of suit or action
- Fee of $10, effective 1-1-04
- Fee prior to 1-1-04 was $5
- The $10 fee is to be split 50-50 for county records management and district clerk records management

Historical note: This fee was created sometime before 1995. The original rate was $5, but was increased to $10 by House Bill 1905, 78th Session (2003), effective 9-1-03, but postponed to 1-1-04 due to the provisions of Government Code, Sec. 51.607.

RETURNED CHECK FEE: Local Government Code, Section 118.011(b), allows a county clerk to set and collect a returned check fee of not less than $15, and not more than $30.

Historical note: The maximum fee was $25, and was increased to $30 by House Bill 249, 78th Regular Session (2003), effective 9-1-03.

SHERIFFS AND CONSTABLE: Local Government Code, Section 118.131, allows the commissioners court to set reasonable fees to be charged for services by the offices of the sheriff and constables. The fees may not be set higher than is necessary to pay the expenses of providing the services. Services related to protective orders are excluded, including the filing, serving, or the entering of a protection order. The dismissal, modification, or withdrawal of a protective order is also excluded from this fee.

VITAL STATISTICS RECORDS FEE: Health Safety Code, Section 191.0045, effective 9-1-03

- Local registrar may collect a fee not to exceed $1 for the preservation of vital statistics records maintained by the registrar.
- Includes birth, death, fetal death, marriage, divorce, and annulment records.
- Fee shall be collected upon the issuance of a vital statistics record.

Historical background: Added by Senate Bill 1744, 78th Regular Session (2003). An optional fee; does not require approval by Commissioners' Court. See also Senate bill 1524, 79th Regular Session (2005).

WITNESS FEE: Civil Practice and Remedies Code, Section 22.001, provides that the party who summons a witness shall pay a witness $10 per day for each day the witness attends court. The witness fee is to be taxed in the bill of costs as other costs.

Historical note: This fee was added either in 1985 or 1993.

Chapter 6
Taxpayer Reports, Inquiry, History

Introduction

Report Forms, Cities

Report Forms, Counties

Inquiry on Database

Audit History

Collection Fees

Introduction

Most court costs are to be reported quarterly, and are due on the last day of the month following the calendar quarter:

- Criminal Costs and Fees (city and county)
- Civil Fees (counties and some cities)
- Excess Motor Carrier Fines (city and county)
- Excess Highway Fines (certain cities only, but zero reports are not required)
- Sexual Abuse/Substance Abuse Programs (counties only, but zero reports are not required)
- Specialty Court Program (counties only)

In some years, legislative changes effective on September 1 have made it necessary to change the reporting in the 3rd and 4th quarters of the year for criminal court costs. This resulted in the 3rd quarter return only including July and August, while the 4th quarter return included September through December. This change occurred in 1989, 1991, 1995, 1997, and 2001. This change was not made in 1993, 1999, or 2003 through 2009. This change applies only to the criminal costs and fees on the quarterly report.

Two court costs are due annually and have their own report forms:

- Child Safety Seat and Seat Belt Violations (cities and counties)
- Photographic Enforcement Systems (cities and counties)

Three funds are reported monthly:

- Child Safety Seat Court Cost (cities and counties, but zero reports are not required)
- Compensation to Victims of Crime Auxiliary Fund (counties only, but zero reports are not required)
- Excess funds from Sale of Property Forfeited (counties only, but zero reports are not required)

Report Forms – Cities

For all collections made on/after January 1, 2004, the following 8 forms must be used:

- #40-144, State Criminal Costs and Fees, City Quarterly Report
- #40-141, Civil Fees, Quarterly Report (for birth certificate fees only)
- #40-128, Excess Highway Fines, if applicable
- #40-130, Excess Motor Carrier Fines, if applicable
- #40-138, Child Safety Seat and Seat Belt Violations
- #40-149, Child Safety Seat, Monthly Court Costs
- #40-146, Photographic Enforcement Systems
- #40-150, Scrap Metal Theft Grant Program Quarterly Fine Collections

Form #40-144, State Criminal Costs and Fees, City Quarterly Report:

- Lines 1-5 are used to report collections for court costs that apply to all cases regardless of type of offense. The amounts are to be reported according to the time period of the date of the offense. Then the amounts will be allocated electronically according to the appropriate percentages by time period, based on the funds and amounts allowable at that time.
- There is no service fee (collection fee) allowable on lines 10-15.
- The amount that should be reported for line 10, Peace Officer Fees, is 20% of those arrest fees from actions by state officers.
  Note: A common error is for the city to report 100% of the arrest fees instead of only 20%.
- The city should be reporting amounts on line 11, Failure to Appear/Pay, only if the city is contracted with the DPS to report cases to Omnibase.

Report Forms – Counties

For all collections made on/after January 1, 2004, the following forms must be used:

- #40-145, State Criminal Costs and Fees, County Quarterly Report
- #40-141, Civil Fees, Quarterly Report
- #40-130, Excess Motor Carrier Fines, if applicable
- #40-138, Child Safety Seat and Seat Belt Violations
- #40-149, Child Safety Seat, Monthly Court Costs
- #40-139, Sexual Abuse/ Substance Abuse Programs
- #40-140, Sexual Abuse/ Substance Abuse Programs, supplement
- #40-142, Compensation to Victims of Crime Auxiliary
- #40-143, Compensation to Victims of Crime Auxiliary, supplement
- #40-146, Photographic Enforcement Systems
- #40-147, Specialty Court Program
- #40-150, Scrap Metal Theft Grant Program Quarterly Fine Collections
- #40-151, Electronic Filing System Fund

Form #40-145, State Criminal Costs and Fees, County Quarterly Report:

- Lines 1-5 are used to report collections for court costs that apply to all cases regardless of type of offense. The amounts are to be reported according to the time period of the date of the offense. Then the amounts will be allocated electronically according to the appropriate percentages by time period, based on the funds and amounts allowable at that time.

- There is no service fee (collection fee) allowable on lines 9 and 16-23.
- The amount that should be reported for line 16, Peace Officer Fees, is 20% of those arrest fees from actions by state officers.
  Note: A common error is for the county to report 100% of the arrest fees instead of only 20%.
- The county should be reporting amounts on line 17, Failure to Appear/Pay, only if the county is contracted with the DPS to report cases to Omnibase.

Inquiry on Database

Tax Type 38 Subtypes

All Local Revenue accounts on inquiry are under Tax Type 38. The current subtypes are shown in the table below on the left side. The prior subtypes are shown on the right side of the table.

Current Subtype	Old Subtype (prior to 1-1-04)
40, Photographic Enforcement Systems	n/a
54, Audit results	54, Audit results
55, Excess Highway Fines	55, Excess Highway Fines
61, Electronic Filing System Fund	n/a
63, Child Safety Seat and Seat Belt Violations	63, Child Safety Seat and Seat Belt Violations
64, City criminal report	50, City criminal report 58, Motor Carrier Weight Violations 61, Time Payment fee
65, County criminal report	51, County criminal report 56. Judicial Fund (Criminal) 58, Motor Carrier Weight Violations 61, Time Payment fee
66, Civil fees	52, Marriage license fees (previously called Children's Trust Fund) 53, District clerk filing fees 56, Judicial Fund (Civil) 57, Birth certificate fees 62. Legal Services for Indigents
67, Sexual Assault, Substance Abuse Felony Program	n/a, Sexual Assault, Substance Abuse Felony Program
68, Compensation to Victims of Crime Auxiliary Fund	n/a, Compensation to Victims of Crime Auxiliary Fund
69, Specialty Court Program	n/a

Subtypes 64 and 65 show a beginning date of 1-1-04, which is only an internal coding to indicate the beginning of reporting under those subtypes. The older subtypes, 50-53, 56-58, 61-62, will show an "OOB" on XISUMM inquiry, but the data still appears under the previous subtypes for periods prior to 1-1-04.

Subtypes 67 and 68 were not automated until 1-1-04, so these also show a beginning date of 1-1-04, but the data prior to that date was kept manually by Revenue Accounting. Contact Revenue Accounting, Miscellaneous Tax Section, for reported data prior to 1-1-04.

Reported data for Local Revenue Funds is on the Fee System, using tax code 38. Inquiry is shown for each subtype. Be sure to note the use of the PF keys at the bottom of the inquiry screens to navigate through the records.

The Child Safety Seat court cost added in 2009 and the Metal Recycling added in 2011 are non-automated funds. Therefore, it will be necessary to run the MTIGDI inquiry, look for t-code 90100, note the DLN, and use imaging to review for any remittances.

Research the taxpayer's account by using the following inquiries:

- **XISUMM** (shows all subtypes for which the taxpayer has been or is currently responsible
  1. By entering only "XISUMM.tp#.", all the taxes and subtypes for which the taxpayer is responsible will appear, including those shown "OOB."
  2. By entering tax type 38 and a subtype, the summary screen for that subtype will appear.
  3. A subtype of 64 or 65 will reflect the quarterly criminal reports. Under "Account Status" a beginning responsibility date of 9-1-89 is the date when the reported data was first automated on inquiry. (A different beginning date may show for other subtypes. It will also show either "*monthly*" or "*quarterly*" depending on the subtype.) A subtype of 50 or 51 will show "*OOB*" and an end date of 12/31/03, which is when the older subtypes were inactivated and data began appearing under the new subtypes 64 or 65.
  4. The field for "PPA" reflects a "*yes*" if the taxpayer has an active payout agreement with Revenue Accounting.
  5. The field for "audit status" reflects "*in progress*" if a field audit is underway, or a "*completed*" means that an audit was completed on this taxpayer for court costs, fees, and fines.
  6. Using the PF4 key will forward the inquiry to the XISUMM inquiry for other subtypes in numerical order.
  7. The PF8 key will show the Master summary inquiry (XIMAST); PF9 will show collection records (XICOLL), and PF10 will show the status inquiry (XISTAT).

- **XIMAST** shows the master business information for the taxpayer, including the address, the contact name and phone number. PF8 will show taxpayer's location (i.e. in the county courthouse).

- **XISTAT** is by subtype, and it shows the status inquiry with each court cost and its beginning responsibility date. Use the PF1 key to see all funds. For subtype 63, Child Safety Seat and Seat Belt, it indicates the city or county's fiscal year end.

- **XICOLL** shows all collection records <u>by subtype</u>. Type 1 = open, 2 = open and closed, 3 = all periods.
  1. By selecting the record to view and just hitting the enter key, it takes you to the history inquiry (XIHIST).
  2. Using a subtype of 54 for Audit will show all field audit records and the PF9 key will show the audit inquiry (XIAUDS). An AUD# of "001" is a field audit, and "002" is a combined billing done by Revenue Accounting. Be sure to review comments using the PF11 trail.
  3. PF10 will show payments for the record selected (XIPMTS).
  4. PF11 will show a trail of comments on the record. Select this PF11 key twice to see all comments.
  5. It is also possible to see all collection records by simply entering "XICOLL.tp#.38.2." the inquiry will display all open and closed collection records with all subtypes. It will easily show if there have been continuous problems with this account.

- **XIHIST** shows all the actions taken on the record selected
  1. If using a subtype for a report, it will show whether the return was received, a discount allowed, refunds, deficiency letters, etc. Be sure to use the PF11 key for trail and comments to see what actions were entered and why.
  2. If using the subtype for audit (subtype 54), it will show actions from the original field audit results through the conclusion of an administrative hearing.

    - Placing an X beside "redetermination hearing" and hitting enter will show the Hearings inquiry with the Hearing Number (XIHEAR).
    - Placing an X beside "field audit" and hitting the enter key, or selecting PF9, it will take you to the audit inquiry (XIAUDS).
  3. If the XIHIST inquiry shows "PPA" or "PPA paid", placing an X beside the PPA and hitting enter will display the payout agreement dates and terms (XIPPAS).

- **XIAUDS** shows the audit period and the total amount of the audit deficiency before a redetermination hearing. Selecting the PF9 key will take you to the audit allocation basis inquiry (XIABAS).

- **XIABAS** shows the audit results by fund, taken directly from the audit cover letter. The PF1 key moves the inquiry forward through all the funds.

- **XITXPI** shows the amount due, payments, and balance for the subtype entered.

- **XIREFS** shows any refund information for the subtype selected.

- **XIPMTS** shows the payments by period and by subtype. The amount and date of the payment are shown. Use the PF1 key to see the totals. The PF4 and PF5 keys can be used to scroll forward or backward to other report periods in the same subtype.

- **XIDATA** shows reported data by subtype and by period.
  1. This inquiry appears with the totals first.
    - Use the PF7 key (top) to see the reported data on the lines from the report form.
    - The "Collected" column is the total amount before deduction of the city/county's service/collection fee. The "Due" column is the net after deduction of the service/collection fee.
    - The PF4 and PF5 keys can be used to move forward or backward to other report periods for the same subtype.
    - If the taxpayer filed an amended return, the amended data will appear when the inquiry first appears. To see the original reported data, select the PF2 key (BWD). Be sure to select the PF11 key for trail and comments, making sure to select the PF11 key twice to see all the information entered.
    - On subtype 66, Civil Fees, an asterisk beside the fund is an indicator that the city/county is responsible for that fund. Cities will typically only show an asterisk beside Birth Certificate Fees, if they are set up for subtype 66 at all.
  2. Examination of the XIDATA by time period can reveal inconsistencies and potential problem areas, such as:
    - Line items where no data was reported. For example, note if there are no amounts for Peace Officer Fees in counties, or new court costs after their effective dates.
    - No reported amounts for offenses prior to 1-1-04, and all amounts appear to be reported on Line 1, for offenses 1-1-04 forward.
    - For periods prior to 2004, Compensation to Victims of Crime exceeds Consolidated Court Cost.
    - State Traffic Fine is more than ¾ the amount of Consolidated Court Cost in a city.

- MTIGDI displays multi-tax document index batch entry transactions by taxpayer.
  1. Type *MTIGDI.taxpayer#*.
  2. Enter the 5-digit t-code: 90100 for child safety seat court cost. Other t-codes are listed in the upper left corner of the report forms including some of the following (not an all-inclusive listing),

T-Code	Description
32610	City Criminal Quarterly Report
32630	County Criminal Quarterly Report
32650	Civil Fees Quarterly Report
32260	Drug Court Program Account
32170	Child Safety Seat and Seat Belt Violation Fines

3. There is also a tcode sort option that can be entered after the taxpayer number and 5-digit t-code.
   a. 0 – Tcode, DLN, entry date
   b. 1 – Tcode, DLN, tax type
   c. 2 – DLN, entry date.
4. Open the File Net Imaging from the CPA website.
5. Change the search template to *TaxData and TaxDocs Search* and enter the DLN acquired from the MTIGDI inquiry above and click the *Search* tab. The DLN is a consistently used field in the File Net Imaging System. Other fields such as taxpayer number and filing period are not used consistently, and, consequently, will not yield the desired result.
6. Click on the applicable document under the Title field of the search results.

Audit History

An **Audit History** is available for Local Revenue Funds which provides all the reported data for all the subtypes.

Prior to ordering a history, review **XIDATA** to verify that there is reported data for the beginning and ending period for which the history is to be requested. When beginning and ending periods are submitted, the system message will show that it was accepted. However, if there was no reported data for either the beginning or ending period, no history will print.

To order an Audit History, follow these steps:

- From CICS, enter XIRPTS
- Page forward using the PF3 key
- Go to page 8 to find the Audit choices
- Put an X beside “audit history”
- Enter the taxpayer #, tax type 38, and a beginning and ending audit period.
- Enter the 4 digit office ID number
- Enter the office’s high speed printer ID
- Submit the request

The history should print after 5:00 p.m., CST, and will provide all the reported data for each of the subtypes for which the city or county is responsible. Separate pages will print for each subtype for reported data and payments.

Collection Fees

Most of the **criminal funds** allow the city or county to retain a 10% service fee if the reports and payments are made timely. Some funds do not allow any retention, and others vary. The following chart indicates the amount that may be retained by the city or county on criminal court costs, fees and fines.

Ch 2#	Criminal Funds	Collection Fee Upon timely filing
1	Bail Bond Fees	10%
2	Child Safety Seat and Seat Belt Violations	NONE
3	Child Safety Seat Court Cost	NONE
4	Compensation to Victims of Crime Auxiliary Fund	5%
5	Consolidated Court Fee (2004)	10%
6	DNA Testing Fee-Convictions	10%
7	DNA Testing Fee-Community Supervision	10%
8	DNA Testing Fee-Juvenile	NONE
9	Driving Records Fee	NONE
10	Electronic Filing System Fund	NONE
11	EMS Trauma Fund	10%
12	Excess Funds from Sale of Property Forfeited	NONE
13	Excess Highway Fines	NONE
14	Excess Motor Carrier Fines	NONE
15	Failure to Appear/Pay City/county reports $20 of the $30 fee to the comptroller.	NONE
16	Indigent Defense Fee	10%
17	Judicial Fund	NONE
18	Judicial Support Fee	60 CENTS OF EACH FEE (timely filing not required)
19	Jury Reimbursement Fee	10%
20	Juvenile Probation Diversion Fund	10%
21	Metal Recycling	10%
22	Motor Carrier Weight Violations	NONE
23	Moving Violation Fees	10%
24	Peace Officer Fees City/county remits 20% of those fees where the service is performed by a peace officer with statewide authority.	NONE
25	Sexual Assault Program Fund	NONE
26	Specialty Court Program	10% of amount collected before 50% reduction as allowable by statute
27	State Traffic Fine	5%
28	Substance Abuse Felony Program	NONE
29	Time Payment Fee City/county retains one-half and remits one-half to the comptroller.	NONE
30	Truancy Prevention & Diversion Fund	50% Timely filing not required

Civil Fees

None of the **civil fees** allow the city/county to retain any portion of the amount collected, **except** for the Filing Fee for Legal Services for Indigents. A county may retain **5%** of this fee upon timely filing. It is deducted on the Civil Fees report form:

- line 6 for Justice Courts,
- line 7a for Statutory Probate Courts,
- line 8a for Statutory County Courts, and
- line 9a for Constitutional County Courts.

For District Courts, the 5% retained is shown on lines 10a, 10b, and 10c but is only a portion of the total remitted on those lines; therefore, the amount to be retained is shown in currency rather than percentage.

The above amounts are to be retained by the city/county when the report and payment are made by the due date. If returns are filed late, or if adjustments are made in an audit, the collection fee may not be deducted from the amount to be paid to the state.

A city/county is to report the amount collected in the quarter in which it was collected, even if reported to the Treasurer late. For example, a payment received by any city or county officer/clerk on the last day of March is to be reported on the report for the first quarter of the year. If not reported until the second quarter of the year, the city/county is not allowed to retain the collection fee on this amount.

When collection fees are disallowed, the disallowance only applies to those payments which are reported late. The collection fee is still allowed for those remitted in the proper quarter.

Chapter 7
Audit Procedures

Introduction
- Statute of Limitations
- Confidentiality
- Penalty and Interest

Audit Process
- Audit Generation
- Pre-Audit Research
- Getting Started
- Testing Internal Controls
- Treasurer's Office
- Municipal or Justice Courts
- County Courts
- District Courts
- Community Supervision and Corrections Department
- Treasurer's Office (2nd visit)
- Sampling, Estimates and Notification of Sampling
- Scheduling
- Exit Conference
- Audit Write-up

Statute Extensions
- County Funds- Statute Waivers
- City Funds- Statute Waivers
- Examples- Agreement to Extend Period of Limitation
  - Quarterly Funds
  - Monthly Funds
  - Annual Funds

Audit Cover Letter
- Fees/Funds by Time Period
- County Cover Letter Table
- City Cover Letter Table
- Examples:
  - Audit Cover Letter

Audit Report
Index to Working Papers
Summary Schedule
NTD Audits
Special Topics
Alcohol Awareness Programs
Collection Fees
Collection Contracts
Excess Highway Fines
Installment Payments
Missing Records
Parking & Pedestrian
Parks & Wildlife Violations
Tobacco Awareness Programs
Unjust Enrichment
Common errors

Introduction

Audits for Local Revenue Funds are handled using generally the same procedures as for other taxes. This chapter covers the audit and write-up procedures specific to audits for local revenue funds.

Statute of Limitations

Texas Tax Code, Section 111.0021, provides that Chapter 111 of the Tax Code applies to any tax or fee that the Comptroller is required to collect under a law not included in this title of the Tax Code, thus making the local revenue funds audits subject to the provisions of Chapter 111, Tax Code. Sections 111.201 through 111.207 govern the use of agreements to extend statute of limitations. Local Revenue Funds audits are therefore subject to the same four year statute of limitations as other taxes and fees audited by the Comptroller.

Confidentiality

Section 111.006(f) of the Tax Code provides that an audit of a governmental entity is open records. Consequently, a requestor may obtain a copy of a local revenue funds audit by written request to the Open Records Division of the Comptroller's office. However, subsection (f) goes on to state that any information that was confidential in the possession of the city or county remains confidential when in the possession of the comptroller or attorney general.

Penalty and Interest

Local Revenue Funds audits are NOT subject to penalty and interest on deficiencies.

Audit Process

The audit examination below is a recommended outline for an audit on court costs, fees, and fines. This is not intended to be an all-inclusive listing of all possible or necessary steps. The audit procedures and examination steps will need to be tailored for the particular audit and circumstances.

Audit Generation

- Audit Generation
  - » Audits on Cities are generated under tax type 38, subtype 64
  - » Audits on Counties are generated under tax type 38, subtype 65
  - » Audits are generated by Audit Headquarters, or the audit office, as appropriate
  - » An audit should only be generated as tax type 38, subtype 64 or 65. Even though the taxpayer reports data for other subtypes, only the primary subtype of 64 for city, or 65 for county, should be generated in Audit Work Manager.
- Audit Work Manager
  - » Tax type 38, subtype 64 (city) or subtype 65 (county)
  - » Always use an audit period based on calendar quarters **only.**
- Notice of Routine Audit and Audit Questionnaire
  - » When the audit is generated, the standard Notice of Routine Audit and Audit Questionnaire will be automatically sent.

Pre-Audit Research

- **Pre-audit Research**
  - » **Comptroller's Records**
    - ° Examine audit assignment for city/county identification, reason for audit generation, and any special notations on Audit Work Manager.
    - ° Determine which funds the city/county is responsible for (i.e. Excess Highway Fines for cities under 5,000 population in Table III, Chapter 10 or counties under 5,000 population in Table IV, Chapter 10, Excess Motor Carrier Fines, Failure to Appear in Table I, Chapter 10, Judicial Fund in Table II, Chapter 10, etc.).
    - ° Review charts in the city or county chapter to determine which costs and fees were applicable during the audit period and note the funds' beginning and ending periods.
    - ° Examine prior audits, if any, and review audit adjustments and audit plan.
    - ° Order an **Audit History** for the city/county (*see* Histories in Chapter 6). All funds reported should appear on the history, but if the city/county did not report a fund for which they are responsible, it will not appear in the history.
    - ° Review inquiries and the audit history for unusual reporting patterns, unreported items, apparent errors, etc. Some items to note include:
      - * Amounts reported by time period should decrease in the older time periods. If there are large amounts reported for the earlier time periods, make note to examine further. If the city/county is reporting everything on Line 1 for offenses 1-1-04 and later, and nothing on the other time period lines, they may not be properly allocating collections based on date of offense. This causes the percentage split of the reported amount to be incorrect. Make note of this error for examination and review.
      - * For Peace Officer fees, a city will probably not have any amounts to be remitted since they generally only have municipal police officers. If there are amounts on a city report, make note for further examination. For a county, only 20% of the peace officer fees for state officers are to be remitted. Make note if the amounts seem extraordinarily excessive relative to other costs for further examination and review.

    * If the same/similar amounts are reported for several quarters, make note to examine further. This could indicate that reports were not completed using true data.
    * Make note of any funds for which the city/county should be reporting but are zero or significantly small amounts. If a fund with a separate subtype has never been reported, there will not be a page in the audit history for it. This may only mean the taxpayer has not reported it, and is not necessarily an indication that they are not subject to it.
    * For additional information on researching inquiries, see Chapter 6.
- » **Internet research**
    - Research the city/county via the internet to familiarize yourself with the city/county, and determine how many courts the city/county has, if possible. A municipality has only one official municipal court, but it may operate night courts or satellite courts, and it may have multiple municipal judges. A county will have at least 1 justice court, possibly more. Every county has a constitutional county court, and may also have one or more county courts at law (statutory county courts). Each county will also have one or more District Courts.
    - The website for the Texas Association of Counties has direct links to county websites. Go to www.county.org and click on "About Texas Counties," then "Texas County Websites."
    - For cities, go to http://www.tmcec.com/courts.html
    - If these links do not provide the necessary internet sites/information, additional research may be required.
- » **Open collection records**
    - Determine if there are any open collection records and/or non-filed returns, and research inquiry for notations made by Revenue Accounting(see Inquiry in Chapter 6). Contact Revenue Accounting to determine if the open collection records should be included in the audit adjustments. Note: non-filer periods included in the audit period should be closed.
- » **Make arrangements for field work**
    - Determine who is listed as the audit contact on the Questionnaire.
    - Make contact with the city/county to set appointment for entrance conference.
    - Request access to a computer with the electronic docket or other information. If the records are kept electronically, access to the computer will be necessary.
    - Request electronic reports for review prior to appointment, if possible. For example, it would be very helpful to review a report of payment data for a couple of months, showing payments and their allocations. This could point out funds not being collected, improper allocations, etc.
    - Discuss records which need to be available for examination.

Getting Started

Entrance Conference

a. Contact individual listed on Audit Questionnaire.
b. Determine all the courts handled by the city/county, locations, names of court clerks, number of law enforcement officers, etc.
c. Determine the records available, whether computerized or manual, location of records, any changes in computer systems, etc.
d. Determine how information on legislative changes and court cost amounts are disseminated to all appropriate staff.
e. Determine the city/county's procedures for collecting court costs, fees, and fines.
    1. How do clerks determine what is due on each case?
    2. How are convictions and deferrals recorded in the dockets? Do they enter the actual conviction date or simply use the date of first payment?
    3. Are pay-out agreements allowed? Are they consistent in terms allowed?
    4. Does the court require payment within certain time periods (30 days, 60 days, 90 days, etc.)

5. How are partial payments allocated to costs, fees, and fines?
6. How are payments recorded for each defendant?
7. Are cash payments accepted in the courts?
8. Are receipts generated electronically? If so, how are receipts handled when computer system is down or payments accepted after hours?
9. If records are computerized, ask for coding tables and abbreviations used. Have there been changes in the computer systems used? When did these changes occur?
10. Does the computerized system enter all the necessary costs or do the clerks override any and handle some manually?
11. How often do the courts send summarized data to the Treasurer?
12. How does the Treasurer compile data for reporting the court costs, fees, and fines due to the comptroller?
13. Do personnel from the courts attend training classes?

f. The audit contact person may not be able to answer all the above questions, and it may vary from court to court in a county. These questions will need to be addressed again in each justice, county, and district court as well.

g. Complete any statute extensions necessary at this point. See Statute Extensions later in this chapter.

Basic Audit Procedure steps

a. In each municipal, justice, county and district court, the following steps should be taken:
   1. Determine how records are filed and maintained
   2. Determine if all records are available for audit period, including source documents (tickets, citations, etc.), dockets or case files, receipts for payments, daily reports, daily deposits, reports to Treasurer, etc.
   3. Determine if records are kept manually or electronically.
   4. Ask court personnel to describe the entire process from ticket or citation to completion of the case.
   5. Examine charts used by clerks to determine court costs due and review for accuracy, types of abbreviations used, etc.
   6. Examine internal controls.
   7. Test transactions
   8. Examine process of assessments, payments and collections, and recording of assessments and collections/credits.
   9. Examine reporting process, including daily reports and reports to the Treasurer
   10. Examine records for the audit period.
   11. Trace errors to determine if they are repetitive or extraordinary.
   12. Schedule errors noted.

b. In a county, these steps will have to be performed in each justice, county, and district court independently as they will have different systems, procedures, and personnel. In a city, there may be divisions of the municipal court which require the same steps. Smaller cities generally have one office that handles all the duties. The above questions and steps will need to be addressed in each court for the city or for the county.

Testing Internal Controls

An examination of internal controls used in each court/office will help to determine strengths and weaknesses in the system and aid in determining if the records are reliable and complete. If internal controls are strong, a smaller testing and sample may be valid. If internal controls are weak, a larger sample may be necessary.

a. Review the internal control procedures in the court. There is a comprehensive article about internal controls in the Texas Municipal Court Education Center newsletter dated August 2002 that is very helpful on this topic: http://www.tmcec.com/public/files/File/The%20Recorder/2002/Aug02recorder.pdf
b. Determine if there is a proper separation of duties. Does the same individual who takes the money complete the deposit, enter the data, and complete the reports? If so, there may not be any form of checks and balances to find and correct errors.
c. Have there been changes in personnel? Are duties shared or rotated so that more than one individual participates in the process, or is one individual always responsible for the same activity? A lack of cross-checks and balances may be a weakness in the system.
d. Transactions for testing internal controls should be selected randomly from all periods in the audit period. Rather than looking for the typical high-dollar items or refunds, these audits concentrate on a variety of offenses and their related court costs, so the items selected for testing may be randomly selected.
e. Select transactions from the original source documents and trace through the entire process to see if the amounts are properly reported and if all source documents are entered into the docket records. If not, further investigation may be warranted.
f. Trace receipts from the original receipt through the daily reports and summary records to the final report. Compare the receipts to the docket/case file to verify that payments are properly recorded on the docket. Match payments received in a specified period to deposits and reports to the Treasurer.
g. Determine how records are filed and maintained, and if all are accounted for. Dockets may be maintained electronically or in hard copy. Receipts may also be electronically generated or manually completed.
h. Are ticket books and/or citation forms numbered sequentially and issued by one individual who controls the issuance of the books? Is there a log of ticket and citation books issued and in inventory?
i. Can all tickets/citations be accounted for? Are voided tickets left in the ticket book? If tickets are missing, this warrants further examination. Make notes of gaps or abnormalities in the sequence.
j. Are receipts for payments numbered sequentially? Can all be accounted for?
k. Are all source documents entered in the docket/case files?

Treasurer's Office

It is best to start the audit examination at the Treasurer's office.

- Explain the audit process to the Treasurer, and get the names of the contacts in each of the other offices/courts. Make sure all contacts know the audit will include a visit to their office as the audit progresses, and that you will require some working space and access to a computer for electronic dockets, payments, etc.
- Ask the Treasurer to explain how the court costs are compiled from the information from the courts.
  - » Determine the abbreviations used, general ledger codes used for court costs, and exactly how the figures for the reports are obtained.
  - » Determine if the reports used by the Treasurer have enough information to properly determine how to report the costs, fees, and fines. For example, are collections divided by offense date so that the Treasurer can properly report offenses by time period?
  - » Are specific offenses listed so that the Treasurer knows what fines to report for Child Safety Seat and Seat Belt Violations or for Motor Carrier Weight Violations?
- Determine if returns were timely remitted.
- Determine if the collections for the previous quarter, month or year were all included on the report for the proper time period. For example, if the city/county reports December, January and February for the first quarter, every quarter may be off by the same amount. The collection fees retained for those months reported in the wrong quarters should be disallowed.

Municipal or Justice Courts

- **Examine internal controls** to determine strengths and weaknesses in the system. Make notes of weaknesses to examine further.
- **Tickets and complaint forms** should all show the identification number, type of offense, date of offense, name of defendant, notice to appear, and promise to appear.
  - » Are all records filed and maintained? Are they all accounted for?
  - » Are tickets and complaint forms numbered sequentially?
  - » If tickets are voided, are they left in the book?
  - » Are there any tickets missing that cannot be accounted for?
  - » Are all the tickets issued entered in the docket book? Are the types of violations and pertinent information properly recorded?
  - » Do the number of tickets issued for a period balance with those entered on the summary journal?
  - » Are complaint forms for other violations entered into a daily log?
  - » All of these questions should be answered in the affirmative, except for the fourth bullet above. If there are problems with any of these issues, further investigation may be necessary, and an estimate of missing records may be justified.
- **Dockets and case files** should show the type of offense, date of violation, defendant's name, actions taken on the case, date of conviction or judgment, and payments made. The judge is required to sign each conviction or judgment.
  - » Trace the source documents to the dockets/case files to determine the reliability of the docket/case files. If the docket is reliable, the audit can be conducted using the dockets rather than the source documents. If not reliable, the docket should be used only as a reference, and not as a totally accurate record of court actions.
  - » Every offense and complaint form issued should result in a separate docket with a separate number. This is not always done and some courts will use one docket number for multiple offenses (from one ticket or violator), making the trail more difficult. Watch for multiple offenses under one docket number. Each offense must carry its own set of fines and court costs.
  - » Each docket should be maintained for all court actions, including the fines and court costs and fees assessed in the case. It is necessary to review the dockets to determine if the correct court costs were assessed based on the <u>type</u> of offense and <u>date</u> of offense.
  - » Determine how the court personnel determine the proper court costs based on the type of offense. Review the charts used by the court personnel and get explanations for abbreviations and codes used.
  - » Verify the accuracy of the court costs assessed. **Look for changes in rates and new court costs due to legislative changes, and the dates on which these changes were implemented.** Look at dockets dated at about the time of the court costs changes to see if the changes were reflected timely.
  - » Look to see if Time Payment Fees were properly added on cases not paid in full within 31 days of the conviction or judgment.
- **Receipts, and daily deposits and daily reports:**
  - » Receipts should be sequentially numbered and maintained by the court clerk.
  - » Voided receipts should remain in the receipt book.
  - » Receipts should correlate to the respective cases in the summary journal or docket/case files.
  - » Separate records of collections of state court costs must be maintained but separate bank accounts are not required. Examine deposits and compare the receipts for payments against the bank deposits.
  - » Some courts keep a collections journal to record receipts of state court costs, but the individual court dockets/case files should also be noted with the payment information.
  - » Determine if all payments are properly applied to statutory court costs first.

  - » Determine how partial payments of court costs are handled and if the proper allocations are made for statutory court costs.
  - » The court clerk should prepare a daily report of all funds collected, which is to be sent to the Treasurer. This daily report should separate the amount of fines from court costs and other funds collected. Compare receipts and daily deposits to the daily reports.
- **Specific court cost verifications – Criminal:**
  - » Child Safety Seat and Seat Belt Violations: Run a report on seat belt violations to verify the cases with child safety seat and seat belt violations for passengers under the age of 17. Verify that one-half of the fines on these cases were sent to the comptroller. Applies to offenses on/after September 1, 2001.
  - » Driving Records Fee: A discretionary fee if the court obtains the defendant's driving record. Applies to cases with an offense date on/after January 1, 2006. Run a report of cases with driving safety course deferrals on/after 1-1-06 to determine if the fee should have been assessed. Prior to 1-1-08 the fee was $10; effective 1-1-08 the fee is $22.
  - » Excess Highway Fines: Determine if the city's or county's population was 5,000 or less on the 2010 census by checking Table III or Table IV in Chapter 10. If so, perform the calculations for the Excess Highway Fines. *See Special Topics at the end of this chapter.*
  - » Excess Motor Carrier Fines: Determine if the city/county being audited is participating in the DPS certification for enforcement of the Motor Carrier Violations Act. If so, verify the city/county's costs of enforcement in the city's or county's previous fiscal year. Any fines in excess of 110% of this amount should be reported.
  - » Failure to Appear: Refer to Table I in Chapter 10 to determine if the city/court participates in the Failure to Appear program. This may be referred to as the "Omni" fee, since the name of the vendor for DPS is Omnibase. The $30 fee should have been collected for each case reported to Omnibase, for cases on/after the effective date shown in Table I in Chapter 10. Two-thirds, or $20 should be reported to the comptroller. If the court allows the defendant to receive credit for jail time served to pay off fines and court costs, but collects the $30 FTA fee in cash, the $30 collected from the defendant should be pro-rated to all the statutory state and local court costs in accordance with the cost-first allocation rule. The FTA fee does not hold priority over the other court costs.
  - » Motor Carrier Weight Violations: Run a special report for offenses under Transportation Code, sec. 621.506, and verify if 50% of the fines were reported. Deduct any cases where the offense occurred within 20 miles of an international border.
  - » State Traffic Fine: Run a report on offenses under Rules of the Road and verify if the $30 fee was properly assessed. Verify amounts collected to amounts reported. Include offenses relating to parking and pedestrians as the State Traffic Fee applies to these cases also. Refer to Table V in Chapter 10 for all offenses in Rules of the Road.
  - » Time Payment Fee: Run a report on cases still open more than 30 days after conviction and see if the $25 fee was assessed. Verify that one-half of the Time Payment Fees were reported.
- **Specific fee verifications – Civil:**
  - » Filing Fee for Legal Services for Indigents: Verify the number of civil suits filed in Justice Court using the civil docket, and compare to the number of fees reported. Prior to 1-1-10, the fee was $2; effective 1-1-10, the fee is $6.
  - » Juror Donations: Verify that the donation form used by jurors includes the Compensation to Victims of Crime as a possible donation item. Compare the juror donations to CVC to the amount reported. After 9-1-07, donations may be partial.
  - » Photographic Enforcement Systems: Verify the collections under this program and that the deductions are reasonable. The total of deductions is entered into the Fee System data base, but the report form may be viewed on imaging to see the breakdown of the deductions as entered by the city/county. Verify each category to see that the deductions are appropriate, not duplicated, and fit the categories as outlined in the statute.

County Courts

Criminal Court Costs: Use similar procedures to those shown for justice courts to verify court costs assessed, collected, and reported. Some additional court costs appear in County Courts that did not appear in Justice Courts:

- Bail Bond Fees: Verify bail bond fees taken by reviewing summary listings in the county court or sheriff's office.
- EMS Trauma Fund: $100 court cost on certain Class A and B misdemeanors. Run a report on the specific offenses to see if the $100 court cost was collected on offenses on or after January 1, 2004.
- DNA Testing Fees: $50 court cost on certain Class A/B misdemeanors with offenses dates on/after September 1, 2001. Run a report on the specific offenses to see if the court cost was assessed.
- Judicial Fund for Constitutional or Statutory County Court: see Table II in Chapter 10 to determine if the county has any participating courts for the Judicial Fund. If so, the court cost is $15 per conviction. All statutory county courts must participate as of 10-1-07, and all statutory probate courts must participate as of 9-1-07.
- Sexual Assault Program: Run a report to isolate the specific types of offenses and verify if the $5 monthly fee was ordered by the court. Compare the amounts collected to the amounts reported.
- Specialty Court Program: If the county has established a drug court program under Government Code, Chapter 123 (previously under Health & Safety Code, Section 469.002), the county is eligible to retain 50% of the revenue collected for the quarter in which the drug court program was created, and the subsequent quarters. A county with a population of more than 200,000 is required to establish a drug court program per Government Code, Section 123.006. Refer to the description of Specialty Court Program in Chapter 2 for the proper amounts to be remitted.

Civil Fees:

- Birth Certificate Fees: Review the summary listing of birth certificates issued and compare the numbers issued to the numbers reported. The county should have remitted $1.80 of each $2 fee collected.
- Filing Fees for Legal Services for Indigents: Verify the fee collected on each filing of a civil suit in a constitutional or statutory county court. Use the docket of civil cases filed to compare numbers of cases filed to numbers reported. Prior to 1-1-10, the fee was $5; effective 1-1-10, the fee is $10.
- Judicial Fund Filing Fees for Constitutional, Statutory County, and Statutory Probate Courts. Examine Table II in Chapter 10 to determine if any of the county's courts are participating in the Judicial Fund. If so, verify a $40 filing fee for the filing of each civil case in the particular court to the amount reported.
- Judicial Support Fee: $37 fee on the filing of any civil suit in any constitutional or statutory county court. Use the docket of civil cases filed to compare numbers of cases filed to numbers reported. This fee should not have been collected prior to December 1, 2005.
- Juror Donations: Sample the population of juror donation forms to verify that the Compensation to Victims of Crime Fund is a listed item for donation, and verify that the sample items with a CVC donation follow through to the summary report for Juror Donations. Compare the summary report of donations to the amount reported.
- Marriage License Fees: Review the summary records for marriage licenses issued and compare the number issued to the number reported. Verify the fees collected on marriage licenses and the $25 fee on Declarations of informal marriage. The marriage license fee was increased from $30 to $60 on 9-1-2008, but exemptions are provided for couples completing a premarital education course. Also verify the exemptions from the fee.
- Nondisclosure Fee: Verify the summary records of petitions for nondisclosure and compare the number issued to the number reported. This fee should not have been collected prior to September 1, 2003.

- Photographic Enforcement Systems: Verify the collections under this program and that the deductions are reasonable. The total of deductions is entered into the Fee System data base, but the report form may be viewed on imaging to see the breakdown of the deductions as entered by the city/county. Verify each category to see that the deductions are appropriate, not duplicated, and fit the categories as outlined in the statute.

District Courts

Criminal court costs:

- Use the same procedures as outlined for the County Courts to verify criminal court costs and fees, with the following additional comments.
- Specialty Court Program, EMS and DNA fees apply to felonies as well as Class A/B misdemeanors in the District Court. Verify amounts assessed for the specific cases.
- Judicial Fund: The District Court does not collect the Judicial Fund criminal court cost. This applies only at the county court level.
- Determine how the court costs collected by the Community Supervision and Corrections Department (CSCD) are reported. Are these collections sent to the District Court or to the County Treasurer?

Civil fees:

- Filing Fees for Legal Services of Indigents: $5 fee on filings of civil suits in divorce and family law matters, and $10 on the filings of civil suits in matters other than divorce and family law. These fees should be collected both on the original filings of the cases and on additional or subsequent filings in the case. Use the civil dockets and listings of filings to compare to the amounts reported.
- Judicial Fund: $40 fee on the original filing of a civil suit in District Court. Compare the cases filed in the civil docket to the numbers reported.
- Judicial Support Fee: $37 fee on the filing of any civil suit. Use the docket of civil cases filed to compare numbers of cases filed to numbers reported. This fee should not have been collected prior to December 1, 2005.
- Juror Donations: Sample the population of juror donation forms to verify that the Compensation to Victims of Crime Fund is a listed item for donation, and verify that the sample items with a CVC donation follow through to the summary report for Juror Donations. Compare the summary report of donations to the amount reported.
- Nondisclosure Fees: Verify the summary records of petitions for nondisclosure and compare the number issued to the number reported. This fee should not have been collected prior to September 1, 2003.
- Photographic Enforcement Systems: Verify the collections under this program and that the deductions are reasonable. The total of deductions is entered into the Fee System data base, but the report form may be viewed on imaging to see the breakdown of the deductions as entered by the city/county. Verify each category to see that the deductions are appropriate, not duplicated, and fit the categories as outlined in the statute.

Community Supervision and Corrections Department (CSCD)

- Determine how the CSCD is determining the allocation of payments for all criminal court costs. For all cases under Community Supervision, the court order for the amount and priority allocation of costs, fees, and fines must be followed. To determine if the CSCD is following the court orders, review cases by each judge. Determine if the judge has a pattern in which court costs are ordered and if the CSCD is following the court order. If not, re-allocations may be necessary.
- Determine how the CSCD is reporting information to the District Court or to the County Treasurer. How often is the report made, and is it complete enough for the Treasurer to know how to report the

amounts on the report form? Note any deficiencies in the detail for examination of the report to see if all amounts are reported in the correct time period and for the correct funds.
- Determine if the amounts collected by the CSCD are reported to the Treasurer timely so that they are reported for the quarter in which they were collected. If not, an adjustment may be required to disallow the collection fee.
- Examine records for the Compensation to Victims of Crime Auxiliary Fund (CVCA). Verify that any amounts which cannot be paid to victims are being reported to the comptroller after being held for 5 years from the first unsuccessful attempt to locate the victim.

Treasurer's Office (2nd visit)

After examining the records in each court and the CSCD office, return to the Treasurer's office.

- Reconcile the reports from the individual offices to the Treasurer's work papers. If any deficiencies in the detail were noted in the individual offices, examine the reports to determine how the Treasurer reported the court costs.
- Did the information get reported in the correct time period?
- Were offenses detailed so that the Treasurer knew which fines to report?
- Did all information from the courts get reported in the quarter in which collected? If not, an adjustment to disallow collection fees may be warranted.

Sampling, Estimates, and Notification

Sampling methods used for other taxes do not easily lend themselves to auditing for local revenue funds due to the varying costs on offenses and time periods. Generally, specific errors can be isolated and detailed if not too voluminous. However, if records are voluminous, sampling may offer a more efficient method of performing the audit. Regardless of whether performing a detail or sample, the auditor should conduct a short test of dockets and case files to determine if the proper court costs have been assessed and collected. The auditor should definitely test periods in which law changes or increased court costs occurred.

If an error is identified, and the records are voluminous, it may be possible to perform a sample if a population can be obtained consisting only of the items to which the error applies. If the taxpayer has detailed computer data or hard copy of the cases applicable to the error, the auditor should be able to sample. For example, if one particular court cost was not collected, obtain the population of cases on which this would apply (with an offense date on/after the effective date), and generate a transaction sample.

Please refer to Chapter 7 of the Sampling Manual for a discussion on the differences between sampling and estimates. Generally, sampling is used when the auditor has verified that the taxpayer has reliable records and good internal controls. Estimating is used when records are either missing or inadequate and internal control is poor.

Scheduling

Schedule adjustments for errors in reporting state court costs, fees, and fines as follows:

- Separately schedule adjustments for any statutory state court costs collected but not remitted.
- Schedule adjustments for any statutory state court costs not collected, re-allocating from fines. For example, if a proper state court cost for a particular fund was not collected, but there was money allocated to fines, schedule an adjustment for the underpaid court cost up to the total underpaid, or the amount of the fine, whichever is less.
- Schedule re-allocations between funds if amounts collected were reported improperly. For example, if the city/county erroneously reported Jury Reimbursement Fees on the line for Judicial Support, re-allocate the erroneous amount to Jury Reimbursement Fees. Use auditor judgment here for materiality.

- Separately schedule adjustments for unjust enrichment, listed as "Miscellaneous General Revenue $$ Collected in Error" on the cover letter. For example, if the court collected Compensation to Victims of Crime in addition to the Consolidated Court Fee (2004), the CVC amount should be scheduled as money collected in error. If the amount was reported in addition to the Consolidated Court Fee, determine how it was reported and make adjustments if necessary. Use auditor judgment for materiality of re-allocation between funds.
- Separately schedule any adjustments for collection fees disallowed, i.e. for amounts collected that were not reported in the quarter in which collected.
- Schedule audit adjustments by court (each justice court, each county court, etc.), if this is more convenient, necessary, or if requested by the county.
- Audit adjustments **must** be identified for each fund separately, and the fund totals reflected in the summary schedule and cover letter.
- Do not allow collection fees for any audit adjustments.
- It is not necessary to record defendant's name on each offense if the audit trail can be verified using the docket number or case number.
- If the city/county over-collected a court cost amount or for a fund that no longer exists, a refund can be made only if the city/county refunds the amount to the defendant. Schedule such adjustments separately for ease in making audit amendments if the amounts are refunded to the defendants.
- If the city/county erroneously remitted to the Comptroller amounts which they should have properly retained, it is acceptable to schedule these as credits in the audit. For example, if the city remitted Peace Officer Fees for municipal peace officers, and these collections from the defendants were proper, schedule the Peace Officer Fees as credits in the audit. Also, if a county remits 100% of the Peace Officer Fees instead of only 20%, schedule the amount over-paid as a credit.
- If adjustments are for those court costs which fall into the reporting category by offense date (i.e. offenses between 9-1-01 and 12-31-03), and the adjustment does NOT include those that stand alone (i.e. FTA, Time Payment, Peace Officer Fees, Judicial Fund, etc.), then the schedules can reflect the total adjustment amount by time periods matching those on the report forms. It is not necessary to break down the amounts to the various court costs if they all fall into the combined categories. The amounts would then also be listed on the cover letter by time periods matching those on the report form. However, if the adjustment is for a specific fund(s), rather than an overall adjustment, it should be listed specifically for that fund(s), with footnotes explaining the adjustment. An adjustment by time period is allocated by percentage to the various funds that apply to all offenses, so be conservative in using this for audit adjustments.

Exit conference

The exit conference should be conducted with the officials noted on the Audit Questionnaire. Typically, this would be the Treasurer or the person acting in that capacity.

- Discuss all errors and audit adjustments, explain computations in audit schedules.
- Discuss minor errors and other discrepancies noted for which audit adjustments were not made.
- Discuss applicable statutory reporting requirements and answer questions.
- Provide assistance to city/county in locating sources of information on court costs due, e.g. internet links, publications, individuals to contact for questions, etc.
  - » Window on State Government
    - ° Local Government Assistance web page with information and publications
    - ° Audit manuals
    - ° Report forms
  - » Municipal Court Education Center
  - » Office of Court Administration
  - » Phone numbers of individuals to contact

- Discuss methods of correcting accounting procedures to resolve deficiencies.
- Offer copies of any printed materials necessary.
  - » Provide copies of the audit schedules and explain the adjustments.
  - » Discuss city/county's disagreements with the audit adjustments, if any, and attempt to resolve any disagreements during the exit conference.
  - » Explain city/county's rights and remedies available
  - » Provide the brochure, "Contesting Disagreed Audits." (#96-1253) and explain the redetermination process

Audit Write-up

Audits for Local Revenue Funds are not uploaded. They must be completed manually.

- Prepare audit cover letter (*see Audit Cover Letter procedures later in this chapter*)
- Prepare audit report, describing the adjustments on the audit exams
- Complete pertinent information on Audit Work Manager
- Audit Adjustment Report is not necessary for a Local Revenue Audit
- Forward audit package to Regional Processing Center, including:
  - » cover letter
  - » audit report
  - » Index to Working Papers
  - » Summary of Additional funds due
  - » Audit schedules
  - » Supplemental schedules (if necessary)
  - » Exhibits (Statute Extension, Sampling Notification, etc.)
  - » Audit Plan
  - » Audit Questionnaire

Statute Extensions

1. Three different statute extension forms are needed for Local Revenue funds audits. Auditors may access these in Microsoft Word by selecting File | New | My Templates | Local Revenue | Statute Waiver for Local Revenue.dotm. Auditors should refer to Chapter 2 to verify whether a particular fund applies to the local entity being audited.
   a. Monthly
   b. Quarterly
   c. Annually
2. Monthly and annual extensions should always be extended to a common date, at the end of the month following a calendar quarter so that all periods expire simultaneously. Funds that are reported on a city/county fiscal year, such as Child Safety Seat and Seat Belt Violations, Excess Highway Fines, or Photographic Enforcement Systems, are reported following the city/county's fiscal year. Be sure to use an extension date for those that coincides with the quarterly returns. For example, if quarterly returns are being extended to July 31, 2011, extend the 2010 annual return to July 31 as well.
3. List all funds applicable to the city/county, even if not anticipating any audit adjustments for the fund. Refer to the charts below to determine the particular funds possible for extension in the appropriate time periods.
4. If a fund does not apply to the city/county, do not list it on the statute extension, i.e. Excess Highway Fines, Failure to Appear, etc.
5. The Agreement to Extend Period of Limitation form must be tailored to fit a local revenue funds audit. Templates are available in Microsoft Word containing the modifications below.

a. "Type of Tax" should be changed to "Type of Court Cost, Fee or Fine" and then list all the applicable funds with statute references.
b. Revise the paragraph "The Comptroller of Public Accounts for the State of Texas and the (**City/ County of -------**) have determined that the reason(s) listed below make it necessary to extend the period of limitation for the above ***court costs, fees, or fines***."
c. Revise the paragraph "The Comptroller and the taxpayer, pursuant to TEX. TAX CODE ANN. Sec. 111.203, agree that the expiration date for assessing ***court costs, fees, or fines*** for each period listed below is extended….."
d. Taxpayer signature blocks should include either "County Treasurer, County Auditor, or other duly authorized agent" or "City Treasurer, Mayor, or other duly authorized agent."
e. See example of *Agreement to Extend* later in this chapter.

Statute waivers for periods after January 1, 2004:

Monthly:	Compensation to Victims of Crime Auxiliary Fund (CVCA) Excess Funds from Sale of Property Forfeited Child Safety Seat Court Cost
Annually:	Child Safety Seat and Seat Belt Violations Photographic Enforcement Systems
Quarterly:	all others

County Funds – Statute Waivers

FUND	01-01-04 through 08-31-05	09-01-05 through 12-31-05	01-01-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-13	1-1-14 forward
Bail Bond Fees	Q	Q	Q	Q	Q	Q
Birth Certificate Fee	Q	Q	Q	Q	Q	Q
Child Safety Seat and Seat Belt Violations	Annual	Annual	Annual	Annual	Annual	Annual
Child Safety Seat Court Cost					Monthly (repealed 9-28-11)	Monthly (repealed 9-28-11)
Compensation to Victims of Crime Auxiliary Fund	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
Consolidated Court Fee (2004)	Q	Q	Q	Q	Q	Q
DNA Testing Fee	Q	Q	Q	Q	Q	Q
DNA Testing Fee-Community Supervision					Q	Q
DNA Testing Fee-Juvenile					Q	Q
Driving Records Fee			Q	Q	Q	Q
Electronic Filing System Fund (criminal and civil)					Q 9-1-13	Q
EMS Trauma Fund	Q	Q	Q	Q	Q	Q
Excess Funds from Sale of Property Forfeited	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
Excess Highway Fines					Q 9-1-11	Q
Excess Motor Carrier Fines	Q	Q	Q	Q	Q	Q
Failure to Appear/Pay	Q	Q	Q	Q	Q	Q
Family Protection Fee			Q	Q	Q	Q
Filing Fee for Legal Services for Indigents	Q	Q	Q	Q	Q	Q
Indigent Defense Fund				Q	Q	Q
Judicial Fund (criminal and civil)	Q	Q	Q	Q	Q	Q
Judicial Support Fee		Q	Q	Q	Q	Q
Juror Reimbursement Donation Program	Q	Q	Q	Q	Q	Q
Jury Reimbursement Fee		Q	Q	Q	Q	Q
Juvenile Probation Diversion Fund	Q	Q	Q	Q	Q	Q
Marriage License Fees	Q	Q	Q	Q	Q	Q
Metal Recycling					Q 9-1-11	Q
Motor Carrier Weight Violations	Q	Q	Q	Q	Q	Q
Moving Violation Fees					Q	Q
Nondisclosure Fee	Q	Q	Q	Q	Q	Q

FUND	01-01-04 through 08-31-05	09-01-05 through 12-31-05	01-01-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-13	1-1-14 forward
Peace Officer Fees	Q	Q	Q	Q	Q	Q
Photographic Enforcement Systems			Annual **9-1-07**	Annual	Annual	Annual
Sexual Assault Program Fund	Q	Q	Q	Q	Q	Q
Specialty Court Program			Q **7-1-07**	Q	Q	Q
State Traffic Fine	Q	Q	Q	Q	Q	Q
Substance Abuse Felony Program	Q	Q	Q	Q	Q	Q
Time Payment Fee	Q	Q	Q	Q	Q	Q
Truancy Prevention & Diversion Fund						Q

City Funds – Statute Waivers

FUND	01-01-04 through 08-31-05	09-01-05 through 12-31-05	01-01-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-13	1-1-14 forward
Birth Certificate Fee	Q	Q	Q	Q	Q	Q
Child Safety Seat and Seat Belt Violations	Annual	Annual	Annual	Annual	Annual	Annual
Child Safety Seat Court Cost					Monthly (repealed 9-28-11)	Monthly (repealed 9-28-11)
Consolidated Court Fee (2004)	Q	Q	Q	Q	Q	Q
Driving Records Fee			Q	Q	Q	Q
Excess Highway Fines	Q	Q	Q	Q	Q	Q
Excess Motor Carrier Fines	Q	Q	Q	Q	Q	Q
Failure to Appear/Pay	Q	Q	Q	Q	Q	Q
Indigent Defense Fund				Q	Q	Q
Judicial Support Fee		Q	Q	Q	Q	Q
Jury Reimbursement Fee		Q	Q	Q	Q	Q
Metal Recycling					Q 9-1-11	Q
Motor Carrier Weight Violations	Q	Q	Q	Q	Q	Q
Moving Violations Fee					Q	Q
Peace Officer Fees	Q	Q	Q	Q	Q	Q
Photographic Enforcement Systems			Annual **9-1-07**	Annual	Annual	Annual
State Traffic Fine	Q	Q	Q	Q	Q	Q
Time Payment Fee	Q	Q	Q	Q	Q	Q
Truancy Prevention and Diversion Fund						Q

Example
Agreement to Extend Period of Limitation
Quarterly Funds – City

COMPTROLLER OF PUBLIC ACCOUNTS
STATE OF TEXAS

AGREEMENT TO EXTEND PERIOD OF LIMITATION

Taxpayer Name : City of ABC
Address : 123 Main Street, Anywhere, TX 12345
Taxpayer Number : 12345678903
Type of **Court Cost, Fee or Fine**:

Birth Certificate Fees, Local Gov. Code, Sec. 118.011, 118.015 and 133.004
Consolidated Court Fee (2004), Local Gov. Code, Chap. 133
Driving Records Fee, Code of Criminal Proc., Art. 45.0511 (c-1)
Excess Highway Fines, Transportation Code, Sec. 542.402
Excess Motor Carrier Fines, Transportation Code, Sec. 644.101 and 644.102
Failure to Appear/Pay, Transportation Code, Chap. 706
Indigent Defense Fund, Local Gov. Code, Sec. 133.107
Judicial Support Fee, Local Gov. Code, Sec. 133.105
Jury Reimbursement Fee, Code of Criminal Proc., Art. 102.0045
Motor Carrier Weight Violations, Transportation Code, Sec. 621.506
Moving Violation Fees, Code of Criminal Proc., Art. 102.022
Peace Officer Fees, Local Gov. Code, Sec. 133.104
State Traffic Fine, Transportation Code, Sec. 542.4031
Time Payment Fee, Local Gov. Code, Sec. 133.103

The Comptroller of Public Accounts for the State of Texas and City of ABC have determined that the reason(s) listed below make it necessary to extend the period of limitation for the above court costs, fees or fines:

[ ] without an extension, the State might lose revenue.
[X] either the taxpayer or Comptroller, despite good faith efforts, requires more time to prepare for or complete the audit.
[ ] without an extension circumstances beyond the control of either the Comptroller or the taxpayer would make an audit by the Comptroller impractical or burdensome for either party.
[ ] an issue of law involved in the audit is awaiting determination in the courts or an administrative proceeding.

The Comptroller and the taxpayer, pursuant to TEX. TAX CODE ANN.SEC.111.203, agree that the expiration date for assessing court costs, fees and fines for each period listed below is extended to the date shown, inclusive of that date. Each extension must be agreed to before the expiration of the report period or an existing extension.

REPORT PERIOD:	EXTENDED TO:
January 1, 2008 through March 31, 2008	October 31, 2012
April 1, 2008 through June 30, 2008	October 31, 2012

This agreement entitles the taxpayer to credits or refunds for the report periods that are extended.

The taxpayer also agrees to keep for audit purposes all records and supporting data for the period(s) that are extended by this agreement.

Taxpayer Name: City of ABC
SIGN

COMPTROLLER OF PUBLIC ACCOUNTS

HERE > John Smith
City Treasurer, City Auditor,
or other duly authorized agent

Jane Martin
Comptroller's Representative

Mayor
Title

February 15, 2012
Date

2-16-12
Date

Example
Agreement to Extend Period of Limitation
Monthly Funds – City

COMPTROLLER OF PUBLIC ACCOUNTS
STATE OF TEXAS

AGREEMENT TO EXTEND PERIOD OF LIMITATION

Taxpayer Name : City of ABC
Address : 123 Main Street, Anywhere, TX 12345
Taxpayer Number : 12345678903
Type of **Court Cost, Fee or Fine**:

Child Safety Seat Court Cost, V.T.C.A., Transportation Code, Sec. 545.412

The Comptroller of Public Accounts for the State of Texas and City of ABC have determined that the reason(s) listed below make it necessary to extend the period of limitation for the above court costs, fees or fines:

[ ] without an extension, the State might lose revenue.
[X] either the taxpayer or Comptroller, despite good faith efforts, requires more time to prepare for or complete the audit.
[ ] without an extension circumstances beyond the control of either the Comptroller or the taxpayer would make an audit by the Comptroller impractical or burdensome for either party.
[ ] an issue of law involved in the audit is awaiting determination in the courts or an administrative proceeding.

The Comptroller and the taxpayer, pursuant to TEX. TAX CODE ANN.SEC.111.203, agree that the expiration date for assessing court costs, fees and fines for each period listed below is extended to the date shown, inclusive of that date. Each extension must be agreed to before the expiration of the report period or an existing extension.

REPORT PERIOD:	EXTENDED TO:
January 1, 2008 through January 31, 2008	October 31, 2012
February 1, 2008 through February 29, 2008	October 31, 2012
March 1, 2008 through March 31, 2008	October 31, 2012
April 1, 2008 through April 30, 2008	October 31, 2012
May 1, 2008 through May 31, 2008	October 31, 2012
June 1, 2008 through June 30, 2008	October 31, 2012
July 1, 2008 through July 31, 2008	October 31, 2012
August 1, 2008 through August 31, 2008	October 31, 2012

This agreement entitles the taxpayer to credits or refunds for the report periods that are extended.

The taxpayer also agrees to keep for audit purposes all records and supporting data for the period(s) that are extended by this agreement.

Taxpayer Name: City of ABC
SIGN

COMPTROLLER OF PUBLIC ACCOUNTS

HERE > John Smith
City Treasurer, City Auditor,
or other duly authorized agent

Jane Martin
Comptroller's Representative

Mayor
Title

February 15, 2012
Date

2-16-12
Date

Example
Agreement to Extend Period of Limitation
Annual Funds – City

COMPTROLLER OF PUBLIC ACCOUNTS
STATE OF TEXAS

AGREEMENT TO EXTEND PERIOD OF LIMITATION

Taxpayer Name : City of ABC
Address : 123 Main Street, Anywhere, TX 12345
Taxpayer Number : 12345678903
Type of **Court Cost, Fee or Fine**:

Child Safety Seat and Seat Belt Violations, V.T.C.A., Transportation Code, Sec. 545.412 and 545.413
Photographic Enforcement Systems, Transportation Code, Sec. 707.007 - 707.008

The Comptroller of Public Accounts for the State of Texas and City of ABC have determined that the reason(s) listed below make it necessary to extend the period of limitation for the above court costs, fees or fines:

[ ] without an extension, the State might lose revenue.
[X] either the taxpayer or Comptroller, despite good faith efforts, requires more time to prepare for or complete the audit.
[ ] without an extension circumstances beyond the control of either the Comptroller or the taxpayer would make an audit by the Comptroller impractical or burdensome for either party.
[ ] an issue of law involved in the audit is awaiting determination in the courts or an administrative proceeding.

The Comptroller and the taxpayer, pursuant to TEX. TAX CODE ANN.SEC.111.203, agree that the expiration date for assessing court costs, fees and fines for each period listed below is extended to the date shown, inclusive of that date. Each extension must be agreed to before the expiration of the report period or an existing extension.

REPORT PERIOD:	EXTENDED TO:
January 1, 2007 through December 31, 2007	October 31, 2012

This agreement entitles the taxpayer to credits or refunds for the report periods that are extended.

The taxpayer also agrees to keep for audit purposes all records and supporting data for the period(s) that are extended by this agreement.

	Taxpayer Name: City of ABC SIGN
COMPTROLLER OF PUBLIC ACCOUNTS	HERE > John Smith City Treasurer, City Auditor, or other duly authorized agent
Jane Martin Comptroller's Representative	Mayor Title
February 15, 2011 Date	2-16-11 Date

Audit Cover Letter

The audit cover letter used for a Local Revenue funds audit differs from the standard audit cover letter in several ways. Auditors may access the cover letter through Microsoft Word by selecting File | New | My Templates | Audit Cover | Local Revenue Audit Cover Letter.dotm. See the Example later in this section.

1. Each fund applicable to the city/county must be listed in the body of the letter, with the audit period and the audit adjustment amount for each fund.
2. If there were no adjustments to a particular fund, it should be listed with a zero amount.
3. If a fund is not applicable to the city/county being audited, it does not need to be listed, (e.g., Excess Highway Fines for cities with more than 5,000 population).
4. Avoid the use of the term "tax" in the cover letter, and substitute "court costs, fees, and fines."
5. Do not include any discussion about penalty and interest since there is no penalty or interest in a local revenue funds audit.
6. If the audit resulted in a liability which remains unpaid, do not put a date on the cover letter. It will be attached to the billing later and mailed from Audit Processing.

Funds to be listed:
All of the applicable court costs, fees and fines must be listed in the cover letter. Refer to the county or city charts later in this chapter for possible funds to list in a typical audit period. If the fund does not apply to the city/county being audited, do not list the fund (see those in *italics*). If the fund applies to the city/county but there is no audit adjustment, list the fund with a zero amount.

For the offenses by time period, see the following list for funds that fall into these time period categories. Any amount listed for the offenses by time period will be allocated by the computer according to percentage tables to the funds which apply to all offenses.

For the funds listed individually (Bail Bond Fees through Truancy Prevention and Diversion Fund), list the audit adjustment in the cover letter with its audit adjustment.

Audit Period:
Use the beginning date shown for the fund if the audit period begins before that date. If the audit period

begins after the date indicated, use the same beginning audit period as other funds. All funds will use the ending date of the audit period even if some of those funds have an ending date before the ending audit period. This is to allow for any collections of old funds that may have occurred between the ending date of the fund and the ending date of the audit period.

Funds collected not remitted:
If an amount was collected for a fund over which the comptroller has audit authority, but the amount was not remitted, it is best to separately schedule this by exam.

Funds collected in error:
If an amount is identified that was collected in error for funds over which the comptroller has audit authority, the money should be used in one of two ways:

1. If a state court cost has been under-reported, allocate the error tax to cover the under-reported court cost. If there is still error tax remaining after the re-allocation, list the excess amount as "Miscellaneous General Revenue $ Collected in Error.
2. If all other state court costs have been satisfied, list the error tax amount under "Miscellaneous General Revenue $ Collected in Error." This adjustment could include amounts collected in excess of the proper rates, on offenses on which the court cost did not apply, etc.

Re-allocations between funds:
If it is apparent that money was remitted for one fund when it should have been remitted for a different fund, re-allocate the amount to the correct fund (materiality should be considered). It is possible that there are no adjustments in the audit other than re-allocations between funds. In this case, list each fund with a zero adjustment except for the funds where money is being re-allocated, and the total could/should net to zero. Even if the net adjustment is zero, this is NOT to be processed as an NTD.

Collections of non-statutory amounts:
If it is apparent that the city/county collected amounts for which there was no statutory authority, but it is for funds/costs over which the comptroller does NOT have audit authority, do NOT list these amounts in the cover letter. A separate schedule of these amounts should be prepared and maintained as part of the audit work papers. Notations of these amounts should be made in the audit plan but should not be included in the audit adjustments. Send a copy of the schedule of non-statutory collections to Julie Farney Walter or Lindsey Klein, along with notations about the source of the problem, what courts in which it was found, the time period in which it occurred, and any other notations necessary to describe the situation.

Fees/Funds By Time Period

This chart displays the periods in which the various funds were active. Starting with the beginning audit period, refer to this chart to see which funds were active for that time period and the beginning date to use in the cover letter. If the block is shaded, the fund was not active for that time period; however, it is possible that the fund may need to be listed on the cover letter if there were any collections/adjustments for that particular fund during the audit period.

For example, if the audit period is October 1, 2007, through September 30, 2011, start with the column encompassing the 10-1-07 date (column 01-01-06 through 12-31-07). The beginning date for funds shown in that column would be the same as the beginning audit period, or October 1, 2007. Funds which were added later, such as Moving Violation Fees, would show a beginning audit period of January 1, 2010, and an ending audit period of September 30, 2011. Funds which ended before the ending audit period, as for Child Safety Seat Court Cost, would show a beginning audit period of January 1, 2010 and an ending audit period

of September 30, 2011 even though the fund expired on September 28, 2011. This is because of possible collections for the Child Safety Seat Court Cost that occurred during the audit period.

If the fee or fund is not applicable to the city or county being audited, do not list it in the cover letter, (e.g., Excess Highway Fines should not be listed for cities above 5,000 population).

Ch 2 #	FUND	01-01-04 through 12-31-05	01-01-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-13	1-1-14 forward
1	Bail Bond Fees	X	X	X	X	X
civil	Birth Certificate Fees	X	X	X	X	X
2	Child Safety Seat and Seat Belt Violations	X	X	X	X	X
3	Child Safety Seat Court Cost				X repealed 9-28-11	X repealed 9-28-11
4	Compensation to Victims of Crime Auxiliary Fund	X	X	X	X	X
5	Consolidated Court Fee (2004)	X	X	X	X	X
6	DNA Testing Fee-Convictions	X	X	X	X	X
7	DNA Testing Fee-Community Supervision				X	X
8	DNA Testing Fee-Juvenile				X	X
9	Driving Records Fee		X	X	X	X
10 & civil	Electronic Filing System Fund				X 9-1-13	X
11	EMS Trauma Fund	X	X	X	X	X
12	Excess Funds from Sale of Property Forfeited	X	X	X	X	X
13	Excess Highway Fines	X	X	X	X	X
14	Excess Motor Carrier Fines	X	X	X	X	X
15	Failure to Appear/Pay	X	X	X	X	X
civil	Filing Fee for Legal Services for Indigents	X	X	X	X	X
16	Indigent Defense Fund			X	X	X
17	Judicial Fund	X	X	X	X	X
civil	Judicial Fund Filing Fees-Constitutional County Court	*See Table II, Ch. 11*	*See Table II, Ch. 11*	*See Table II, Ch. 11*	*See Table II, Ch. 11*	*See Table II, Ch. 11*
civil	Judicial Fund Filing Fees-District Court	X	X	X	X	X
civil	Judicial Fund Filing Fees-Statutory County Court	*See Table II, Ch. 11*	10-1-07	X	X	X
civil	Judicial Fund Filing Fees-Statutory Probate Court	*See Table II, Ch. 11*	9-1-07	X	X	X
18 & civil	Judicial Support Fee	**12-01-05**	X	X	X	X
civil	Juror Donations	X	X	X	X	X
19	Jury Reimbursement Fee	09-01-05	X	X	X	X
20	Juvenile Probation Diversion Fund	X	X	X	X	X

Ch 2 #	FUND	01-01-04 through 12-31-05	01-01-06 through 12-31-07	1-1-08 through 12-31-09	1-1-10 through 12-31-13	1-1-14 forward
civil	Marriage License Fees	X	X	X	X	X
21	Metal Recycling				Effective 09-01-11	X
22	Motor Carrier Weight Violations	X	X	X	X	X
23	Moving Violation Fees				X	X
civil	Nondisclosure Fees	X	X	X	X	X
24	Peace Officer Fees	X	X	X	X	X
civil	Photographic Enforcement Systems		**9-1-07**	X	X	X
25	Sexual Assault Program Fund	X	X	X	X	X
26	Specialty Court Program		**6-15-07**	X	X	X
27	State Traffic Fine	X	X	X	X	X
28	Substance Abuse Felony Program	X	X	X	X	X
29	Time Payment Fee	X	X	X	X	X
30	Truancy Prevention and Diversion Fund					X

NOTES:

- If it is clear that an amount is due for one of these funds separate and apart from the others, it is best to show it separately in the cover letter listing with the amount identified for that fund. If this is not possible, show the amount for the offenses in the correct time period so that the amount is properly allocated to all the funds listed for that time period.
- Funds noted in *italics* may not be applicable for the particular city or county being audited. If not, do not list the fund.

County Cover Letter

Possible funds to list in an audit period of 04-01-10 through 03-31-14.

Refer to chart of Fees/Funds by time period for details on when funds were active. This chart is a quick reference to show variations in the beginning audit period which may not match the entire audit period.

FUND	BEGINNING AUDIT PERIOD	ENDING AUDIT PERIOD
Bail Bond Fee	04-01-10	03-31-14
Birth Certificate Fees	04-01-10	03-31-14
Child Safety Seat & Seat Belt Violations	04-01-10	03-31-14
Child Safety Seat Court Cost (01/01/10 through 9/27/11)	04-01-10	03-31-14
Compensation to Victims of Crime Auxiliary Fund	04-01-10	03-31-14
Consolidated Court Fees (01/01/04 forward)	04-01-10	03-31-14
Consolidated Court Costs (09/01/01-12/31/03)	04-01-10	03-31-14
Consolidated Court Costs (08/31/99-08/31/01)	04-01-10	03-31-14
Consolidated Court Costs (09/01/97-08/30/99)	04-01-10	03-31-14

FUND	BEGINNING AUDIT PERIOD	ENDING AUDIT PERIOD
Court Costs for Offenses (09/01/91-08/31/97)	04-01-10	03-31-14
DNA Testing Fee – Convictions	04-01-10	03-31-14
DNA Testing Fee – Community Supervision (01/01/10 forward)	04-01-10	03-31-14
DNA Testing Fee – Juvenile (01/01/10 forward)	04-01-10	03-31-14
Driving Records Fee	04-01-10	03-31-14
Electronic Filing Systems Fund (09/01/13 forward)	09-01-13	03-31-14
EMS Trauma Fund	04-01-10	03-31-14
Excess Funds from Sale of Property Forfeited	04-01-10	03-31-14
Excess Highway Fines (*)	09-01-11	03-31-14
Excess Motor Carrier Fines (*)	04-01-10	03-31-14
Failure to Appear/Pay (*)	04-01-10	03-31-14
Filing Fees for Legal Services for Indigents (*)	04-01-10	03-31-14
Indigent Defense Fund	04-01-10	03-31-14
Judicial Fund- Constitutional County Court (*)	04-01-10	03-31-14
Judicial Fund- Statutory County Court	04-01-10	03-31-14
Judicial Fund- Statutory Probate Court	04-01-10	03-31-14
Judicial Fund- District Court	04-01-10	03-31-14
Judicial Support Fee	04-01-10	03-31-14
Juror Donations	04-01-10	03-31-14
Jury Reimbursement Fee	04-01-10	03-31-14
Juvenile Probation Diversion Fund	04-01-10	03-31-14
Marriage License fees	04-01-10	03-31-14
Metal Recycling (9/1/11 forward)	09-01-11	03-31-14
Motor Carrier Weight Violations	04-01-10	03-31-14
Moving Violation Fees (01/01/10 forward)	04-01-10	03-31-14
Nondisclosure Fees	04-01-10	03-31-14
Peace Officer Fees (Arrest Fees)	04-01-10	03-31-14
Photographic Enforcement Systems	04-01-10	03-31-14
Sexual Assault Program Fund	04-01-10	03-31-14
Specialty Court Program	04-01-10	03-31-14
State Traffic Fine	04-01-10	03-31-14
Substance Abuse Felony Program	04-01-10	03-31-14
Time Payment Fee	04-01-10	03-31-14
Truancy Prevention and Diversion Fund	01-01-14	03-31-14
Misc. General Revenue $ Collected in Error (*)	04-01-10	03-31-14

* delete this fund if it does not apply to the county being audited

City Cover Letter

Possible funds to list in an audit period of 04-01-10 through 03-31-14.

Refer to chart of Fees/Funds by time period for details on when funds were active. This chart is a quick reference to show variations in the beginning audit period which may not match the entire audit period.

FUND	BEGINNING AUDIT PERIOD	ENDING AUDIT PERIOD
Birth Certificate Fees (*)	04-01-10	03-31-14
Child Safety Seat & Seat Belt Violations	04-01-10	03-31-14
Child Safety Seat Court Cost (1/1/10 through 9/27/11)	04-01-10	03-31-14
Consolidated Court Fees (01/01/04 forward)	04-01-10	03-31-14
Consolidated Court Costs (09/01/01-12/31/03)	04-01-10	03-31-14
Consolidated Court Costs (08/31/99-08/31/01)	04-01-10	03-31-14
Consolidated Court Costs (09/01/97-08/30/99)	04-01-10	03-31-14
Court Costs for Offenses (09/01/91-08/31/97)	04-01-10	03-31-14
Driving Records Fee	04-01-10	03-31-14
Excess Highway Fines (*)	04-01-10	03-31-14
Excess Motor Carrier Fines (*)	04-01-10	03-31-14
Failure to Appear/Pay (*)	04-01-10	03-31-14
Indigent Defense Fund	04-01-10	03-31-14
Judicial Support Fee	04-01-10	03-31-14
Jury Reimbursement Fee	04-01-10	03-31-14
Metal Recycling (9/1/11 forward)	9-1-11	03-31-14
Motor Carrier Weight Violations	04-01-10	03-31-14
Peace Officer Fees (Arrest Fees)	04-01-10	03-31-14
Photographic Enforcement Systems	04-01-10	03-31-14
State Traffic Fine	04-01-10	03-31-14
Time Payment Fee	04-01-10	03-31-14
Truancy Prevention and Diversion Fund	01-01-14	03-31-14
Misc. General Revenue $ Collected in Error (*)	04-01-10	03-31-14

* delete this fund if it does not apply to the city being audited

Example Audit Cover Letter for a County

Audit period 4-1-10 through 03-31-14

June 1, 2014

John Smith
County Treasurer
Anywhere County
123 Main Street
Anywhere, Texas 12345

RE: Taxpayer Number 12345678903

Dear Mr. Smith:

The results of your audit of court costs, fees, and fines are set out below. The audit was conducted in accordance with the statutory provisions for each of the following funds, and the periods covered and the amounts due are as follows:

Fund	Periods Audited	Amount Due
Bail Bond Fees	04/01/10 – 03/31/14	$ 0.00
Birth Certificate Fees	04/01/10 – 03/31/14	0.00
Child Safety Seat and Seat Belt Violations	04/01/10 – 03/31/14	300.00
Child Safety Seat Court Cost	04/01/10 – 03/31/14	5.00
Compensation to Victims of Crime Fund Auxiliary Fund	04/01/10 – 03/31/14	0.00
Consolidated Court Fees	04/01/10 – 03/31/14	5,000.00
Consolidated Court Costs (09/01/01 - 12/31/03)	04/01/10 – 03/31/14	25.00
Consolidated Court Costs (08/31/99 - 08/31/01)	04/01/10 – 03/31/14	0.00
Court Costs for Offenses (09/01/97 - 08/30/99)	04/01/10 – 03/31/14	0.00
Court Costs for Offenses (09/01/91 - 08/31/97)	04/01/10 – 03/31/14	0.00
DNA Testing Fee - Convictions	04/01/10 – 03/31/14	0.00
DNA Testing Fee - Community Supervision	04/01/10 – 03/31/14	400.00
Driving Records Fee	04/01/10 – 03/31/14	0.00
Electronic Filing Systems Fund-Civil-County	09/01/13 – 03/31/14	0.00
Electronic Filing Systems Fund-Civil-District	09/01/13 – 03/31/14	0.00
Electronic Filing Systems Fund-Civil-Justice	09/01/13 – 03/31/14	0.00
Electronic Filing Systems Fund-Criminal-County	09/01/13 – 03/31/14	0.00
Electronic Filing Systems Fund-Criminal-District	09/01/13 – 03/31/14	0.00
EMS Trauma Fund	04/01/10 – 03/31/14	25,000.00
Excess Funds from the Sale of Property Forfeited	04/01/10 – 03/31/14	0.00
Excess Motor Carrier Fines	04/01/10 – 03/31/14	0.00
Failure to Appear or Pay	04/01/10 – 03/31/14	1,000.00
Filing Fee for Legal Services for Indigents	04/01/10 – 03/31/14	0.00
Indigent Defense Fund	04/01/10 – 03/31/14	3,000.00
Judicial Fund - Constitutional County Court	04/01/10 – 03/31/14	0.00
Judicial Fund - District Court	04/01/10 – 03/31/14	0.00
Judicial Fund - Statutory County Court	04/01/10 – 03/31/14	0.00
Judicial Fund - Statutory Probate Court	04/01/10 – 03/31/14	0.00
Judicial Support Fee	04/01/10 – 03/31/14	0.00
Juror Donations	04/01/10 – 03/31/14	0.00

Jury Reimbursement Fee	04/01/10 – 03/31/14	0.00
Juvenile Probation Diversion Fund	04/01/10 – 03/31/14	0.00
Marriage License Fees	04/01/10 – 03/31/14	0.00
Metal Recycling	09/01/11 – 03/31/14	0.00
Motor Carrier Weight Violations	04/01/10 – 03/31/14	0.00
Moving Violation Fees	04/01/10 – 03/31/14	0.00
Nondisclosure Fees	04/01/10 – 03/31/14	0.00
Peace Officer Fees	04/01/10 – 03/31/14	0.00
Photographic Enforcement Systems	04/01/10 – 03/31/14	0.00
Sexual Assault Program Fund	04/01/10 – 03/31/14	0.00
Specialty Court Program	04/01/10 – 03/31/14	0.00
State Traffic Fine	04/01/10 – 03/31/14	10,000.00
Substance Abuse Felony Program	04/01/10 – 03/31/14	0.00
Time Payment Fee	04/01/10 – 03/31/14	20,000.00
Truancy Prevention and Diversion Fund	01/01/14 – 03/31/14	100.00
	TOTAL	$ 64,830.00

The Texas Notice of Audit Amount Due, which is the official billing, is attached. We have included a pre-addressed envelope for your payment convenience. You can pay by check, cashier's check, or money order made payable to the State Comptroller and mailed to Comptroller of Public Accounts, 111 East 17th Street, Austin, Texas 78774-0100. Your payment does not preclude your right to a redetermination hearing if you disagree with the results of this audit.

Audit adjustments are explained on the enclosed Audit Report.

At the exit conference, you agreed with the audit results. You were provided with the brochure "Contesting Disagreed Audits" (Form 96-1253) and advised of your right to meet with an Independent Audit Reviewer (IAR). You were also advised of the requirements necessary to initiate a formal redetermination hearing.

If you disagree with the audit results, you may request a redetermination hearing within 30 days from the date of this letter. Hearing requests must include a statement of grounds that describes in detail the reasons you believe the determination is incorrect. Your statement should describe as clearly as possible the facts and the provisions of the laws and Comptroller rules upon which you are relying. All hearing requests should be in writing and sent to Audit Headquarters - Audit Processing Section at Comptroller of Public Accounts, 111 E. 17th Street, Austin, Texas 78774-0100.

The conclusions of this audit are not to be taken as approval of the County's reporting system. Law changes and new rulings might result in different findings in future audits and the County will be responsible for any amounts found owing and due.

If you have any questions, please contact me in the Waco Audit Office at (254) 752-3147. Thank you for your cooperation during the audit.

Sincerely,

Jane Martin
Auditor

Example Audit Report

AUDIT REPORT

Anywhere County
Taxpayer Number 12345678903
April 1, 2010 through March 31, 2014

This report summarizes the adjustments made in the audit.

1. A detailed examination was completed for Exam 1. Adjustments were made for court costs collected but not reported.

Example Index to Working Papers

Anywhere County
Anywhere, Texas
Taxpayer Number 12345678903

DESCRIPTION

EXAM 1	COURT COSTS COLLECTED BUT NOT REPORTED	1

Example Summary Schedule

SUMMARY OF ADDITIONAL FUNDS DUE
CITY OF xxxxxxxxxx
CITY, TEXAS xxxxx
TP #XXXXXXXXXXX

FUND/FEE	REFERENCE	TOTAL DUE BY EXAM	TOTAL DUE
Court costs for offenses 9-1-97 thru 8-30-99	Exam 1	$ 250.00	
	Exam 2	$ 798.00	
	Exam 3	$6,420.00	$ 7,468.00
Court costs for offenses 8-31-99 thru 8-31-01	Exam 1	$ 5,420.00	
	Exam 2	$ 564.30	$5,984.30
Court costs for offenses 1-1-04 forward	Exam 4	$ 6,420.50	$ 6,420.50
Peace Officer Fees	Exam 5	<$540.00>	<$ 540.00>
Time Payment Fee	Exam 6	$3,220.00	$ 3,220.00
TOTAL			$23,092.80

NTD Audits

When no adjustments are being made, the generic NTD letter will be sent. Minor errors or other topics are not addressed in the generic cover letter. It is, therefore, essential that minor errors be discussed in the audit plan and with the taxpayer, and documented on Audit Work Manager. If necessary, the auditor should document any such discussions in a separate letter to the city/county, which should be attached to and be made a part of the Audit Plan.

There may also be documents that the auditor deems beneficial to be imaged for future reference. These documents should be made a part of the audit plan so that they are made part of the audit documentation and imaging.

An audit with no adjustments of any kind should be processed in the audit office, and completed on Audit Work Manager, which automatically updates the information to the mainframe database as an NTD audit record. The documentation, including audit plan and any other documents to be imaged, should be sent to Audit Processing for imaging. The system will send the generic NTD letter which does not list out the individual funds audited.

There may be a time when adjustments need to be made between funds but the end result is still a zero. This could occur when money has been reported to the wrong fund, and adjustments are necessary to move the money to the appropriate fund. If the amount is immaterial, the city/county should be advised to send amended returns to correct the error. If the amount is material, or if the city/county does not file the amended returns, the auditor must include schedules for adjustments between funds which will result in a zero net adjustment. The auditor should prepare the cover letter showing the adjustments, complete the appropriate comments in Audit Work Manager, and send the audit package to the Regional Processing Center for review. The RPC will route these audits to Audit Processing, where the adjustments to the funds can be handled. It is best to notify the Audit Processing Section and the Miscellaneous Tax Section in Revenue Accounting of this situation as it could result in a significant impact in adjustments to funds.

Special Topics

Alcohol Awareness Programs

The Alcoholic Beverage Code, Chapter 106, pertains to alcohol offenses and provisions relating to minors. Sections 106.02-106.07 relate to minors in possession, consumption, purchase, and attempt to purchase alcohol, as well as misrepresentation of age and driving while intoxicated.

Section 106.115 describes provisions relating to the alcohol awareness courses. If a minor is convicted of an offense in Section 106.02, 106.025, 106.04, 106.041, 106.05, or 106.07, the court shall place the minor defendant on deferred disposition and require the defendant to attend an alcohol awareness program.

The defendant has 90 days to present to the court evidence of the satisfactory completion of the program or community service as required by the court. If the defendant presents the required evidence within the prescribed period, the court may reduce the assessed fine to an amount equal to no less than one-half of the amount of the initial fine. If the defendant does not present the required evidence within the prescribed period, the court shall order the Department of Public Safety to suspend the defendant's driver's license or permit for a period not to exceed six months or, if the defendant does not have a license or permit, to deny the issuance of a license or permit to the defendant for that period.

Since this is a deferred disposition situation, the court costs are due at the time the deferral is granted.

Collection Fees

A city/county is allowed to retain a portion of the court cost remitted if the report and remittance are made timely. See the table on Collection Fees in Chapter 6 to determine the amount of collection fee which may be retained, if any.

In an audit situation, any deficiency amounts have not been remitted timely, so the collection fee should not be deducted from the audit adjustments.

If a city/county did not remit funds which were collected in a calendar quarter until a subsequent calendar quarter, the collection fee should be disallowed on those funds which were not remitted in the quarter they were collected.

> **Note:** See Hearing #38,197, City of El Paso, regarding disallowance of collection fees for amounts not remitted in the quarter in which they were collected from the defendant.

Collection Contracts

Criminal

The Code of Criminal Procedure, Article 103.0031, provides that a city or county may enter into a contract with a private attorney or vendor for the provision of collection services for:

- Debts and accounts receivable such as unpaid fines, fee, court costs, forfeited bonds, and restitution ordered paid by a court or hearing officer
- Amounts in cases in which the accused has failed to appear, as promised under Subchapter A, Chapter 543, Transportation Code, in compliance with a lawful written notice to appear issued under Article 14.06(b), in compliance with a lawful summons issued under Article 15.03(b), in compliance with a lawful order of a court, or as specified in a citation, summons, or other notice authorized by Section 682.002, Transportation code, that charges the accused with a parking or stopping offense.

The city or county that has entered into a contract with a private attorney/vendor under the provision of Section 103.0031 may authorize the addition of a collection fee in the amount of 30% on each item described above that is **more than 60 days past due** and has been referred to the attorney/vendor for collection. An item is considered more than 60 days past due if it remains unpaid on the 61st day after the following appropriate date:

- With respect to a debt or accounts receivable, the date on which the debt, fine, fee, forfeited bond, or court cost must be paid in full as determined by the court or hearing officer.
- With respect to an amount in a case in which the defendant has failed to appear, the date by which the accused promised to appear or was notified, summoned, or ordered to appear.

The governing body of a city with a population of more than 1.9 million may authorize the addition of collection fees for a collection program performed by employees of the governing body.

The collection fee does not apply to a case that has been dismissed by a court, or to any amount that has been satisfied through time-served credit or community service. It also does not apply to the collection of commercial bail bonds.

The collection fee may be applied to any balance remaining after a partial credit for time served or community service if the balance is more than 60 days past due. A defendant is not liable for the collection fees if the court has determined the defendant to be indigent, or has insufficient resources or income, or is otherwise unable to pay all or part of the underlying fine or costs.

Unless the contract provides otherwise, the court shall calculate the amount of the collection fee due to the attorney/vendor performing the collection services, and shall receive all fees, including the collection fee.

If a defendant pays less than the aggregate total to be collected, the allocation to the comptroller, the county or city, and the private attorney/vendor shall be reduced proportionately.

A city/county may enter into a contract to collect a debt incurred as the result of an offense committed before the effective date of Section 103.0031, but the collection fee does not apply to this debt.

The additional 30% collection fee may not be used for any purpose other than compensating the attorney/vendor who earns the fee.

Civil

House Bill 2021, 83rd Session (2013), effective 6-14-13, allows for a contract for collection of amounts in civil cases. The governing body of a municipality or the commissioners court of a county may contract with a private attorney or public or private vendor for the collection of an amount owed relating to a civil case if the amount is more than 60 days overdue. The collection fee of 30 percent of the amount referred may be used only to compensate the attorney or vendor who collects the debt.

Excess Highway Fines

Statute: Transportation Code, Section 542.402

Subsection (b) of this section prescribes a formula where cities under 5,000 population get to keep 100% of fines and special expenses from traffic violations until a certain cap is reached. Then they are only allowed to keep $1 of each fine or special expense from that point on for the remainder of their fiscal year. This is to prevent the city from financing the city's budget solely traffic violations.

A breakdown of subsection (b) wording is interpreted as follows:

STATUTE WORDING	INTERPRETATION	NOTES
In each fiscal year	The city's fiscal year, not the state's	Many cities use October 1 through September 30. Some use calendar year. Others use July 1-June 30.
A municipality having a population of less than 5,000	Using the most recent federal census at the beginning of the city's fiscal year	Status does not change until the beginning of the NEXT fiscal year AFTER publication of a new federal census
May retain from fines collected for violations of this title	"this title" refers to Title 7, Transportation Code, which is Chapters 501-750	Prior to 8-31-99, only Chapters 541-600 were included
And from special expenses collected under article 45.051, Code of Criminal Procedure, in cases in which a violation of this title is alleged	CCP, Art. 45.051, is "Suspension of Sentence and Deferral of Final Disposition." Subsection (c) says "if the complaint is dismissed, a special expense not to exceed the amount of the fine assessed may be imposed."	Example: Maximum fine was $200 but judge assessed a fine of $125. Upon dismissal, the special expense imposed cannot exceed $125. Note: This "special expense" does **NOT** include any of the administrative fees imposed in CCP, Art. 45.0511. *See note below.*
An amount equal to 30% of the municipality's revenue for the preceding fiscal year from all sources	This is the city's fiscal year, not the State's. Revenue is from all sources in the prior fiscal year.	Total revenue includes taxes, local court costs and fines, utilities, sales taxes, etc.
Other than federal funds and bond proceeds	Should be identified as such in city records	Deduct from the total of city revenue
As shown by the audit performed under Section 103.001, Local Government Code	City is supposed to have this audit performed annually by internal or external auditor.	May or may not be available
After a municipality has retained that amount	Meaning the 30% calculated amount	Measured by calendar quarter
The municipality shall send to the comptroller any portion of a fine or a special expense collected that exceeds $1	The city gets to keep $1 of each fine and must remit the rest to the comptroller	Determining the number of fines is sometimes problematic, possibly requiring an estimate.

The above table can also be used for counties potentially subject to Excess Highway Fines by substituting the word "county" for "municipality" and "city". The wording in subsection (b-2) is virtually identical to subsection (b) referenced above. Audits for counties are referenced in Local Government Code, Chapter 115.

NOTE:

The statute for Excess Highway Fines, Transportation Code Section 542.402, states that the city may retain 30% from "fines collected from violations of this title" and "from special expenses under Article 45.051,

Code of Criminal Procedure." This means that a special expense imposed under an Article 45.051 deferral is included. However, it does **NOT** include administrative fees imposed for driving safety courses under Article 45.0511(f). There are two administrative fees under Article 45.0511(f). One is a $10 administrative fee for mandatory deferral, and the other is an administrative fee for permissive deferral, which cannot exceed the maximum amount of the fine allowed by law. Neither of these should be included in the calculation for Excess Highway Fines.

The first step is to determine if the city is responsible for Excess Highway Fines. Review Table III in Chapter 10 to determine if the city is responsible for this fund. Table IV in Chapter 10 lists counties potentially subject to Excess Highway Fines.

Refer to Chapter 2, for basic information on Excess Highway Fines. Included below are two examples for municipalities showing the calculations with extra notations.

Example #1:

Assume: City's fiscal year is from October through September.

Total City revenue, prior fiscal year (**FY 07**)		
$1,745,320 (*see below*)		
Less: federal funds and proceeds from bond sales	128,000	(**FY 07**)
Subtotal:	$1,617,320	
Multiply by 30% allowance	x 30%	
Amount of fines to be retained by city in **FY 08**	**$ 485,196**	
Fines collected in **FY 08**	**$ 520,120**	(*see below*)
Maximum fines allowable	485,196	
Excess Fines	$ 34,924	
Less: $1 per fine above allowable limit	295	(see below)
Total Excess Fines to be remitted	$ 34,629	

Detail calculations:

Total City Revenue FY 07:

Sales taxes	$ 166,000	
Utilities	121,320	
Property taxes	515,000	
Municipal court	***718,000***	(*see below*)
Building permits	41,000	
Garbage collection	56,000	
Federal Grants	120,000	
Bond sales	8,000	
Subtotal	$1,745,320	
Less: federal grants and bond sales	< 128,000>	
Total City Revenue FY 07	**$1,617,320**	

Municipal court revenue of $718,000 in FY 07 includes:

All fines retained by the city on all offenses	$555,000
$3 Traffic Fee	28,000
Municipal Security	30,000
Municipal Technology	35,000
Peace officer fees	44,000
Time Payment Fees (city's one-half only)	12,000
Failure to Appear fees (city's 1/3 only)	6,000
10% collection fees on court costs remitted to the state	4,000
Administrative fees (expired registration, inspections or driver's licenses)	3,000
Administrative fees for driving safety courses in Article 45.0511(f), Code of Crim. Proc.	1,000
Total	**$718,000**

Note: Any other revenues collected by the Municipal Court should be included. Do **not** include fines and court costs remitted to the state.

Fines collected in FY 08 include:

Municipal court revenue in FY 08	$ 743,000
Less: fines from offenses outside Transportation Code	< 10,000>
Less: $3 Traffic Fee, local court cost	< 45,780>
Less: Municipal Court Security Fee	< 37,500>
Less: Municipal Court Technology Fee	< 40,500>
Less: peace officer fees	< 54,500>
Less: Time Payment Fees (city's one-half retained)	< 16,000>
Less: Failure to Appear (city's one-third retained)	< 11,520>
Less: administrative dismissal fees	< 7,080>
Total fines FY 08	**$520,120**

Note: Do not include fines remitted to the state for Excess Motor Carrier Fines, Child Safety Seat and Seat Belt, Motor Carrier Weight Violations.

City may retain $1 per fine after the maximum allowable amount has been reached:

	NET FINES (as calculated above)
City's first FY quarter (Oct-Dec)	$127,000
City's second FY quarter (Jan-March)	303,000 (cumulative total)
City's third FY quarter (April-June)	428,000 (cumulative total)
City's fourth FY quarter (July-Sept)	520,120 (cumulative total)

In this example, the maximum allowable fines amount is $485,196. The city exceeds this amount in their 4th quarter of their fiscal year. Therefore, the number of fines from offenses in the Transportation Code needs to be determined for the last quarter only. In this example, 295 cases of offenses from the Transportation Code occurred in the 4th quarter (July-Sept).

Example #2:

REVENUE CATEGORY	Fiscal Year End 9/30/05	Fiscal Year End 9/30/06	Fiscal Year End 9/30/07	Fiscal Year End 9/30/08
Revenues	$152,000.00	$160,000.00	$158,000.00	$170,000.00
Operating Revenues	$185,000.00	$197,000.00	$201,000.00	$205,000.00
Federal Funds revenues	$250,000.00	$0.00	$200,000.00	$0.00
Proceeds- bond sales	$120,000.00	$0.00	$25,000.00	$0.00
State court costs	$40,000.00	$50,000.00	$55,000.00	$60,000.00
Local court costs	$20,000.00	$30,000.00	$23,500.00	$30,000.00
Fines from traffic offenses	$380,000.00	$410,000.00	$400,000.00	$500,000.00
Administrative fees	$5,000.00	$3,000.00	$4,000.00	$5,500.00
Special expense fees	$110,000.00	$95,000.00	$100,000.00	$115,000.00
Time Payment fee (local portion)	$20,000.00	$15,000.00	$25,000.00	$27,000.00
Time Payment fee (state portion)	$40,000.00	$22,000.00	$30,000.00	$29,000.00
Fines to be remitted to state	$50,000.00	$60,000.00	$68,000.00	$74,000.00
Licenses/Permits	$10,000.00	$8,000.00	$12,000.00	$13,000.00
Franchise fees	$5,000.00	$5,000.00	$5,000.00	$5,000.00
Rents	$5,000.00	$5,000.00	$5,000.00	$7,000.00
Utility payments	$80,000.00	$85,000.00	$93,000.00	$98,500.00
Property taxes	$200,000.00	$205,000.00	$210,000.00	$215,000.00
Other taxes	$15,000.00	$13,000.00	$17,500.00	$19,000.00
Interest income	$10,000.00	$9,000.00	$8,000.00	$7,500.00
Penalties	$2,000.00	$1,000.00	$2,000.00	$2,800.00
Miscellanous income	$4,000.00	$1,000.00	$3,000.00	$5,000.00
	$1,703,000.00	$1,374,000.00	$1,645,000.00	$1,588,300.00

The following assumptions are used for this example:

1. Fines from traffic offenses and special expense fees are derived only from violations of Transportation Code, Title 7 (Chapters 501-750).
2. The categories of state court costs, time payment fee (state portion), and fines to be remitted to the state are misclassified as revenues and should be liabilities; therefore, these categories are excluded from the calculation of the 30% cap of revenues.

Summary of Excess Highway Fines Due for the Audit Period:

Fiscal Year	Amount
2006	$142,230.00
2007	$125,640.00
2008	$231,655.00
Total Due	**$499,525.00**

Detail Calculations of Excess Highway Fines Due for each Fiscal Year:
Fiscal Year 2006:

Calculations:

Total Revenue from prior fiscal year (FY 2005)	$ 1,703,000.00
Less federal funds and proceeds from bond sales	(370,000.00)
Less misclassified state court costs and fines	(130,000.00)
Total Net Revenue in FY 2005	1,203,000.00
X 30% Cap	30%
Maximum Amount of fines to be retained in FY 2006	$360,900.00
Fines from traffic offenses collected in FY 2006	$ 410,000.00
Special expense fees collected in FY 2006	95,000.00
Total Fines Collected in FY 2006	$ 505,000.00
Less Maximum Allowable Fines	(360,900.00)
Excess Highway Fines	$ 144,100.00
Less allowable $1 per fine above allowable limit (see below)	(1,870.00)
Total Excess Highway Fines to be remitted	$ 142,230.00

Fines and Special Expenses by month in FY 06	Amount by month	Cumulative	# of cases applicable to Transportation Code Offenses	# of cases for which $1 fine is retained
10/01/2005	$37,000		475	
11/01/2005	$39,000	$76,000	500	
12/01/2005	$43,500	$119,500	555	
01/01/2006	$51,000	$170,500	655	
02/01/2006	$44,500	$215,000	570	
03/01/2006	$46,500	$261,500	595	
04/01/2006	$39,000	$300,500	500	
05/01/2006	$47,000	$347,500	605	
06/01/2006	$35,000	**$382,500**	450	275
07/01/2006	$44,000	**$426,500**	565	565
08/01/2006	$38,500	**$465,000**	495	495
09/01/2006	$40,000	**$505,000**	535	535
	$505,000		6,500	1,870

City reaches the 30% cap by their 3rd quarter

Fiscal Year 2007:

Calculations:	
Total Revenue from prior fiscal year (FY 2006)	$ 1,374,000.00
Less federal funds and proceeds from bond sales	-
Less misclassified state court costs and fines	(132,000.00)
Total Net Revenue in FY 2006	1,242,000.00
X 30% Cap	30%
Maximum Amount of fines to be retained in FY 2007	$372,600.00
Fines from traffic offenses collected in FY 2007	$ 400,000.00
Special expense fees collected in FY 2007	100,000.00
Total Fines Collected in FY 2007	$500,000.00
Less Maximum Allowable Fines	(372,600.00)
Excess Highway Fines	$ 127,400.00
Less allowable $1 per fine above allowable limit (see below)	(1,760.00)
Total Excess Highway Fines to be remitted	$ 125,640.00

Fines and Special Expenses by month in FY 07	Amount by month	Cumulative	# of cases applicable to Transportation Code Offenses	# of cases for which $1 fine is retained
10/01/2006	$38,000		520	
11/01/2006	$40,000	$78,000	550	
12/01/2006	$44,500	$122,500	610	
01/01/2007	$50,000	$172,500	685	
02/01/2007	$44,000	$216,500	600	
03/01/2007	$46,000	$262,500	630	
04/01/2007	$38,500	$301,000	525	
05/01/2007	$47,000	$348,000	640	
06/01/2007	$35,000	**$383,000**	475	145
07/01/2007	$44,000	**$427,000**	605	605
08/01/2007	$38,000	**$465,000**	520	520
09/01/2007	$35,000	**$500,000**	490	490
			6,850	1,760

City reaches the 30% cap by their 3rd quarter

Fiscal Year 2008:

Calculations:	
Total Revenue from prior fiscal year (FY 2007)	$ 1,645,000.00
Less federal funds and proceeds from bond sales	(225,000.00)
Less misclassified state court costs and fines	(153,000.00)
Total Net Revenue in FY 2007	1,267,000.00
X 30% Cap	30%
Maximum Amount of fines to be retained in FY 2008	$380,100.00
Fines from traffic offenses collected in FY 2008	$ 500,000.00
Special expense fees collected in FY 2008	115,000.00
Total Fines Collected in FY 2008	$615,000.00
Less Maximum Allowable Fines	(380,100.00)
Excess Highway Fines	$ 234,900.00
Less allowable $1 per fine above allowable limit (see below)	(3,245.00)
Total Excess Highway Fines to be remitted	$ 231,655.00

Fines and Special Expenses by month in FY 08	Amount by month	Cumulative	# of cases applicable to Transportation Code Offenses	# of cases for which $1 fine is retained
10/01/2007	$45,000		615	
11/01/2007	$50,000	$95,000	690	
12/01/2007	$60,000	$155,000	830	
01/01/2008	$65,000	$220,000	900	
02/01/2008	$70,000	$290,000	970	
03/01/2008	$63,000	$353,000	875	
04/01/2008	$29,900	**$382,900**	415	40
05/01/2008	$50,400	**$433,300**	700	700
06/01/2008	$35,000	**$468,300**	485	485
07/01/2008	$48,000	**$516,300**	660	660
08/01/2008	$49,500	**$565,800**	680	680
09/01/2008	$49,200	**$615,000**	680	680
			8,500	3,245

City reaches the 30% cap by their 3rd quarter

Installment Payments

When installment payments are made, or when the amount paid does not satisfy all the costs, fees, and fines imposed in the case, it is necessary to allocate the payments to the appropriate costs, fees, and fines in the proper sequence.

The allocation rule is based upon Attorney General Opinions M-1076 (1972) and GA-147 (2004). The latter opinion states in part:

> "…allocate monies received from a defendant first to pay costs and then to pay a fine. If the monies received do not cover all of the costs, then the monies must be allocated to costs on a pro rata basis."

Therefore, the first priority of payments is for all statutory state and local court costs appropriate to the offense. This includes the Time Payment Fee and the Failure to Appear Fee. All statutory court costs should

be calculated first, and payments applied to those funds on a pro rata basis. Any money remaining after the statutory court costs are satisfied should be applied toward fines and other fees and costs.

Since all state court costs are remitted on a quarterly basis, installment payments may be paid in multiple calendar quarters. Payments must be remitted in the quarter in which they were collected by the city/county. Therefore, pro rata payments applied to the court costs will be remitted in the quarter in which they were collected.

The basic allocation formula is:

$court cost amount / $Total court costs	= Percentage	x	$Payment	=	$Allocation

The following examples indicate the application of payments to court costs, fees, and fines in various scenarios.

Example #1: Payment in full upon Conviction (or within 30 days of date of conviction)

Date of Offense: January 10, 2006
Date of Conviction: February 2, 2006

Fine imposed =	$125
State Court Costs =	$ 83
Local Court Costs =	$ 20
Total Due =	$228

Payment: February 2, 2006 = $228
State court costs of $83 are to be remitted on the report for the 061 quarter.

Example #2: Payment in full more than 30 days after date of conviction

Date of Offense: January 10, 2006
Date of Conviction: February 2, 2006

Fine imposed =	$125
State Court Costs =	$ 83
Time Payment Fee	$ 25
Local Court Costs =	$ 20
Total Due =	$253

Payment: March 31, 2006 = $253
State court costs of $83 + $12.50 Time Payment Fee ($95.50) are to be remitted on the report for the 061 quarter.

Example #3: Payment in three installments, February 15, March 15, and April 15.

Date of Offense: January 10, 2006
Date of Conviction: February 2, 2006

Fine imposed =	$125
State Court Costs =	$ 83
Time Payment Fee =	$ 25
Local Court Costs =	$ 20
Total Due =	$253

Payment: February 15, 2006 = $85
Payment: March 15, 2006 = $84
Payment: April 15, 2006 = $84

The total paid in the first quarter of 2006 = $169. The total of state and local court costs due is $128. Therefore, state court costs of $83 + $12.50 Time Payment Fee ($95.50) are to be remitted on the report for the 061 quarter. The remaining $41 paid in the 061 quarter and the $84 paid in the 062 quarter are applied to the fine.

Example #4: Payment in three installments, March 15, April 15, and May 15:

Date of Offense: February 10, 2006
Date of Conviction: March 2, 2006

Fine imposed =	$125
State Court Costs =	$ 83
Time Payment Fee =	$ 25
Local Court Costs =	$ 20
Total Due =	$253

Payment: March 15, 2006	=	$85
Payment: April 15, 2006	=	$84
Payment: May 15, 2006	=	$84

The total paid in the first quarter = $85, which does not cover the $128 total of the statutory court costs due ($83 + $25 + $20). Therefore, an allocation of the payment is required:

Court Cost	Court Cost Amount	Percent of Total	Pro rata Portion of First Payment	Pro-rata Portion Remaining
State Court Costs:				
Consolidated Court Fee	$ 40.00	31.25%	$ 26.56	$13.44
State Traffic Fine	$ 30.00	23.4375%	$ 19.92	$10.08
Jury Reimbursement Fee	$ 4.00	3.125%	$ 2.66	$ 1.34
Judicial Support Fee	$ 4.00	3.125%	$ 2.66	$ 1.34
Peace Officer Fee (20%)	$ 1.00	0.7813%	$ 0.65	$ 0.35
Time Payment Fee (state portion)	$ 12.50	9.7656%	$ 8.30	$ 4.20
State Subtotal	**$ 91.50**		**$ 60.75**	**$30.75**
Local Court Costs:				
Courthouse Security Fund	$ 4.00	3.125%	$ 2.66	$ 1.34
Justice Court Technology Fund	$ 4.00	3.125%	$ 2.66	$ 1.34
Misdemeanor Fee	$ 7.00	5.4688%	$ 4.65	$ 2.35
Juvenile Case Manager Fee	$ 5.00	3.9063%	$ 3.32	$ 1.68
Peace Officer Fees (80%)	$ 4.00	3.125%	$ 2.66	$ 1.34
Time Payment Fee (local portion)	$ 12.50	9.7656%	$ 8.30	$ 4.20
Local Subtotal	**$ 36.50**		**$ 24.25**	**$ 12.25**
Grand Total	**$128.00**	**100.000%**	**$ 85.00**	**$ 43.00**

Therefore, a total of $60.75 is to be remitted on the first quarter report. Since the remainder was paid in the second quarter, the balance of the court costs due ($30.75) is to be remitted on the second quarter return.

If the payment made in the second quarter was still insufficient to cover the remaining court costs, the pro rata allocation would be necessary in the same method as calculated for the first payment.

Missing Records

When records are missing, there are various tools that may be used, depending on the circumstances. Review the system of internal controls first to determine where the weaknesses are, and then concentrate on those areas identified as problematic.

- Check for sequential numbering on records to determine what is missing.
- Contact the printer of the documents, if possible to determine how many were printed and what numbering system was used.
- Examine other documents for the period in which records are missing to determine if there were other activities. For example, if receipt books are missing, check bank deposits, dockets, cash flow reports, entries of payments in the defendant's records, etc.
- Third party verification may also be useful. By selecting some cases randomly, letters could be mailed to the defendants inquiring if their tickets were paid, and if so, asking for the date, payment amount, method of payment, etc. The response from this technique is generally low, and should be considered only when necessary.

Estimate when necessary. Use information from periods in which records are complete, and information gained from the above steps to project an estimate over periods where records are missing.

Parking and Pedestrian Violations

Parking and pedestrian violations may be covered by either municipal ordinance or state law. State law covers privileged parking (i.e. handicapped parking) in Chapters 681 and 684, Transportation Code. Other parking violations are included in Chapter 545, Transportation Code.

State court costs generally exclude violations for parking and pedestrians. The exception to the rule is State Traffic Fine (Transportation Code, sec. 542.4031), which does apply to parking and pedestrian. However, it is limited to those in the Rules of the Road (chapters541-600). The State Traffic Fine, therefore, excludes parking under municipal ordinance, and privileged parking, which is not in the Rules of the Road.

The Local Traffic Fee (Transportation Code, sec. 542.403) is also limited to those violations in the Rules of the Road. Peace Officer fees apply when a ticket/citation is written by a law enforcement officer, and 20% of this fee is to be remitted to the state if it was a peace officer with statewide authority. The Child Safety Fund applies in municipal courts, when the offense occurs within a school crossing zone.

Item	State Traffic Fine	Local Traffic Fee	Peace Officer Fee	Child Safety Fund	Total
Municipal ordinance: parking & pedestrian	-0-	-0-	$5	-0-	$5
Transportation Code, Rules of the Road Sec. 545.301, 545.302, 545.303, 545.307 • inside school crossing zone • outside school crossing zone	 $30 $30	 $3 $3	 $5 $5	 $25 -0-	 $63 $38
Transportation Code, Privileged parking, Chap. 681	-0-	-0-	$5	-0-	$5
Transportation Code, Privileged parking, Sec. 684.011	-0-	-0-	$5	-0-	$5

In addition to the fees shown above, the following need to be added when applicable: Failure to Appear, Time Payment Fee, Municipal Security, Municipal Technology, and Juvenile Case Manager Fee.

Parks and Wildlife Violations

Under Parks & Wildlife Code, Sections 12.107 and 31.126, the venue for a violation or offense of the Parks & Wildlife Code is the justice court or county court having jurisdiction where the violation or offense occurs. Most of the offenses are Class C misdemeanors, but the Parks and Wildlife Code outlines higher classifications for certain offenses.

Under Parks & Wildlife Code, Section 12.110, a person convicted of an offense regarding the unlawful possession or shipping of a game bird, fowl, animal, game fish, or exotic animal may be ordered to pay the actual cost of any storage, care, feeding, or processing necessary. (Added by House Bill 2026, 79th Regular Session, 2005)

Under Sections 12.107 and 31.128, a justice of the peace or other officer receiving a fine for a violation of the Parks & Wildlife Code shall send the fine to the Parks & Wildlife Department within 10 days after receipt.

- In justice court cases filed as a result of an arrest by a game warden, the court is to remit 85% of the fine to the Parks & Wildlife Department.
- In county court, the court is to remit 80% of the fine to the Parks & Wildlife Department. All court costs are to be retained by the court and deposited as other fees.
- If the case is filed as the result of an arrest by a marine safety enforcement officer other than a game warden, the court is to remit 60% of the fine to the Parks & Wildlife Department.

All court costs are to be retained by the court and deposited as other fees. All court costs are to be handled just as any other offense, with the proper statutory state and local court costs collected and remitted as appropriate.

Tobacco Awareness Programs

Section 161.252 of the Health and Safety Code describes the offense of possession, purchase, consumption or receipt of cigarettes or tobacco products by minors (individuals younger than 18 years of age). The offense is punishable by a fine not to exceed $250.

Under Section 161.253, the court is required to place the minor defendants on deferred disposition and require the defendant to attend a tobacco awareness program. If the defendant resides in an area where the tobacco awareness program is not available, the defendant may instead perform 8-12 hours of tobacco-related community service. The defendant has 90 days to present to the court evidence of satisfactory completion of the program or community service.

Under subsection (f) of Section 161.253, if the defendant has not been previously convicted of this offense, the court is required to discharge the defendant and dismiss the complaint. If the defendant has been previously convicted of this offense, the court is to execute the sentence, and has the authority to reduce the fine imposed to not less than half the fine previously imposed by the court. In either case, the defendant was put on deferred disposition, and **court costs were due at the time of the deferral**.

Unjust Enrichment

In accordance with Attorney General Opinions M-1076 (1972) DM-407 (1996), and GA-0061 (2003):

1. If the city/county has over-collected for a statutory fund over which the comptroller has audit authority, =

   set up the excess as error tax (unless refunded to the defendant).

2. If the city/county has under-collected for a statutory fund over which the comptroller has audit authority, =

   re-allocate from the fine collected.

3. If the city/county has collected for a local court cost or non-statutory fee or cost over which the comptroller has no audit authority, =
   - Do not make any adjustments for this, and
   - Do not use this money for re-allocations to under collected statutory court costs.
   - Document the situation clearly in the audit plan but do not include in audit adjustments. Include information on what is being collected, how long this has been collected, the approximate amount per case and the estimated total in the audit period.
   - Also send an email describing this situation to Julie Farney Walter (or Lindsey Klein) for tracking purposes. Include the same information documented in the audit plan.

Funds over which the comptroller has audit authority:

- All state court costs
- Child Safety Seat and Seat Belt Violations
- Excess Highway Fines
- Excess Motor Carrier Fines
- Failure to Appear/Pay
- Motor Carrier Weight Violations
- Peace Officer Fees
- State Traffic Fine
- Time Payment Fee
- Child Safety Fund (local fee)

Common Errors

- Reporting a month or part of a month late, in the quarter after the quarter in which collected
- Allocating jail time credit or community service to court costs and payments to fines
- Failure to pro-rate partial payments to all statutory court costs before fines and other fees.
- Using court cost charts that are not up-to-date, including the exclusion of new funds, failure to change rates, etc.
- Collection of older court cost amounts in addition to the Consolidated Court Cost/Fee.
- Failure to report and remit all court costs collected.
- Failure to collect court costs based on date of offense.
- Failure to retain the proper collection fee, or taking it when not appropriate to do so (i.e. keeping 10% instead of 5% on State Traffic Fine, or 10% instead of zero on Failure to Appear/Pay fee).
- Peace officer fees: either not reporting 20% of those for services of state peace officers, or reporting 100% instead of only 20%.
- Failure to add Time Payment on offenses paid after 30 days of conviction.

Chapter 8
Statutes

Introduction

Criminal Court Costs and Fees

- Alcoholic Beverage Code
- Local Government Code
- Code of Criminal Procedure
- Education Code
- Family Code
- Government Code
- Health and Safety Code
- Parks and Wildlife
- Penal Code
- Occupations Code
- Transportation Code

Civil Fees

- Health & Safety Code
- Government Code
- Local Government Code

Introduction

This chapter contains internet links to pertinent portions of the statutes. This is NOT an all-inclusive listing of legislation impacting those particular statutes.

When opening a link to a House or Senate Bill, the search for the section of interest can be narrowed by selecting "*Edit/Find*" and entering the article or section number.

Tip: Language added is shown with an underline. Language deleted is shown with a strike-through.

To search for all bills impacting a Statute/Article:

To see all bills impacting a particular statute, go to www.capitol.state.tx.us and select "*Sections Affected*." Then select the desired legislative session from the drop down. Select the desired statute code, and enter the chapter or article number. For example, to see all bills impacting Code of Criminal Procedure, Chapter 45, simply enter "45" in the space for "*section/legislature*." To see only the bills impacting Article 45.051, enter the entire number. Under "Status" select "*enrolled*" and click on "search." If there were any bills impacting the requested article, a window will appear with the sections added/amended/deleted, and the bill numbers. Selecting the bill number will link to the enrolled legislation.

Note: In the "Status" box, those showing "introduced," "house/senate report," or "engrossed" are not final bills. "Engrossed" bills are those that have passed either the House or Senate, but not both. "Enrolled" bills have passed both the House and Senate to become law, unless vetoed by the Governor.

To view House or Senate Bills in a previous legislative session:

To view legislation in previous sessions, select "*ISAf previous sessions*." Select "*search by code*" or "*search by bill*." Then follow the same steps in choosing the desired statute code, article, and enrolled legislation. Some of the older sessions do not have hyperlinks to the legislation, so it would be necessary to search by bill to see the enrolled legislation.

Legislative Session:

2013	83rd Regular Session and 1st, 2nd, and 3rd Called Sessions
2011	82nd Regular Session and 1st Called Session
2009	81st Regular Session and 1st Called Session
2007	80th Regular Session
2005	79th Regular Session, and 1st, 2nd, and 3rd Called Sessions
2003	78th Regular Session, 1st, 2nd, 3rd, and 4th Called Sessions
2001	77th Regular Session
1999	76th Regular Session
1997	75th Regular Session
1995	74th Regular Session
1993	73rd Regular Session
1991	72nd Regular Session, 1st, 2nd, 3rd, and 4th Called Sessions
1989	71st Regular Session, 1st, 2nd, 3rd, 4th, 5th, and 6th Called Sessions

To search for a particular House or Senate Bill:

To find a particular bill by number, go to www.capitol.state.tx.us and under the "*Select Legislation*" section, select which session from "*Legislature*" and select "bill number" And type the bill number. Select the desired legislative session from the drop-down menu, and enter the bill number. Use only the two letter and numeric designation (i.e. SB 7, or HB 3200). Select "*history*" and the next window will show the effective date of the bill. Select "*text*" to see all the versions of the bill. **Be certain to view the "*enrolled*" version to see what became law.**

Note:
The effective dates of some bills are postponed due to the provisions of Government Code, Section 51.607. Refer to Comptroller publications and Texas Register notices for the applicable effective dates.

Statutes Relating to Criminal Convictions

Alcoholic Beverage Code

Section	Topic	Internet Link
106.02-106.115	Minors in possession of alcohol; Alcohol Awareness Programs	http://www.statutes.legis.state.tx.us/Docs/AL/htm/AL.106.htm#106.02

Local Government Code

Section	Topic	Internet Link
Chapter 133	Criminal and Civil Fees Payable to Comptroller	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm
133.003	Jury Reimbursement Fee	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.003
133.058(e)	Collection Rate Reviews and Compliance Audit	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.058
133.102	• Compensation to Victims of Crime • Consolidated Court Fee (2004) • Fugitive Apprehension Fund • Judicial and Court Personnel Training Fund • Juvenile Crime & Delinquency Fund	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.102
133.103	Time Payment Fee	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.103
133.104	Peace Officer Fees	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.104
133.107	Indigent Defense Fee	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.107

Code of Criminal Procedure

Section	Topic	Internet Link
42.12, Sec. 14	Substance Abuse Felony Program	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.42.htm#42.12
42.12, Sec. 19(e)	Sexual Assault Program Fund	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.42.htm#42.12
43.09	Jail Lay-out and Community Service (County and District Courts)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.43.htm#43.09
43.091	Waivers for Indigent Defendants	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.43.htm#43.091
45.048	Jail Lay-out (Justice and Municipal Courts)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.45.htm#45.048
45.049	Community Service (Justice and Municipal courts)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.45.htm#45.049
45.051	Deferred Disposition	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.45.htm#45.051
45.0511	• Driving Safety Course • DSC administrative fee (**local** fee) • Special Expense fee (**local** fee) • Driving Records Fee (**state** court cost)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.45.htm#45.0511
45.052	Teen Court	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.45.htm#45.052

Section	Topic	Internet Link
45.055	Expunction Fee (**local** fee)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.45.htm#45.055
56.54-56.57	Compensation to Victims of Crime	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.56.htm#56.54
102.0045	Jury Reimbursement Fee (**state** court cost)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0045
102.005	Records Management and Preservation Fee (**local** court cost)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.005
102.011	Peace Officer Fees	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.011
102.014	Offenses in school crossing zones (**local** court costs)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.014
102.015	Truancy Prevention and Diversion Fund	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.015
102.017	• Courthouse Building Security Fee • Municipal Court Building Security Fee (**local** court costs)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.017
102.0172	Municipal Court Technology Fund	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0172
102.0173	Justice Court Technology Fund (**local** court cost)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0173
102.0174	Juvenile Case Manager Fund (**local** court cost)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0174
102.0178	Specialty (Drug) Court Program (**state** court cost)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0178
102.0185	EMS Trauma Fund (**state** court cost)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.0185
102.020	DNA Testing Fee (**state** court cost)	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.102.htm#102.020
103.0033	Collection Improvement Program	http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.103.htm#103.0033

Education Code

Section	Topic	Internet Link
25.093	Parent contributing to non-attendance	http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.25.htm#25.093
25.094	Failure to attend school	http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.25.htm#25.094

Family Code

Section	Topic	Internet Link
54.0411	Juvenile Probation Diversion fund	http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.54.htm#54.0411
54.0462	DNA Testing Fee Juvenile (DNA JV)	http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.54.htm#54.0462

Government Code

Section	Topic	Internet Link
41.258	Bail Bond Fees	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.41.htm#41.258

Section	Topic	Internet Link
51.702-51.704	Judicial Fund	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.51.htm#51.702
51.851	Electronic Filing System Fund	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.51.htm#51.851
76.013	Compensation to Victims of Crime Auxiliary	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.76.htm#76.013
420.008	Sexual Assault Program Fund	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.420.htm#420.008
508.189	Sexual Assault Program Fund	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.508.htm#508.189

Health and Safety Code

Section	Topic	Internet Link
161.252, 161.253	Minors in possession of tobacco products; Tobacco Awareness Programs	http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.161.htm#161.252

Parks and Wildlife Code

Section	Topic	Internet Link
12.107	Remission of Fines	http://www.statutes.legis.state.tx.us/Docs/PW/htm/PW.12.htm#12.107
31.128	Disposition of Fines	http://www.statutes.legis.state.tx.us/Docs/PW/htm/PW.31.htm#31.128

Penal Code

Section	Topic	Internet Link
Chapter 49	Intoxication and Alcoholic Beverage Offenses	http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.49.htm

Occupations Code

Section	Topic	Internet Link
1956.040	Scrap Metal Recycling	http://www.statutes.legis.state.tx.us/Docs/OC/htm/OC.1956.htm#1956.040

Transportation Code

Section	Topic	Internet link
502.473	Operation of Vehicle without Registration Insignia	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.502.htm#502.473
502.407	Operation of Vehicle with Expired License Plate	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.502.htm#502.407
502.475	Wrong, Ficticious, Altered, or Obscured License Plate	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.502.htm#502.475
521.025	License to be Carried and Exhibited on Demand	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.521.htm#521.025
521.026	Expired driver's license	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.521.htm#521.026
521.054	Notice of Change of Address or Name	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.521.htm#521.054
521.221	Imposition of Special Restrictions and Endorsements	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.521.htm#521.221
542.402	Excess Highway Fines	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.542.htm#542.402

Section	Topic	Internet link
542.403	Traffic Fine ($3 local fee)	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.542.htm#542.403
542.4031	State Traffic Fine ($30)	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.542.htm#542.4031
542.404	Fines doubled in construction zones when workers are present	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.542.htm#542.404
543.009	Violation of Promise to Appear	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.543.htm#543.009
545.066	Passing school bus	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.545.htm#545.066
545.412, 545.413	Child Safety Seat & Seat Belt Violations	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.545.htm#545.412
547.004	General Offenses. (Unsafe vehicle)	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.547.htm#547.004
548.605	Expired vehicle inspection	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.548.htm#548.605
601.053	Evidence of insurance	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.601.htm#601.053
621.506	Motor Carrier Weight Violations	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.621.htm#621.506
644.102	Excess Motor Carrier Fines	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.644.htm#644.102
706	Failure to Appear/Pay	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.706.htm
729	Operation of motor vehicle by a minor	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.729.htm

Statutes Relating to Civil Fees

Health & Safety Code

Fund/Topic	Section	Internet Link
Birth Certificate Fees	191.0045, 191.022	http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.191.htm#191.0045 http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.191.htm#191.022

Government Code

Fund/Topic	Section	Internet Link
Judicial Fund Filing Fee	51.702-51.704	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.51.htm#51.702
Electronic Filing System Fund	51.851	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.51.htm#51.851
Juror Reimbursement Donation Program	61.003	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.61.htm#61.003
Nondisclosure Fees	411.081	http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm#411.081

Local Government Code

Fund/Topic	Section	Internet Link
Birth Certificate Fees	118.011, 18.015, 133.004	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.011 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.015 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.004
Marriage License Fees	118.011, 118.018, 118.019, 118.022	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.011 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.018 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.019 http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.118.htm#118.022
• Filing Fees for Legal Services for Indigents • Judicial Fund Filing Fees	133.151-133.153	http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.133.htm#133.151

Transportation Code

Fund/Topic	Section	Internet Link
Photographic Enforcement Systems	707	http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.707.htm

Chapter 9
Attorney General Opinions

Introduction

Attorney General Opinions by Topic

Opinion Summaries

Introduction

An Attorney General Opinion is a written interpretation of existing law, written by the Attorney General as part of his responsibility to act as legal counsel for the State of Texas. Opinions are written at the request of certain state officials. The Opinions clarify the meaning of existing laws. They do not address matters of fact, and they are neither legislative nor judicial in nature. They are intended to interpret legal issues that are ambiguous, obscure, or otherwise unclear. Unless or until an opinion is modified or overruled by statute, judicial decisions, or subsequent Attorney General Opinion, the Opinion is presumed to correctly state the law. Accordingly, it carries the weight and force of law unless or until it is modified or overruled.

To search for an Attorney General Opinion, go to:
http://www.oag.state.tx.us/opinopen/opindex.shtml

Opinions can be accessed by researching the appropriate time period and/or Opinion number, if known. If the number if unknown, the Cumulative Subject Index may be used.

Opinions referenced in this chapter relate only to the collection of court costs, fees, and fines that are to be remitted to the State Comptroller.

Attorney General Opinons by Topic

The following Attorney General Opinions are related to the collection of court costs, fees, and fines and will be informative to the auditor.

Deferred Adjudication
GA-0396, dated 2-9-06

Bail Bond Fees and refunds
GA-0207, dated 6-23-04

Collection Contracts
GA-313, dated 3-21-05
JC-516, dated 6-24-02

Community Supervision
GA-0413, dated 3-13-06
GA-095, dated 9-3-03

Costs-first allocation rule
GA-0147, dated 2-11-04
DM-407, dated 7-29-96
M-1076, dated 2-25-72

Court reporter fee
GA-372, dated 11-3-05

Date for imposition of criminal court costs
GA-1034, dated 1-2-14

Driving Safety Courses
DM-230, dated 6-23-93

Electronic Filing Fee
GA-1046, dated 3-4-14

Failure to Appear Program (Omnibase)
GA-0479, dated 10-31-06

Judicial Fund, Filing Fee for Legal Services for Indigents
GA-0491, dated December 4, 2006

Judicial Support Fee
GA-0486, dated 11-21-06

Juror Reimbursement Donations
JC-065, dated 6-3-99

Nondisclosure Fee
GA-330, dated 6-10-05

Passing School Bus
DM-285, dated 1-20-94

Photographic Signal Enforcement Systems
GA-440, dated 6-23-06

Pre-trial Diversion
GA-114, dated 10-8-03
JC-119, dated 9-28-99
JC-042, dated 5-4-99

Security Fee
LO 97-25, dated 3-14-97

Time Payment Fee
DM-464, dated 12-22-97

Traffic Tickets, protest
JC-317, dated 12-15-00

Opinion Summaries

(In chronological order from most recent to oldest)

Attorney General Opinion GA-1046, dated March 4, 2014
The requestor asked whether the electronic filing fee created by House Bill 2302 under Government Code section 51.851 should be collected beginning 9-1-13 or delayed until 1-1-14 due to the repeal of Government Code 51.607(d) by Senate Bill 390, 83rd Regular Session. The summary of the opinion states:

> *The fee amounts mandated by Government Code section 51.851 apply to fees that became payable on or after September 1, 2013.*

Attorney General Opinion GA-1034, dated January 2, 2014
The requestor asked whether Government Code section 51.608 (created by Senate Bill 389, 83rd Regular Session) imposing criminal court costs on a defendant based on conviction date rather than offense date in district, county, and statutory county courts violated constitutional prohibition on ex post facto laws. The opinion stated in part:

> *Because court costs generally do not constitute punishment, an increase in court costs after an offense is committed generally will not constitute a prohibited increase in punishment. Therefore, in the vast majority of cases, the increase in court costs made possible by section 51.608 will raise no ex post facto concerns.*
>
> ***SUMMARY:***
> *A court would likely conclude that section 51.608 of the Texas Government Code does not violate the ex post facto clauses of the United States or Texas Constitutions.*

Attorney General Opinion GA-0491, dated December 4, 2006

A district clerk must collect filing fees under both section 133.151 and section 133.152 of the Local Government Code.

Attorney General Opinion GA-0486, dated November 21, 2006:
The requestor asked if the Judicial Support fees, both civil and criminal, apply to bail bond forfeiture matters. The summary of the opinion states:

The $37 filing fee that Local Government Code section 133.154(a) imposes does not apply in bail bond forfeiture matters because no civil suit is filed. The $4 fee that Local Government Code section 133.105 imposes does not apply in bail bond forfeiture matters because no one is convicted of any offense.

Attorney General Opinion GA-0479, dated October 31, 2006:
The requestor asked if the FTA system was limited to traffic tickets or if it could be used to collect fines and costs on non-traffic Class C offenses. Also, the requestor asked if the FTA system could be used to collect fine and costs for Class B and higher misdemeanors and felonies and cases filed in county and district courts. The summary of the opinion states:

The failure to appear system is not limited to traffic tickets. It is available for all offenses that arise in a justice or municipal court. On the other hand, unlike the failure to pay fines and costs, the failure to appear system may not be used for offenses that arise in any other court.

Attorney General Opinion GA-440, dated June 23, 2006
The requester asked whether TxDOT had the authority to place cameras on state highway rights-of-way to enforce compliance with traffic control signals, and whether local authorities were permitted to place cameras on state highway rights-of-way for the same purpose. The summary of the opinion states:

The Texas Department of Transportation may install cameras on state highway rights-of-way to monitor compliance with traffic control signals for the purpose of enforcing traffic laws on state highways. The department may also permit local authorities to install camera equipment in connection with traffic control signals on state highway rights-of-way for the same purpose.

Attorney General Opinion GA-0413, dated March 13, 2006:
The requester asked whether probation defendants who has been administratively released (not judicially discharged) from community supervision and who have failed to pay the fines, fees and court costs they were ordered to pay as a condition of community supervision are still responsible for paying those fines, fees and court costs.

Article 42.12 of the Code of Criminal Procedure provides specific procedures that, if followed, would continue the court's jurisdiction and allow for the collection of owed fines, fees and court costs even after the community supervision period has expired. If, however, those procedures are not followed, then a probation defendant is not subject to the conditions of community supervision, including the payment of fines, fees and court costs, after the date the period of community supervision expires.

Attorney General Opinion GA-0396, dated February 9, 2006:
The requester asked whether the "state can properly pursue a defendant with a capias pro fine if the term of deferred adjudication has expired and no motion to adjudicate has been filed. The summary of the opinion states:

> *Article 42.12, section 5(h) of the Code of Criminal Procedure authorizes a criminal court to exercise continuing jurisdiction over a defendant after the expiration of the community supervision period only in limited circumstances. Where no motion to adjudicate has been filed prior to the expiration of the community supervision period, article 42.12 does not authorize the state to pursue a defendant for past due fines and court costs with a capias pro fine.*

Attorney General Opinion GA-372, dated November 3, 2005:
The requester of this opinion asked whether the **court reporter fee** in Government Code, Section 51.601, can be collected if the court does not have an official court reporter. The summary of the opinion states:

> *A county clerk may not collect a court reporter service fee under section 51.601 of the Government Code if the county court has not appointed an official court reporter.*

Attorney General Opinion GA-330, dated June 10, 2005
The requester inquired about the proper fee for filing a petition for order of nondisclosure of certain criminal records regarding persons placed on deferred adjudication community supervision and about the authority of courts without general civil jurisdiction to entertain such petitions. The summary of the opinion states:

> *Currently a clerk may not condition the filing of a petition for an order of nondisclosure upon the payment of a fee other than the $28 fee expressly authorized by section 411.081(d) of the Government Code. The court that placed a person on deferred adjudication community supervision has jurisdiction to entertain the person's petition for nondisclosure under section 411.081(d).*

Attorney General Opinion GA-313, dated March 21, 2005:
This opinion relates to **collection contracts** under the Code of Criminal Procedures, article 103.0031, and whether a defendant may be ordered to pay both the 30% collection fee under this article and the $30 Failure to Appear fee under Transportation Code, Section 706.002. The summary of the opinion states:

> *A defendant in a matter described in article 706.002 of the Transportation Code who has failed to pay court-ordered fines or costs must pay both (1) a 30% fee if the county has contracted with a collection agent under the Code of Criminal Procedure, article 103.0031(g) and (2) a $30 fee if the county has entered a contract under Transportation Code section 706.002.*
>
> *Under articles 103.003 and 103.0031 of the Code of Criminal Procedure, a county commissioners court may contract with a private collection agent to collect delinquent fines and court costs that were imposed by a justice court. The commissioners court may not thereby abrogate the justice court's authority to collect or otherwise dispose of the fines and costs, however.*
>
> *Whether a collection agent may collect a 30% collection fee under article 103.0031(b) of the Code of Criminal Procedure on the $30 administrative fee levied under section 706.006 of the Transportation Code will depend on whether the $30 fee is 60 days past due.*

Attorney General Opinion GA-0207, dated June 23, 2004

This opinion was in response to a question about the refund provisions with the **bail bond fee** required in Government Code, Section 41.258. The opinion summary stated:

> *Government Code section 41.258(b) requires an officer taking a bail bond to collect a cost from the surety. The officer deposits the money in the county treasury and the county later sends most of the money to the comptroller, who must deposit it in the fair defense account, which may be used only by the Task Force on Indigent Defense to implement Government Code, Chapter 71, Subchapter D, and the felony prosecutor supplement fund, which is used to pay longevity pay to prosecutors. Pursuant to section 41.258(f), a bail bond surety is entitled to a refund of a cost paid under section 41.258(b) as of the date the prosecutor decides not to institute a criminal proceeding against the defendant or the date a grand jury votes not to indict the defendant.*
>
> *Given that most of section 41.258 costs are ultimately deposited in the state treasury and that the comptroller has general authority over state and county accounting, the comptroller is the proper official to determine whether section 41.258 refund applications should be processed at the state or county level and whether refunds should be paid by the state or county. In the absence of direction from the comptroller, counties may accept refund applications and provide refunds.*
>
> *If a county pays a refund, it is reasonable to construe section 41.258 to require refunds to come from costs collected under section 41.258(b) rather than other funds in the county treasury. However, it is for the comptroller to determine as an accounting matter whether counties should deduct refunds from amounts sent to the comptroller or whether the comptroller should reimburse counties for refunds. A bail bond surety who applies for a cost refund under section 41.258(b) is not entitled to interest.*

Attorney General Opinion GA-147, dated February 11, 2004

This opinion deals with the **costs-first allocation rule**, and the impact of a collections contract on that allocation rule. The opinion affirmed the use of the long-standing costs-first allocation rule, and referred back to Attorney General Opinions M-1076 (1972), and DM-407 (1996). The opinion stated in part:

You ask, whether a justice of the peace may order a convicted defendant to pay a fine or fines before court costs…..For over sixty years, this office has stated that, where a defendant pays only part of the required fines and costs, "the money collected should go first to the payment of the costs and the balance, if any, to the amount of the fine."….If the defendant does not pay even enough to cover all of the costs, "the money collected should be pro-rated" among the various costs due, with none going toward fines…..

In accordance with its plain language, article 45.051 authorizes a justice of the peace to determine only the form in which a convicted defendant must render monies due: a lump sum or in installments…..Accordingly, whether a defendant pays a lump sum or in installments under article 45.041, the monies must be used to satisfy court costs first and fines second.

The entire sum received must be allocated in accordance with the costs-first allocation rule. Under article 45.041, a lump sum payment and paying in installments are interchangeable, and the allocation of monies received in either form should be treated the same way. Thus, costs must be satisfied first, and any remaining money may be used towards the fine. If the sum total is insufficient to satisfy even the costs due, then the money must be divided, pro rata, among the costs……

You ask whether the county treasurer must "retain all monies received through the payment of installments until the total aggregate amount is collected or it is determined that such amount cannot and will not be fully paid. ….. In accordance with chapter 133 of the Local Government Code, which became effective on January 1, 2004, all criminal fees due to the state must be remitted to the comptroller quarterly. ….Thus, with respect to costs due to the state, the portion of payments received that is due to the state must be timely paid.

You finally ask us to "comment as to what bearing, if any, the terms of a third party collections contract," entered under article 103.0031 of the Code of Criminal Procedure, has on the costs-first allocation rule or a court order issued under article 45.041(b). ….In our opinion, under article 103.0031(e), the private collector would receive thirty percent of the aggregate amount collected. The amount of collected monies remaining after the private collector has received his or her share must be allocated in accordance with the costs-first allocation rule.

SUMMARY:

Article 45.041(b)(1) of the Code of Criminal Procedure authorizes a justice of the peace to order a convicted defendant to pay costs and fines due either as a lump sum or in installments, but it does not preempt the application of the long-standing costs-first allocation rule. Under the allocation rule, a county must allocate monies received from a defendant first to pay costs and then to pay a fine. If the monies received do not cover all the costs, then the monies must be allocated to costs on a pro rata basis. If a justice of the peace has ordered installment payments, the total sum received must be allocated in accordance with the allocation rule.

If a private collector collects the costs and fines under article 103.0031 of the Code of Criminal Procedure, the private collector will receive thirty percent of the aggregate amount collected. Remaining monies must be allocated to costs first, on a pro rata basis, and then to the fine.

Attorney General Opinion GA-0114, dated October 8, 2003

This opinion was requested to ask whether a community supervision and corrections department may assess a participant in a **pretrial intervention program** fees under both article 102.012 of the Code of Criminal Procedure and section 76.015(c) of the Government Code. The opinion states in part:

Section 76.011 of the Government Code also permits a department to "operate programs for the supervision and rehabilitation of persons in pretrial intervention programs……A person in a pretrial intervention program may be supervised for a period not to exceed one year. Chapter 76 does not define the term "pretrial intervention program." Although several other Texas statutes refer to pretrial intervention or pretrial diversion, none defines the concept. However, pretrial intervention does not involved "the placement of a defendant by a court under a continuum of programs and sanctions, with conditions imposed by the court," as community supervision is defined. Rather, pretrial intervention involves a written agreement entered before trial between the defendant and the prosecutor, pursuant to which the defendant agrees to perform conditions imposed by the prosecutor.

…..Although a department is authorized to provide both community supervision and pretrial intervention services, community supervision and pretrial intervention involve different classes of people…..

…..We conclude that a department may assess a participant in a pretrial intervention program only the article 102.012 fee. No statute authorizes a court to impose a fee on a pretrial intervention program participant. Instead, article 102.012 permits a department to charge such a fee.

…..In sum, section 76.015(c) does not apply to a person who participates in a pretrial intervention program and does not permit a department to assess such a person a monthly fee. A department may assess a person who participates in a pretrial intervention program only the article 102.012 fee.

SUMMARY:

A community supervision and corrections department may assess a participant in a pretrial intervention program a fee for "the actual cost" of providing services not to exceed $500 under Article 102.012 of the Code of Criminal Procedure. A department may not assess such a participant "a reasonable administrative fee of not less than $25 and not more than $40 per month" under section 76.015(c) of the Government Code.

Note: Effective 9-1-11, the upper range of the fee in Government Code 76.015(c) was increased from $40 to $60 by Senate Bills 880 and 953, 82nd Session (2011).

Attorney General Opinion #GA-0095, dated September 3, 2003
The requester asked a question relating to **payments required as a condition of community supervision**. The opinion states in part:

> *You ask whether, as a condition of community supervision, a court may require a defendant charged with a drug offense to pay a "flat rate" fee into a "special investigation fund" or other fund designated by the court, with the proceeds divided and used by the local prosecutor's office and law enforcement agencies.*
>
> ***SUMMARY:***
> *Under Art. 42.12, Section 11(b) of the Code of Criminal Procedure, a court may require a defendant to make a payment as a condition of community supervision, but only if the payment is a fine, court cost, restitution to the victim, a "condition related personally" to the defendant's rehabilitation, or another payment expressly authorized by law. A required payment for unspecified use, to be divided between the local prosecutor's office and local law enforcement, is not a "condition related personally" to the defendant's rehabilitation under the statute.*

Attorney General Opinion JC-0516, dated June 24, 2002
This opinion discusses the applicability of **collections contracts** under Article 103.0031, Code of Criminal Procedure, to cases in which there has not been a conviction and order of the court for payment of fines, fees, and court costs. The opinion states in part:

> *As you explain the situation which gives rise to your request, a traffic citation is issued and the defendant by signing the ticket makes a promise to appear before the justice of the peace. The defendant fails to keep that promise, and the justice of the peace issues an arrest warrant based on the failure to appear. "Often in connection with this warrant, the court suggests a fine that would be acceptable to the Justice of the Peace upon the arrest of the violator. The acceptable fine can be paid to the magistrate when arrested. As you second letter makes clear, you are not concerned with a situation in which a fine has been ordered after a judicial hearing, but rather "class C misdemeanor cases in which there has been no appearance in the case by the defendant and the amount of the fine is suggested as an acceptable fine by the judge or justice. We take this to mean that no order has been issued and that only an informal suggestion has been made.*
>
> *The debts that may be collected under article 103.0031 are, according to the plain language of the statute, those which have been "ordered to be paid by a court."…..Reading the language of subsections (a) and (d) together, then, it is clear that the sums a lawyer or collection agency may contract with the commissioners to collect are those 'ordered paid by the court."…..In the situation you describe, however, there has been no such order. When, as here, no order has been issued, article 103.0031 is not, by its terms, applicable.*
>
> ***SUMMARY:***
> *Article 103.0031 of the Code of Criminal Procedure is inapplicable in a case in which a justice of the peace has informally suggested an acceptable fine.*

Attorney General Opinion JC-0317, dated December 15, 2000
This opinion was requested to determine the impact of **protest words added to a traffic ticket**. If an individual is stopped for a traffic offense and signs the ticket, but adds the words "forced to sign under threat, duress, and coercion," the added protest words have no bearing on the defendant's promise to appear in court. The opinion stated in part:

> *The traffic laws of this state are, however, no more a matter of contract than are its penal laws. They govern all those within the jurisdiction of Texas; they cannot be evaded at whim by a verbal formula. Your correspondent's apparent notion that his relation to our laws is purely contractual, and as such may be unilaterally abrogated by him, has no basis in law……Having signed a traffic ticket, one is obliged to appear in court. Wilful failure to do so is a misdemeanor. The law does not contemplate that any mental reservations with which one signs, or any form of words one appends to that signature, will have the remotest effect on one's obligation to appear.*
>
> ***SUMMARY:***
> *The addition of protest words to a signature on a traffic ticket has no effect whatsoever on the obligation of the ticketed party to appear in court.*

Attorney General Opinion JC-0119, dated September 28, 1999:
This requester asked whether a county attorney may refuse to offer **pretrial diversion** to an offender unless $1,500 is paid to a nonprofit organization incorporated by the county attorney and assistant county attorneys. The opinion states in part:

> *A prosecutor may not require an offender to make a contribution to a private entity in consideration of the prosecutor's decision not to prosecute in any circumstance. We conclude as a matter of law that a prosecutor may not agree with an offender to refrain from filing a complaint or information in exchange for the offender's contribution to a designated organization. We are not aware of any statute that generally permits a prosecutor to exact a donation from an offender, and you do not cite to any. Moreover, because of the potential for abusing such a practice, we are reluctant to imply authority in the absence of legislation expressly approving the practice.*
>
> ***SUMMARY:***
> *A county attorney may not condition an offer of pretrial diversion upon a payment of $1,500 by the offender to a nonprofit organization incorporated by the county attorney and his assistant county attorneys.*

Attorney General Opinion JC-065, dated June 3, 1999:
This opinion discusses whether a county commissioners court may choose to omit the fund described in Government Code, Section 61.003 (a)(1) and (2) from the list of **programs to which a juror may donate jury service reimbursement**. The opinion states in part:

> *You suggest that the word "or" after the semicolon in subsection (a)(3) gives the county commissioners court the authority to prescribe the funds that are listed on the form letter. Under this view, the commissioners court could list any local program it desires under subsection (a)(4), but would not be required to list the two state funds described in subsections (a)(1) and (a)(2). We disagree. In our opinion, the word "or" in subsection (a)(3) provides the juror with the authority to choose which of the listed funds or programs should receive the juror's reimbursement, but it does not give the commissioners court discretion to delete the funds described in subsections (a)(1) and (a)(2) from the form altogether. Subsections (3) and (4) simply authorize the county commissioners court to list additional programs.*
>
> ***SUMMARY:***
> *A county commissioners court may not choose to omit either of the funds described in section 61.003(a)(1) or (a)(2) of the Government Code from the list of funds or programs to which a juror may donate jury service reimbursement.*

Attorney General Opinion JC-042, dated May 4, 1999:
The requester asked whether a prosecutor may agree with an individual arrested on a misdemeanor charge to **refrain from prosecuting a violation** of the law if the offender contributes money to the county or county law library or a private organization. The opinion states in part:

> *Although a prosecutor has broad discretion to refrain from prosecuting a violation of the law that occurs within his or her jurisdiction, a prosecutor may not require an offender to contribute money to a public or private entity in consideration of the prosecutor's decision not to prosecute. …..We conclude as a matter of law that a prosecutor may not agree with an offender to refrain from filing a complaint or information in exchange for the offender's contribution to a designated organization. We are not aware of any statute that generally permits a prosecutor to exact a donation from an offender, and you do not cite to any. Moreover, because of the potential for abusing such pa practice, we are reluctant to imply authority in the absence of legislation expressly approving the practice.*
>
> ***SUMMARY:***
> *A prosecutor may not enter into an agreement with an offender whereby the prosecutor will "defer" prosecution in exchange for the offender's agreement to contribute money to an organization of the prosecutor's choice.*

Attorney General Opinion DM-464, dated December 22, 1997:
This opinion discussed the **Time Payment Fee**, its constitutionality, applicability to constitutional county courts, applicability to offenses which occurred prior to the effective date of the statute, and whether it applies to an individual granted deferred adjudication. The opinion states in part:

> *Deferred adjudication under section 5 of article 42.12, Code of Criminal Procedure, means that the court, after receiving a plea of guilty or nolo contender, has found that it is in the "best interest of society and the defendant" to "defer further proceedings without entering an adjudication of guilt, and place the defendant on community supervision." In Rodriguez v. State, 680 S.W. 2d 585, the court stated that "a defendant whose adjudication of guilt is deferred does not have a final conviction and may not appeal unless he proceeds to a final adjudication. In Triplett v. State, 686 S.W. 2d 342, the court said that "deferred adjudication mean that a defendant has been indicted of an offense, rather than convicted." Probation under deferred adjudication is different from probation that is granted after a sentence by suspending the sentence assessed……We conclude that the time payment fee does not apply to an individual who has been granted deferred adjudication.*
>
> ***SUMMARY:***
> *Section 51.921 of the Government Code, which imposes a "time payment fee" on every convicted defendant who chooses to pay his fine, court costs, or restitution "over a period of time" rather than "immediately," is not violative of due process or equal protection under the Texas Constitution for the reasons expressed in Attorney General Opinion DM 123 (1992). The time payment fee is applicable only for offenses committed on or after September 1, 1997. It applies to all trial courts in the state, including constitutional county courts, but not to an individual who has been granted deferred adjudication. "Immediately" means "within a reasonable time as directed by the court." If the court consolidates several charges, and imposes a fine, court costs, or restitution in a single order, only one time payment fee may be assessed. The time payment fee is a "cost of court" for purposes of priority of payment.*

Attorney General Opinion LO 97-25, dated March 14, 1997:
The requester of this opinion asked about the applicability of the $3 **security fee** in a municipal court when the defendant does not make an appearance but simply mails in payment for the offense, and what constitutes a "trial" for this purpose. The opinion states in part:

> *You ask whether entry of a judgment upon a written plea by mail triggers collection of the security fee from a defendant. ….. a defendant can enter a plea or pay a fine by mail and be convicted of an offense without ever appearing before a judge or entering a courthouse. We believe the legislature intended persons convicted of a crime to be subject to the fee whether or not the procedure in which they were convicted involved an appearance in court. The event that triggers collection of the fee is the conviction as that term is defined by the statute, and the occurrence of a "trial," however defined, is irrelevant. …..We conclude, therefore, that entry of a judgment upon a written plea by mail triggers collection of the security fee from a defendant. ……You also ask if a defendant's appearance in open court at a pre-trial hearing, arraignment, or docket call triggers collection of the fee. We conclude that it may not, unless the appearance ultimately results in a conviction as defined by article 102.017. None of these procedures falls within the statute's definition of "convicted," and the fee may be assessed only when the defendant is convicted.*
>
> ***SUMMARY:***
> *A security fee may be collected pursuant to Code of Criminal Procedure article 102.017 from a defendant who is "convicted" of an offense as the term "convicted" is defined by article 102.017, whether or not the defendant was convicted in a "trial." Entry of a judgment upon a written plea by mail triggers collection of the security fee from a defendant, but a defendant's appearance in open court at a pre-trial hearing, arraignment, or docket call, absent a conviction, does not.*

Attorney General Opinion DM-407, dated July 29, 1996:
This opinion discussed the **allocation of payments of certain state court costs**, fees, and fines when the defendant pays only part of the costs, fees, and fines, and whether a trial judge may allocate the payment under a disposition under Article 42.12, Code of Criminal Procedure. The opinion states in part:

> ***SUMMARY:***
> *Article 42.12, section 11 of the Code of Criminal Procedure prevails over other statutes requiring a convicted defendant to pay certain costs, fees, and fines. Of course, section 19(a) of article 42.12 requires the judge to fix a fee to be allocated towards the cost of providing facilities, equipment, and utilities for a community corrections facility.*
>
> *Pursuant to article 42.12, section 11(a)(8) of the Code of Criminal Procedure, the court with jurisdiction over a convicted defendant who is being placed on community supervision may, but need not, impose upon the defendant a requirement that the defendant pay court costs that are otherwise statutorily required. A trial judge may order that fees collected from a defendant placed on community supervision be allocated entirely for the purposes set forth in article 42.12, section 19. The total amount of the fees allocated for the purposes articulated in section 19 may not exceed the maximum stated in that section, however. Any amount collected that is greater than that permitted in section 19 must be allocated to other purposes the judge has found will protect or restore the community, protect or restore the victim, or punish, rehabilitate, or reform the defendant. Furthermore, the clerk of a sentencing court must allocate the payment made by the defendant who is placed on community supervision in accordance with the trial judge's order. Attorney General Opinion MW-184 (1980) is overruled to the extent it conflicts with this opinion.*

Attorney General Opinion DM-285, dated January 20, 1994:
This opinion relates to the proper court in which the offense of "**overtaking and passing a school bus**" should be adjudicated. The summary of the opinion states:

> *A defendant who has not been previously convicted of the offense of "overtaking and passing a school bus," as described in section 104 of article 6701d, V.T.C.S., may be prosecuted either in the justice court precinct in which the offense occurs, or, subject to certain limitations described in Attorney General Opinion JM-1089 (1989), in the constitutional or statutory county court of the county in which the offense occurs. Persons who have been once convicted of the offense may not be tried in justice court.*

Attorney General Opinion DM-230, dated June 23, 1993:
This opinion deals with a question about whether or not a justice of the peace may dismiss a complaint against a defendant who has failed to successfully complete a **driving safety course**. The opinion states in part:

> *We conclude that article 45.54 does not permit a justice of the peace to dismiss a complaint against a defendant who fails to successfully complete a required driving safety course for the following reasons. Section (2) states that a justice "shall" require the defendant to successfully complete a….driving safety course." Although the connotation of the term "shall" is not always mandatory, we believe the legislature intended it to be mandatory in this context.*
>
> ***SUMMARY:***
> *Article 45.54 of the Code of Criminal Procedure does not permit a justice of the peace to dismiss a complaint against a defendant who has failed to successfully complete a driving safety course.*

Attorney General Opinion M-1076, dated February 25, 1972:
The requester asked about the application of jail time credit toward court costs and fines. The opinion also affirmed the **costs-first allocation rule**. It stated in part:

> *This office has previously held in Attorney General Opinions Numbers O-469 (1939), O-755 (1939) and O-1792 (1940) that where only a part of the fine and costs are collected, such money as collected should go to the payment of the costs and the balance, if any, to the payment of the fine; and where there is not enough collected to pay all of the costs, the money should be prorated in view of the fact that no cost had any priority over another. Accordingly, we conclude…… that the costs taxed and owed to the Criminal Justice Planning Fund do not have priority of payment over other costs of court; and should only a portion of the costs be satisfied by cash, the only equitable and valid disposition would be proration.*
>
> *In answer to your questions….concerning the responsibility of the county for court costs due…., we believe it is clear from the purpose of the statute …that the legislature intended that convicted defendants pay the costs, not the county or state…..Furthermore,…. The statute distinctly provides that the county is responsible for the funds collected and that those funds be remitted to the Comptroller of Public Accounts. We find no indication in the statute that the Legislature intended the County to be responsible for costs due the Criminal Justice Planning Fund when uncollected or satisfied by service in jail.*
>
> ***SUMMARY:***
> *The county is not required to pay out of county funds any portion of the court costs due to the Criminal Justice Planning fund which are served out in jail by a convicted defendant. If a convicted defendant pays a portion of the total court costs and serves out the remainder of the costs in jail, the money collected is to be prorated among the various costs including the amount due the Criminal Justice Planning Fund. No cost has priority over another.*

Chapter 10
Reference Charts

Table	Fund/Reference
I	Failure to Appear/Pay – Cities/Counties contracted with DPS
II	Judicial Fund – Constitutional, Statutory, and Probate County Courts
III	Cities with population of less than 5,000 Subject to Excess Highway Fines
IV	Counties with population of less than 5,000 Potentially Subject to Excess Highway Fines
V	Offenses, Statutory References, Classifications
VI	Legislative References

Table I
Failure to Appear/Pay

(Listing Complete Throught 12/31/13)

Please click on the letter below to quickly locate the city/county:

A B C D E F G H I J K L M N O P Q R S T U V W Y Z MISC

A

City/County	First Transaction		City/County	First Transaction
Abernathy	05/07/2001		Aransas Co. CCL	06/09/2009
Abilene	06/05/2007		Aransas Co. Pct 1	07/09/2002
Addison	10/13/1998		Aransas Co. Pct 2	04/23/2002
Alamo Heights	08/21/2003		Aransas Pass	05/19/2006
Alba	03/13/2002		Archer City	06/12/2007
Albany	04/27/1997		Archer Co. Pct 1	06/25/2004
Aledo	07/15/2008		Archer Co. Pct 2	06/03/2004
Alice	08/04/2000		Archer Co. Pct 3	01/17/2006
Alpine	05/04/2000		Archer Co. Pct 4	07/02/2007
Alto	02/16/2000		Arcola	02/03/2003
Alton	08/10/2010		Argyle	10/18/2001
Alvord	02/14/2005		Arlington	07/29/2010
Anderson Co. Dist Clerk	03/19/2004		Armstrong Co.	02/02/2001
Anderson Co. Dist Juv	04/05/2004		Arp	01/09/2004
Anderson Co. Pct 2	01/26/2007		Atascosa Co. Pct 2	04/01/2008
Anderson Co., Pct. 1	02/29/2000		Atascosa Co. Pct 3	05/18/2004
Anderson Co., Pct. 3	01/23/2012		Atascosa Co. Pct 4	04/16/2004
Anderson Co., Pct. 4	01/23/2012		Atascosa Co. Pct. 1	09/16/1999
Andrews	03/13/1997		Athens	06/14/2000
Andrews Co. Pct 1	11/09/2011		Atlanta	02/18/1998
Andrews Co. Pct 2	03/08/2012		Aubrey	05/24/2013
Angelina Co. Pct 1	09/30/1998		Aurora	09/11/2009
Angelina Co. Pct 2	09/15/1998		Austin	09/01/1998
Angelina Co. Pct 3	09/15/1998		Austin Co. Pct 1	11/28/2001
Angelina Co. Pct 4	09/15/1998		Austin Co. Pct 2	06/15/2010
Angelina Co. Pct 5	09/15/1998		Austin Co. Pct 3	10/31/2001
Angleton	07/27/2000		Austin Co. Pct. 4	05/27/1999
Anna	11/10/2005		Austwell	11/08/2004
Anson	10/16/2008		Avinger	07/05/2000
Anthony	07/27/2006		Azle	06/06/2003

B

City/County	First Transaction		City/County	First Transaction
Baird	05/04/1999		Bosque Co. Pct 1	06/16/2004
Balch Springs	07/17/2006		Bosque Co. Pct 2	01/19/2005
Balcones Heights	02/26/1998		Bovina	10/15/1997
Ballinger	10/26/1999		Bowie County, Pct 3	10/22/2004
Bandera	11/01/1999		Bowie County, Pct 4 Pl 1	10/25/2004
Bandera Co. Pct 1	05/22/2007		Bowie County, Pct 5	04/28/2004
Bandera Co. Pct 2	09/02/2004		Bowie County, Pct 7	10/22/2004
Bandera Co. Pct 3	04/19/2010		Bowie County, Pct. 2	01/19/2000
Bandera Co. Pct 4	05/22/2007		Boyd	04/10/2002
Bangs	01/23/2002		Brady	07/19/2004
Bardwell	06/04/2004		Brazoria	05/13/1998
Bartonville	07/10/2003		Brazoria Co. Pct 1, Pl 1	09/13/2004
Bastrop	06/16/1997		Brazoria Co. Pct 1, Pl 2	09/13/2004
Bastrop Co. Pct 1	07/05/2001		Brazoria Co. Pct 2, Pl 1	09/10/2004
Bastrop Co. Pct 2	01/14/2002		Brazoria Co. Pct 2, Pl 2	09/08/2004
Bastrop Co. Pct 3	06/27/2001		Brazoria Co. Pct 3, Pl 1	09/10/2004
Bastrop Co. Pct 4	07/25/2001		Brazoria Co. Pct 3, Pl 2	09/10/2004
Bay City	05/28/2010		Brazoria Co. Pct 4, Pl 1B	09/13/2004
Baylor Co. Pct 1	05/11/2004		Brazoria Co. Pct 4, Pl 1A	12/22/2010
Baylor Co. Pct 2	05/07/2004		Brazoria Co. Pct 4, Pl 2	09/13/2004
Bayou Vista	08/20/1998		Brazos Co. Pct 1	07/25/2003
Bayside	12/20/2002		Brazos Co. Pct 2 Pl 1	06/19/2009
Baytown	08/01/2013		Brazos Co. Pct 2 Pl 2	03/11/2011
Beasley	03/18/1998		Brazos Co. Pct 3	07/10/2009
Beaumont	09/20/2000		Brazos Co. Pct 4	06/28/2011
Bedford	12/12/2007		Breckenridge	03/06/1997
Bee Cave	05/10/2002		Bremond	05/18/2000
Bee Co.	04/20/2001		Brenham	11/01/2001
Bee Co. Pct 1	07/14/2010		Brewster County, Pct 1	09/05/2001
Bee Co. Pct 2	09/29/2009		Brewster County. Pct 2	02/08/2007
Bee Co. Pct 3	08/11/2010		Briarcliff	08/14/2003
Bee Co. Pct 4	09/11/2009		Bridge City	07/17/1997
Bee Co. Sheriff	04/17/2001		Bridgeport	06/09/2009
Beeville	04/02/2002		Briscoe County	06/26/2001
Bell Co. Pct 1	01/06/2003		Brooks Co. Pct 1	07/23/2004
Bell Co. Pct 2	01/06/2003		Brooks Co. Pct 2	07/28/2004
Bell Co. Pct 3, Pl 1	01/06/2003		Brooks Co. Pct 3	11/16/2004

City/County	First Transaction		City/County	First Transaction
Bell Co. Pct 3, Pl 2	01/06/2003		Brooks Co. Pct 4	09/14/2004
Bell Co. Pct 4, Pl 1	01/05/2004		Brookshire	02/20/2002
Bell Co. Pct 4, Pl 2	01/06/2003		Brookside Village	10/07/1998
Bellaire	10/01/2013		Brown County, Pct 1	07/02/2001
Bellmead	06/17/1998		Brown County, Pct 2	08/28/2001
Bells	02/24/2003		Brown County, Pct 3	08/28/2001
Belton	01/28/1998		Brown County, Pct 4	08/28/2001
Bertram	04/10/1997		Brownfield	09/01/1998
Beverly Hills	05/18/1998		Brownsboro	06/14/1999
Bexar Co. Pct 1 Pl 1 & 2	01/28/2004		Brownwood	01/31/2000
Bexar Co. Pct 1 Pl 3	02/27/2004		Bruceville-Eddy	02/06/1997
Bexar Co. Pct 2, Pl 1	04/02/2008		Bryan	05/05/1998
Bexar Co. Pct 2, Pl 2	04/03/2008		Buckholts	01/27/2011
Bexar Co. Pct 3	03/03/2008		Buda	11/14/2008
Bexar County, Pct 4	02/22/2008		Buffalo	04/04/2001
Big Sandy	03/13/1997		Buffalo Springs	01/06/1999
Big Spring	04/23/1997		Bullard	04/19/1999
Bishop	06/22/1998		Bulverde	04/03/2003
Blanco	07/12/2006		Bunker Hill Village	04/11/2008
Blanco Co. Pct 1	09/06/2007		Burkburnett	03/10/1998
Blanco Co. Pct 4	03/19/2007		Burleson Co. Pct 3	06/27/2001
Bloomburg	10/28/2005		Burleson Co. Pct 4	05/23/2001
Blooming Grove	02/17/2005		Burleson Co. Pct. 1	05/24/2001
Blue Mound	06/14/2012		Burleson Co. Pct. 2	05/24/2001
Boerne	06/30/1998		Burnet	08/08/2003
Bogata	10/10/2001		Burnet Co. Compl. Divis.	12/13/2004
Bonham	04/01/2002		Burnet Co. Pct 1	08/11/2004
Booker	03/12/2010		Burnet Co. Pct 2	07/29/1999
Borden County	06/28/2004		Burnet Co. Pct 3	08/13/2004
Borger	06/12/2002		Burnet Co. Pct 4	08/25/2004
Bosque Co. Collections	02/13/2009			

C

City/County	First Transaction		City/County	First Transaction
Caddo Mills	09/25/1997		Clute	10/16/1997
Caldwell	07/19/2007		Clyde	04/24/1997
Caldwell Co. Pct 1	02/02/2004		Cochran Co. Pct 1	02/21/2012

City/County	First Transaction		City/County	First Transaction
Caldwell Co. Pct 2	06/09/2009		Cockrell Hill	07/26/2001
Caldwell Co. Pct 3	03/12/2009		Coffee City	06/29/2010
Caldwell Co. Pct 4	03/18/2008		Coke Co. Pct 1	01/06/2011
Calhoun Co. Pct 1	10/13/2000		Coke Co. Pct 2	01/06/2011
Calhoun Co. Pct 2	11/16/1999		Coleman	09/08/1999
Calhoun Co. Pct. 3	11/17/1999		College Station	07/12/2004
Calhoun Co. Pct. 4	01/12/2000		Colleyville	01/27/2004
Calhoun Co. Pct. 5	04/27/2000		Collin Co. Pct 1	07/09/2003
Callahan Co. Pct 4	05/19/2004		Collingsworth Co.	06/28/2001
Callahan Co. Pct. 3	03/24/1999		Colorado City	09/24/2002
Callahan County Courts	01/09/2004		Colorado Co. Co. Clerk	04/23/2009
Callahan County, Pct 1	04/14/2004		Colorado Co. Dist Clerk	05/15/2009
Calvert	07/17/2003		Colorado Co. Pct 2	05/24/2005
Cameron	03/16/1998		Colorado Co. Pct 3	05/24/2005
Cameron Co. Pct 5 Pl 1	05/13/2005		Colorado Co. Pct 4	05/25/2005
Cameron Co. Pct 5 Pl 2	02/10/2009		Colorado Co. Pct. 1	02/13/2004
Cameron Co., Pct 2 Pl 2	01/25/2002		Columbus	08/27/2004
Cameron Co. Pct 7 Pl1	03/08/2012		Comal Co. CCL	04/12/2007
Camp Wood	08/10/2005		Comanche	09/11/2001
Caney City	08/14/2009		Comanche County	12/09/1998
Canton	08/25/2003		Combes	02/08/2002
Canyon	04/15/2010		Combine	09/30/2004
Carson Co. Pct 1	02/24/2005		Commerce	05/28/1997
Carson Co. Pct 2	10/19/2004		Como	06/06/2005
Carson Co. Pct 4	02/25/2005		Concho Co. Dist. Clerk	07/03/2008
Carthage	09/10/2010		Concho Co. Pct 1	12/13/2007
Cass Co. Pct 1	06/10/2004		Concho Co. Pct 2	09/15/2004
Cass Co. Pct 2	10/15/2004		Conroe	09/09/1998
Cass Co. Pct 3	06/07/2004		Converse	01/31/2001
Cass Co. Pct 4	05/11/2007		Cooke Co. Pct 1 Pl 1	12/04/1998
Castle Hills	04/23/1997		Cooke Co. Pct 1 Pl 2	02/04/1999
Castro County	09/10/2003		Cooke Co. Pct. 4	05/20/1999
Castroville	06/30/1997		Copper Canyon	10/22/2002
Cedar Hill	01/04/1999		Corinth	04/30/2003
Cedar Park	10/10/1996		Corpus Christi	08/01/1997
Celeste	04/18/1997		Corrigan	02/12/1997
Celina	09/30/2003		Coryell Co. Co. Clerk	01/30/2008
Center	11/17/2006		Coryell Co. Pct 1	03/13/2008

City/County	First Transaction		City/County	First Transaction
Chambers Co. Pct 2	05/27/1999		Coryell Co. Pct 2	03/26/2008
Chambers Co. Pct. 1	09/30/1999		Coryell Co. Pct 4	11/21/2013
Chambers Co. Pct. 4	05/19/2000		Cottle County	03/11/2005
Chambers Co. Pct. 5	09/23/1998		Cottonwood Shores	04/10/2008
Chambers Co. Pct. 6	09/02/1998		Covington	03/05/2004
Chandler	07/21/1997		Crandall	05/04/2004
Charlotte	11/07/2001		Crane	08/26/2003
Cherokee Co. Judge	04/20/2001		Crane Co.	07/21/2003
Cherokee Co. Pct. 1	09/02/1999		Crane Co. Atty	05/27/2005
Cherokee Co. Pct. 2	03/23/1999		Crawford	03/21/2006
Cherokee Co. Pct. 3	07/09/1999		Crockett	09/04/2001
Cherokee Co. Pct. 4	07/12/1999		Crockett Co.	04/17/2001
Chico	04/26/2001		Crockett County Courts	12/19/2003
Childress Co.	05/07/2004		Crosby County	01/20/2000
Chillicothe	01/20/2005		Cross Plains	12/03/2004
China Grove	02/20/2009		Crowell	12/29/1999
Cibolo	11/28/2000		Crowley	05/06/2010
Cisco	07/11/2003		Crystal City	10/22/2008
Clarendon	09/26/2002		Cuero	09/17/2004
Clarksville	04/02/2002		Culberson Co. Pct 1	12/12/2003
Clay County	05/19/1999		Culberson Co. Pct 3	05/10/2006
Cleburne	02/04/2013		Cumby	03/11/2005
Cleveland	08/29/1997		Cuney	01/27/2009
Clifton	03/10/2005		Cut and Shoot	03/13/1998
Clint	05/03/2002			

D

City/County	First Transaction		City/County	First Transaction
Daingerfield	02/14/2002		Delta Co. Dist/Co. Clerk	09/27/2007
Daisetta	01/14/2004		Delta County	06/11/2007
Dallam County	04/21/2004		Denton Co. Sheriffs	05/12/2004
Dallas	01/28/2005		Denver City	02/02/2000
Dallas Co. Pct 1, Pl 1	09/10/2004		Devine	04/27/2000
Dallas Co. Pct 1, Pl 2	09/10/2004		DeWitt County, Pct 1	02/08/2007
Dallas Co. Pct 2, Pl 1	09/10/2004		Diboll	12/13/1999
Dallas Co. Pct 2, Pl 2	09/10/2004		Dickens Co. , Pct 1	12/14/1999
Dallas Co. Pct 3 Pl 2	08/03/2004		Dickens Co. Pct 3	11/10/2004

City/County	First Transaction		City/County	First Transaction
Dallas Co. Pct 3, Pl 1	09/15/2004		Dickinson	11/10/1997
Dallas Co. Pct 3, Pl 3	09/10/2004		Dilley	12/18/2008
Dallas Co. Pct 4 Pl 1	08/03/2004		Dimmit	01/28/2008
Dallas Co. Pct 4, Pl 2	09/10/2004		Dimmit Co. Pct 1	06/15/2001
Dallas Co. Pct 5, Pl 1	09/10/2004		Dimmit Co. Pct 2	10/13/2004
Dallas Co. Pct 5, Pl 2	09/10/2004		Dimmit Co. Pct 3	05/11/2007
Dalworthington Gardens	01/11/2002		Dimmit Co. Pct 4	05/11/2007
Danbury	09/18/2007		Domino	04/18/2000
Dawson	01/30/2009		Donley Co. Pct 2	06/04/2001
Dawson County	01/12/2000		Donley Co. Pct. 3	05/14/1999
Dayton	05/26/2000		Double Oak	10/06/2003
De Leon	06/22/2005		Dripping Springs	12/21/2004
Deaf Smith County	09/05/2003		Driscoll	03/03/2009
Decatur	03/07/2002		Dublin	09/18/2002
Deer Park	07/28/1997		Dumas	04/26/1999
DeKalb	06/03/1997		Duncanville	02/26/1997
Del Rio	08/28/2002			

E

City/County	First Transaction		City/County	First Transaction
Early	10/03/2001		El Campo	01/05/2001
East Bernard	03/23/2010		El Lago	12/16/1999
East Mountain	03/04/1998		El Paso	04/01/2010
East Tawakoni	01/14/1998		El Paso County, Pct 2	02/06/2003
Eastland	10/15/2001		El Paso County, Pct 7	05/08/2002
Eastland Co. Pct 1	06/04/2004		El Paso County, Pct. 6	07/26/2000
Eastland Co. Pct 2	05/25/2004		Electra	06/20/2003
Eastland Co. Pct 4	05/25/2004		Elgin	04/22/2002
Easton	04/20/2000		Ellis Co. Pct 1	11/04/2002
Ector Co. Atty	10/12/2009		Ellis Co. Pct 2	06/03/2002
Ector Co. Compliance	03/26/2008		Ellis Co. Pct 3	10/22/2002
Ector Co. Pct 1	09/14/2006		Ellis Co. Pct 4	05/10/2001
Ector Co. Pct 2	03/20/2007		Elmendorf	11/07/2003
Ector Co. Pct 3	09/25/2006		Emory	01/20/2004
Ector Co. Pct 4	11/17/2006		Enchanted Oaks	06/09/2006
Edgecliff Village	06/25/2004		Ennis	04/22/2003
Edgewood	04/26/2000		Erath Co. Pct. 1, 3, 4	02/05/1999

City/County	First Transaction		City/County	First Transaction
Edinburgh	07/27/2010		Erath Co. Pct. 2	01/18/2000
Edna	12/12/2000		Euless	04/01/2008
Edwards Co. JP	06/17/2008			

F

City/County	First Transaction		City/County	First Transaction
Fair Oaks Ranch	01/12/2000		Forney	06/19/2013
Fairfield	06/06/2001		Fort Bend Co. Pct 1 Pl 1	09/06/2006
Fairview	06/01/2005		Fort Bend Co. Pct 1 Pl 2	09/06/2006
Falfurrias	01/23/2002		Fort Bend Co. Pct 2	09/06/2006
Falls Co. Pct 1	09/14/2004		Fort Bend Co. Pct 3	09/06/2006
Falls Co. Pct 2	09/21/2004		Fort Bend Co. Pct 4	09/06/2006
Falls Co. Pct 3	04/11/2006		Fort Stockton	03/02/2009
Falls Co. Pct 4	02/03/2005		Franklin	10/01/1998
Fannin Co. Pct 1	11/06/2007		Franklin County	07/09/1999
Fannin Co. Pct 2	11/06/2007		Frankston	04/30/2001
Farmersville	04/30/2010		Fredericksburg	01/08/1999
Farwell	06/13/2000		Freeport	04/08/2005
Fayette Co. Pct. 1	05/12/1998		Freer	08/03/2007
Fayette Co. Pct. 2	12/14/1998		Freestone Co. Pct 1	11/09/2004
Fayette Co. Pct. 3	05/12/1998		Freestone Co. Pct 2	10/04/2004
Fayette Co. Pct. 4	05/12/1998		Freestone Co. Pct 3	11/09/2004
Ferris	12/20/2006		Freestone Co. Pct 4	09/13/2004
Fisher Co. Pct 1, Pl 1	11/05/2003		Friendswood	08/01/1997
Fisher Co. Pct 3	10/08/2007		Frio Co. Pct 1	07/14/2004
Flatonia	06/10/2002		Frio Co. Pct 2	06/04/2004
Florence	08/05/1999		Frio Co. Pct 3	06/17/2004
Floresville	02/18/1998		Frio Co. Pct 4	05/25/2004
Floyd Co. Pct 1 & 4	02/18/2005		Friona	04/05/2007
Floydada	05/24/2001		Fritch	01/29/2003
Foard Co.	09/12/2000		Frost	12/17/2002
Forest Hill	04/14/2009		Fulshear	04/14/2009

G

City/County	First Transaction		City/County	First Transaction
Gaines Co. Pct. 2	06/04/1999		Goliad Co. Pct 2	05/26/2004
Gainesville	04/30/2001		Gonzales	02/22/2000

City/County	First Transaction		City/County	First Transaction
Galena Park	06/05/1997		Gonzales Co. Pct 3	08/07/2001
Galveston	03/02/2001		Gonzales Co. Pct 4	06/29/2004
Galveston Co, Pct 5	08/08/2001		Gorman	11/27/2002
Galveston Co. Collections	08/03/2004		Grand Saline	03/14/2003
Galveston Co. Pct 1	06/18/2003		Grandview	08/15/2003
Galveston Co. Pct 2	04/01/2004		Granger	12/13/2004
Galveston Co. Pct 3	06/26/2003		Grapeland	07/10/2002
Galveston Co. Pct 4	08/27/2001		Gray Co. Pct 1	03/27/2002
Galveston Co. Pct 6	02/27/2001		Gray Co. Pct. 2	06/03/1999
Galveston Co. Pct 7	04/25/2002		Gray Co. Pct. 4	06/16/2000
Galveston Co. Pct 8 Pl 1	12/07/2001		Grayson County, Pct 1	07/02/2001
Galveston Co. Pct 8 Pl 2	02/19/2002		Grayson County, Pct 2	04/07/2000
Galveston Co. Pct 9	02/22/2001		Grayson County, Pct 3	02/26/2003
Garden Ridge	06/05/2008		Grayson County, Pct 4	12/05/2000
Garland	04/23/2003		Grayson County, Pct 6	08/07/2001
Garrett	02/23/2004		Grayson County, Pct 8	02/06/2001
Garrison	10/06/1997		Greenville	03/17/2004
Gatesville	01/27/2009		Grey Forest	08/28/2007
George West	03/21/2002		Grimes Co. Pct 1	04/02/2002
Georgetown	05/18/1998		Grimes Co. Pct 2	03/28/2002
Giddings	06/17/1998		Grimes Co. Pct. 3	02/02/2000
Gillespie Co. Pct. 1	04/07/1999		Groesbeck	08/08/2001
Gillespie Co. Pct. 2	04/12/1999		Groves	09/05/2003
Gilmer	11/18/1998		Groveton	10/03/1997
Gladewater	10/05/2004		Gruver	01/28/2003
Glasscock Co. Pct 1	08/20/1998		Guadalupe Co. Pct 3	08/14/2008
Glenn Heights	01/19/2005		Guadalupe Co. Pct 4	06/03/2008
Godley	03/29/2004		Gun Barrel City	08/20/2002
Goliad Co. Pct 1	07/13/2004		Gunter	03/23/2004

H

City/County	First Transaction		City/County	First Transaction
Hale Center	04/16/2008		Henderson Co. Pct 4	07/30/2004
Hale Co. Pct 1	09/28/2011		Henderson Co. Pct 5	05/26/2005
Hale Co. Pct 2	09/28/2011		Henderson Co. Pct 6	12/27/2004
Hall Co. Pct 4	09/04/2007		Henrietta	05/25/1999
Hallettsville	08/22/2006		Hereford	09/19/2005

City/County	First Transaction		City/County	First Transaction
Hallsville	05/18/1999		Hickory Creek	03/25/1998
Hamilton	04/15/2009		Hico	05/06/2010
Hamilton Co. Judge	08/17/2004		Hidalgo	03/08/2004
Hamilton Co. Pct 1	02/16/2001		Hidalgo Co. Collections	07/14/2011
Hamilton Co. Pct 3	08/11/2008		Hidalgo Co. Pct 2 Pl 1	12/07/2011
Hamilton District Court	08/27/2004		Highland Park	01/05/1998
Hansford Co.	11/15/2002		Hill Co. Dist Clerk	05/15/2012
Happy	01/24/2000		Hill Co. Pct 1	02/10/1999
Hardeman Co. Pct 1	04/23/2001		Hill Co. Pct. 2	07/01/1999
Hardin Co. Pct. 1	08/26/1999		Hill Co. Pct. 3	06/17/1999
Hardin Co. Pct. 2	08/20/1999		Hill Co. Pct. 4	02/12/2004
Hardin Co. Pct. 3	08/16/1999		Hill Country Village	03/12/2003
Hardin Co. Pct. 4	08/13/1999		Hillsboro	08/22/2000
Hardin Co. Pct. 5	12/10/1999		Hockley Co. Pct 1	07/24/1998
Hardin Co. Pct. 6	08/18/1999		Hockley Co. Pct 2	06/23/2004
Harker Heights	11/25/1997		Hockley Co. Pct. 5	01/29/1999
Harlingen	06/13/2001		Holiday Lakes	08/04/2004
Harris Co. Pct 1 Pl 1	12/01/2005		Holland	05/24/2001
Harris Co. Pct 1 Pl 2	11/30/2006		Holliday	01/26/2005
Harris Co. Pct 2 Pl 1	04/09/2009		Hollywood Park	10/21/1998
Harris Co. Pct 3 Pl 2	01/27/2010		Hondo	04/29/1998
Harris Co. Pct 4 Pl 1	05/25/2006		Honey Grove	10/28/1999
Harris Co. Pct 5 Pl 1	03/12/2009		Hood Co. Pct 1	04/19/2011
Harris Co. Pct 5 Pl 2	09/21/2007		Hood Co. Pct 2	05/28/2004
Harris Co. Pct 6 Pl 1	01/06/2010		Hood Co. Pct 3 & 4	07/20/2004
Harris Co. Pct 6 Pl 2	08/03/2010		Hooks	11/21/2003
Harris Co. Pct 7 Pl 1	01/27/2010		Hopkins Co. Pct. 1	01/08/1999
Harris Co. Pct 7 Pl 2	01/27/2010		Hopkins Co. Pct. 2	01/08/1999
Harrison Co. Pct 1	05/05/2006		Horizon City	03/23/2006
Harrison Co. Pct 3	04/24/2007		Horseshoe Bay	02/01/2007
Hart	01/19/2006		Houston	06/25/1997
Hartley Co.	08/22/2003		Houston Co. Pct. 1	10/22/1999
Hartley Co. Co. Clerk	02/14/2011		Houston Co. Pct. 2	10/22/1999
Hartley Co. Dist Clerk	02/14/2011		Howard Co. Collections	12/04/2003
Haskell	04/23/1998		Howard Co. Dist Clerk	09/11/2013
Haslet	11/07/2007		Howard Co. Pct 1 Pl 1	03/29/2001
Hawk Cove	05/19/2000		Howard Co. Pct 1 Pl 2	04/02/2001
Hawkins	11/03/1999		Howard Co. Pct 2	04/03/2001

City/County	First Transaction		City/County	First Transaction
Hawley	08/10/2000		Howe	04/20/2000
Hays Co. Compliance Office	04/04/2008		Hubbard	05/30/2001
Hays Co. Pct 1	08/30/2004		Hudson	12/18/2001
Hays Co. Pct 1, Pl 1	09/21/2004		Hudspeth Co. Pct 2	07/21/2004
Hays Co. Pct 1, Pl 2	09/15/2004		Hudspeth Co. Pct 3	07/01/2004
Hays Co. Pct 2	09/14/2004		Hudspeth Co. Pct 4	06/30/2004
Hays Co. Pct 3	09/21/2004		Hughes Springs	06/20/2000
Hays Co. Pct 4	09/21/2004		Hunt Co. Pct 1 Pl 1	09/09/2005
Hays Co. Pct 5	09/08/2004		Hunt Co. Pct 1, Pl 2	09/13/2004
Hearne	02/03/2000		Hunt Co. Pct 2	10/20/2004
Heath	10/09/2000		Hunt Co. Pct 3	05/14/2007
Helotes	02/09/1999		Hunt Co. Pct 4	04/17/2007
Hemphill	02/03/2009		Hunters Creek Village	02/01/2006
Hemphill County	08/18/2004		Huntington	05/11/2001
Hempstead	12/27/2012		Huntsville	02/18/2004
Henderson Co. Pct 1	08/05/2010		Hutchinson Co. Pct 1	06/18/2004
Henderson Co. Pct 2	04/21/2010		Hutchinson Co. Pct 2	06/17/2004
Henderson Co. Pct 3	03/11/2005		Hutto	11/10/2003

I

City/County	First Transaction		City/County	First Transaction
Idalou	07/01/1999		Iowa Park	07/14/1999
Indian Lake	04/27/2000		Irion County	07/07/2004
Ingleside	03/18/2002		Italy	06/21/2002
Ingram	04/29/1997		Itasca	11/20/2003

J

City/County	First Transaction		City/County	First Transaction
Jacinto City	07/09/2009		Jersey Village	02/28/2003
Jack County	03/24/2004		Jewett	05/12/2006
Jacksboro	07/13/1998		Jim Hogg Co. Pct 2	02/22/2001
Jackson County	04/16/1999		Jim Wells Co. Pct 1	06/08/2004
Jackson County Pct 2	08/20/2009		Jim Wells Co. Pct 3	06/04/2004
Jacksonville	04/19/1997		Jim Wells Co. Pct 4	06/23/2004
Jarrell	04/21/2004		Jim Wells Co. Pct 5	09/07/2004
Jasper Co. Pct 1	08/19/2003		Jim Wells Co. Pct 6	08/13/2004

City/County	First Transaction		City/County	First Transaction
Jasper Co. Pct 2	05/30/2003		Johnson City	01/29/2008
Jasper Co. Pct 3	06/06/2003		Johnson Co. Pct 1	07/14/2003
Jasper Co. Pct 4	07/02/2003		Johnson Co. Pct 2	03/31/2004
Jasper Co. Pct 5	07/17/2003		Johnson Co. Pct 3	12/10/2003
Jasper Co. Pct 6	06/08/2004		Johnson Co. Pct 4	05/17/2004
Jeff Davis Co.	04/26/2000		Jones County	05/14/1999
Jefferson	10/16/2002		Jones Creek	08/15/2000
Jefferson Co. Pct 1 Pl 1	03/13/2001		Jonestown	01/23/2002
Jefferson Co. Pct 1 Pl 2	10/02/2000		Josephine	05/20/2004
Jefferson Co. Pct 2	05/09/2002		Joshua	09/01/2004
Jefferson Co. Pct 4	07/14/2003		Jourdanton	08/14/2002
Jefferson Co. Pct 6	08/04/2000		Junction	06/22/2005
Jefferson Co. Pct 7	11/07/2003		Justin	06/05/2002
Jefferson Co. Pct 8	10/30/2000			

K

City/County	First Transaction		City/County	First Transaction
Karnes City	07/23/1997		Kerens	06/20/2005
Karnes Co. Attorney	02/05/2007		Kermit	10/03/2001
Karnes Co. Pct 1	09/03/2004		Kerr Co. Pct 1	08/10/2004
Karnes Co. Pct 2	10/25/2005		Kerr Co. Pct 2	10/21/2008
Karnes Co. Pct 3	11/16/2004		Kerr Co. Pct 3	06/30/2004
Karnes Co. Pct 4	11/03/2004		Kerr Co. Pct 4	04/27/2004
Karnes County Clerk	10/05/2007		Kerrville	08/11/2003
Katy	12/17/2001		Kilgore	06/12/2000
Kaufman Cty, Pct 1	09/20/2001		Killeen	12/19/2003
Kaufman Cty, Pct 2	09/10/2002		Kimble County	02/22/2006
Kaufman Cty, Pct 3	05/02/2002		King County	01/19/2000
Kaufman Cty, Pct 4	12/11/2000		Kingsville	12/20/2012
Keller	05/10/2013		Kinney County	07/10/2002
Kemah	12/21/1999		Kirby	12/16/1999
Kemp	05/20/2005		Kirbyville	09/14/2005
Kempner	01/20/2005		Kleberg County Clerk	02/07/2012
Kendall Co. Pct 4	09/23/2002		Kleberg Co. Pct. 1	06/17/1999
Kendall Co. Pct. 1	09/01/1999		Kleberg Co. Pct. 2 Pl 1	01/11/2000
Kendall Co. Pct. 2	06/10/1999		Kleberg Co. Pct. 3	09/15/1999
Kendall Co. Pct. 3	05/21/1999		Kleberg Co. Pct. 4	01/13/2000

City/County	First Transaction		City/County	First Transaction
Kenedy	09/03/2004		Knox Co. Pct 1 & 2	09/29/2004
Kenedy Co. Pct 1	09/20/2000		Kosse	07/16/1999
Kenedy Co. Pct 2	05/09/2000		Kountze	05/11/2000
Kenedy Co. Pct 3	09/20/2000		Krugerville	04/21/2004
Kenedy Co. Pct 4	09/20/2000		Krum	03/14/1997
Kenefick	03/15/2005		Kyle	08/28/1998
Kennedale	02/22/2007			

L

City/County	First Transaction		City/County	First Transaction
La Coste	12/08/1997		Liberty Co. Pct. 4	01/11/2000
La Feria	09/25/2002		Liberty Co. Pct. 5	08/03/1999
La Grange	05/11/2001		Liberty Co. Pct. 6	07/08/1999
La Joya	03/18/2005		Liberty Hill	02/06/2004
La Marque	04/17/1997		Limestone Co. Pct 1	06/30/2004
La Porte	05/18/2005		Limestone Co. Pct 2	08/04/2004
La Salle County	12/02/1998		Limestone Co. Pct 3	06/28/2004
La Salle Co. Pct 3	10/03/2013		Limestone Co. Pct 4	07/27/2004
La Vernia	08/18/2006		Lindale	11/25/2002
La Villa	09/23/2013		Linden	05/03/2004
Lacy Lakeview	03/04/1997		Lindsay	08/28/2002
Ladonia	01/21/2000		Little Elm	11/14/2006
Lago Vista	09/22/1997		Little River Academy	01/31/2002
Laguna Vista	06/06/2000		Littlefield	10/28/2003
Lake Jackson	05/04/1998		Live Oak	11/01/2005
Lakeport	01/21/1999		Live Oak Co. Pct 1	07/13/2005
Lakeside	10/07/2002		Live Oak Co. Pct 2	05/31/2005
Lakeway	05/07/1998		Live Oak Co. Pct 3	10/12/2005
Lamar Co. Pct. 5 Pl. 1	03/11/1999		Live Oak Co. Pct 4	10/14/2005
Lamar Co. Pct. 5 Pl. 2	09/10/1999		Liverpool	04/25/2001
Lamb Co. Pct 1	07/06/2005		Livingston	11/03/1999
Lampasas	10/21/1997		Llano	12/19/1997
Lampasas Co. Pct 1	02/08/1999		Llano Co. Pct 1	03/26/1998
Lampasas Co. 2 & 3	04/26/2004		Llano Co. Pct 2	08/26/1998
Lampasas Co. Collections	03/12/2007		Llano Co. Pct 3	09/21/1998
Lampasas Co. Pct 4, Pl 1	04/21/2004		Llano Co. Pct 4	11/10/1998
Lancaster	04/08/1999		Lockhart	10/31/2002

City/County	First Transaction		City/County	First Transaction
Laredo	02/26/2007		Log Cabin	01/24/2011
Lavaca Co. Pct 2	04/03/2006		Lometa	04/24/2001
Lavaca Co. Pct. 1	04/24/1998		Lone Oak	09/27/2000
Lavaca Co. Pct. 4	06/07/2000		Lone Star	03/30/1999
Lavon	12/01/1997		Loraine	08/10/2010
League City	09/18/1998		Lorena	10/05/2001
Leander	02/04/1999		Lorenzo	10/21/2005
Lee Co. County Courts	04/17/2006		Los Fresnos	06/19/2001
Lee Co. Pct 2	08/03/1999		Lott	03/09/1999
Lee Co. Pct. 3	08/19/1999		Loving County	07/12/2007
Lee Co. Pct. 4	06/20/2000		Lubbock Co. Collections	08/08/2005
Leon Co. County Court	12/22/2011		Lubbock Co. Pct 1	06/17/2004
Leon Co. Pct 2	10/02/2003		Lubbock Co. Pct 2	07/30/2004
Leon Co. Pct. 1	07/21/1999		Lubbock Co. Pct 3	06/17/2004
Leon Co. Pct. 4	01/20/2000		Lubbock Co. Pct 4	06/17/2004
Leon Valley	04/15/2004		Lucas	05/05/2008
Leonard	10/23/2000		Lufkin	05/12/2004
Levelland	06/21/2000		Luling	12/06/2001
Lewisville	04/06/2006		Lumberton	06/10/2010
Lexington	01/14/1999		Lyford	09/20/1999
Liberty	04/28/2000		Lynn Co. Pct 1	07/23/2004
Liberty Co. Pct. 1	09/22/1999		Lynn Co. Pct 4	04/29/2004
Liberty Co. Pct. 2	07/12/1999		Lytle	10/22/2003
Liberty Co. Pct. 3	07/12/1999			

M

City/County	First Transaction		City/County	First Transaction
Mabank	09/24/2004		Midland Co. Pct 1	10/08/2001
Madison Co. Pct 2	10/23/2008		Midland Co. Pct 2	07/24/2001
Madison Co. Pct 1	10/05/1999		Midland County Clerk	10/27/2003
Madisonville	05/17/1999		Midland Co. Pct 3	09/27/2001
Magnolia	08/04/1997		Midland County Judge	10/28/2003
Malakoff	08/08/2005		Midlothian	06/24/1997
Malone	02/19/2002		Milam Co. Pct 1	01/11/2000
Manor	06/08/2010		Milam Co. Pct. 2	01/20/2000
Mansfield	08/12/2004		Milam Co. Pct. 3	08/01/2000
Manvel	03/20/1997		Milam Co. Pct. 4	01/06/2000

City/County	First Transaction		City/County	First Transaction
Marble Falls	11/11/1997		Milam County Judge	11/07/2003
Marfa	08/23/1999		Miles	08/12/2013
Marion	02/02/2000		Milford	02/24/2004
Marion Co. Pct 1	06/16/2004		Mills County	03/11/2004
Marion Co. Pct 2	06/03/2011		Mineola	08/10/1999
Marlin	08/03/2000		Mineral Wells	09/01/2011
Marquez	08/23/2011		Mission	10/18/1999
Marshall	02/25/2004		Missouri City	06/09/1997
Marshall Creek	12/27/2001		Mitchell Co. Pct 1 & 4	06/07/2001
Mart	05/10/1999		Mitchell Co. Pct 2 & 3	08/24/1999
Martin Co. Pct. 1	11/05/1999		Mitchell County Judge	10/04/2004
Martin Co. Pct. 2	10/29/1999		Mont Belvieu	04/30/1998
Martindale	08/08/2003		Montague Co. Pct. 1	03/16/2000
Mason	03/24/2004		Montague Co. Pct. 2	03/24/1999
Mason County	09/30/1999		Montgomery	12/16/1997
Matagorda Co. Pct 1	08/27/2008		Montgomery CCL #1	07/22/2004
Matagorda Co. Pct 2	07/23/2009		Montgomery CCL #2	08/25/2004
Matagorda Co. Pct 3	01/09/2009		Montgomery CCL #3	03/28/2007
Matagorda Co. Pct 4	11/24/2008		Montgomery CCL #4	08/02/2004
Mathis	12/10/1999		Montgomery CCL #5	04/03/2009
Maud	04/23/2002		Montgomery Co Dist #221	08/25/2004
Maverick Co Collections	04/16/2007		Montgomery Co Dist #359	08/25/2004
Maverick Co. Pct 4	04/01/2008		Montgomery Co Dist #9	08/26/2004
Maypearl	07/13/1998		Montgomery Co. Dist #284	09/13/2004
McAllen	07/26/2005		Montgomery Co Dist #435	08/07/2009
McCulloch County	02/05/1999		Montgomery Co. Pct 1	01/31/2001
McGregor	09/11/2003		Montgomery Co. Pct 2	01/31/2001
McLennan Co. Pct 1 Pl 1	12/05/2012		Montgomery Co. Pct 3	01/31/2001
McLennan Co. Pct 1 Pl 2	01/10/2013		Montgomery Co. Pct 4	09/19/2000
McLennan Co. Pct 2	01/29/2013		Montgomery Co. Pct 5	10/05/2004
McLennan Co. 3	04/27/2012		Montgomery Co. Const. – 5	11/21/2009
McLennan Co. Pct 4	10/19/2012		Moody	07/10/1998
McLennan Co. Pct 5	04/27/2012		Moore Co. Pct 1	03/30/2004
McLennan Co. Pct 7	02/25/2013		Moore Co. Pct 2	04/05/2004
McLennan Co. Dist. Clerk	12/04/2007		Morgan	06/06/2007
McMullen County	05/28/2004		Morgan's Point	06/10/1997
Meadowlakes	10/15/2002		Morgan's Point Resort	03/14/2001
Meadows Place	08/30/1999		Morris Co. Pct 1	08/09/2004

City/County	First Transaction		City/County	First Transaction
Medina Co. Pct 1	02/05/2003		Morris Co. Pct 2	08/09/2004
Medina Co. Pct 2	05/11/2000		Morris Co. Pct 3	08/09/2004
Medina Co. Pct 4	12/01/2000		Morris Co. Pct 4	08/09/2004
Melissa	08/28/1997		Motley County	04/27/2004
Menard County	11/25/2003		Moulton	08/17/1999
Mercedes	06/22/2011		Mt. Enterprise	02/25/1997
Meridian	02/14/2002		Mt. Pleasant	09/23/2003
Merkel	10/03/2001		Mt. Vernon	06/04/2008
Mesquite	06/17/1997		Muenster	06/23/2008
Mexia	06/15/2004		Muleshoe	10/28/1999
Midland Co, Pct 4	07/19/2001		Munday	02/09/2011
Midland Co. Dist. Clerk	05/25/2005		Murphy	12/04/2001
Midland Co. District Atty	06/16/2004		Mustang Ridge	07/19/2013

N

City/County	First Transaction		City/County	First Transaction
Nacogdoches	02/09/2001		Newton Co. Pct 1	04/16/2012
Nacogdoches Co. Pct 1	10/25/1999		Newton Co. Pct 2	04/16/2012
Nacogdoches Co. Pct 2	06/05/2000		Newton Co. Pct 3	04/16/2012
Nacogdoches Co. Pct 3	06/15/2007		Newton Co. Pct 4	04/16/2012
Nacogdoches Co. Pct. 4	09/01/1999		Nixon	09/10/2013
Naples	01/19/2005		Nocona	07/05/2002
Nash	03/20/1997		Nolan Co.	09/29/2000
Nassau Bay	04/16/2010		Nolan Co. Collections	01/11/2007
Natalia	11/09/2001		Nolanville	05/29/1997
Navarro Co. Pct 1	04/25/2000		Noonday	01/30/2007
Navarro Co. Pct 2	05/09/2000		Normangee	10/22/1997
Navarro Co. Pct 3	05/19/2000		Northlake	11/14/2002
Navarro Co. Pct 4	04/25/2000		Nueces Co. Pct 1 Pl 3	06/12/2003
Navasota	04/08/1999		Nueces Co. Pct 2 Pl 1	08/18/2003
Nazareth	06/09/2008		Nueces Co. Pct 2 Pl 2	07/30/2003
Nederland	05/14/2001		Nueces Co. Pct 3	05/02/2003
New Boston	04/28/1998		Nueces Co. Pct 4	06/11/2003
New Braunfels	09/17/2001		Nueces Co. Pct 5 Pl 1	09/08/2003
New Deal	08/04/1997		Nueces Co. Pct 5 Pl 2	04/25/2003
New London	03/31/2004		Nueces Co. Pct. 1 Pl. 1	06/14/1999
New Summerfield	05/03/2007		Nueces Co. Pct. 1 Pl. 2	02/03/2003
Newark	03/25/2002			

O

City/County	First Transaction		City/County	First Transaction
O Donnell	03/29/2012		Olney	03/09/2004
Oak Point	03/26/1998		Olton	09/09/1999
Oak Ridge	12/21/1999		Onalaska	01/28/1997
Oak Ridge North	02/04/2003		Orange Co. Pct 1	12/09/2004
Oakwood	03/06/2009		Orange Co. Pct 2	12/16/2004
Ochiltree County	07/02/2009		Orange Co. Pct 3	07/28/2005
Odem	04/02/2003		Orange Co. Pct 4	12/16/2004
Odessa	01/10/2000		Orange Grove	11/17/2004
Old River-Winfree	06/10/1997		Ore City	06/19/2001
Oldham Co.	04/22/2003		Overton	04/13/2004
Olmos Park	01/23/1997		Oyster Creek	12/09/1997

P

City/County	First Transaction		City/County	First Transaction
Palacios	06/06/1997		Pflugerville	11/12/2008
Palestine	10/17/2003		Pharr	08/14/2007
Palm Valley	05/02/2003		Pilot Point	10/13/2011
Palmer	10/30/2001		Pine Forest	01/30/2009
Palmhurst	09/25/2008		Pinehurst	08/05/1997
Palo Pinto Co. Pct 1	05/30/2000		Pineland	07/03/2013
Palo Pinto Co. Pct 2	05/06/2005		Piney Point Village	03/03/2008
Palo Pinto Co. Pct 3	05/03/2000		Pittsburg	03/28/2007
Palo Pinto Co. Pct 4	06/16/2010		Pleasanton	04/13/2007
Palo Pinto Co. Pct 5	04/25/2000		Point	05/19/2004
Pampa	02/12/1999		Point Comfort	06/13/1997
Panhandle	08/18/1997		Polk Co. Pct. 1	05/25/1999
Panola Co. Pct 1	09/20/2000		Polk Co. Pct. 2	06/17/1999
Panola Co. Pct 2	09/20/2000		Polk Co. Pct. 3	08/12/2004
Panorama Village	06/05/1997		Polk Co. Pct. 4	06/03/1999
Pantego	10/27/2005		Ponder	03/08/2006
Parker	06/25/2009		Port Aransas	10/24/1997
Parker Co. Pct 1	10/06/2003		Port Arthur	01/10/2000
Parker Co. Pct 2	10/03/2003		Port Isabel	11/15/2001
Parker Co. Pct 3	10/01/2003		Port Lavaca	11/05/1999
Parker Co. Pct 4	10/03/2003		Port Neches	08/20/2002
Parmer Co. Pct 1	07/02/2004		Portland	02/08/1999

City/County	First Transaction		City/County	First Transaction
Parmer Co. Pct 2	06/22/2004		Post	03/16/2000
Parmer Co. Pct 3	07/09/2004		Poteet	04/17/1997
Patton Village	07/31/1997		Poth	02/13/2004
Payne Springs	05/31/2005		Pottsboro	08/07/1997
Pearland	06/21/2005		Prairie View	04/03/2007
Pearsall	06/04/2013		Premont	04/02/1998
Pecan Hill	01/17/2006		Presidio	08/01/1997
Pecos Co. Pct 1	04/28/2003		Presidio Co Pct 1	03/14/2001
Pecos Co. Pct 3	07/23/2003		Presidio Co Pct 2	07/31/2000
Pecos Co. Pct 6	04/28/2003		Primera	02/10/2003
Pelican Bay	02/18/2003		Princeton	06/15/2006
Penitas	10/30/2006		Progreso	10/29/2002
Petersburg	06/10/2009		Prosper	11/26/2002

Q

City/County	First Transaction		City/County	First Transaction
Queen City	07/10/1997		Quitman	01/27/1999
Quinlan	07/29/1998			

R

City/County	First Transaction		City/County	First Transaction
Rains County	05/13/2003		Roanoke	08/15/2005
Ralls	03/19/1997		Roberts County	02/22/2008
Rancho Viejo	09/24/1997		Robertson Co. Pct 1	04/03/2006
Randall Co. Clerk	04/12/2012		Robertson Co. Pct 2	04/06/2006
Randall Co Dist Clerk	04/16/2012		Robertson Co. Pct 3	01/19/2006
Randall Co. Pct 1	03/08/2010		Robertson Co. Pct 4	02/28/2007
Randall Co. Pct 4	05/30/2003		Robinson	11/18/1997
Ranger	09/15/2006		Robstown	04/07/2000
Ransom Canyon	03/10/2006		Rockdale	03/07/2000
Reagan Co. Pct 1	05/14/2001		Rockport	04/04/2000
Real Co. Pct 1 & 2	01/05/2006		Rockwall Co Collections	03/20/2012
Red Oak	01/26/2005		Rockwall Co. Pct 1	08/24/2004
Red River County	06/01/1999		Rockwall Co. Pct 2	08/24/2004
Reeves Co. Pct 2	08/05/2010		Rogers	06/25/1998
Reeves Co. Pct 4	08/05/2010		Rollingwood	11/19/2004

City/County	First Transaction		City/County	First Transaction
Refugio	05/11/1999		Roman Forest	03/08/1999
Refugio Co. Pct 1	05/12/1999		Ropesville	05/10/1999
Refugio Co. Pct 2	07/09/2003		Roscoe	12/12/2001
Reklaw	02/21/2003		Rose City	05/05/2003
Reno (Lamar)	01/15/1999		Rosebud	02/16/2000
Reno (Parker)	05/13/2003		Rosenberg	01/20/2000
Rhome	04/10/2000		Round Rock	08/11/1999
Rice	03/05/2003		Royse City	03/25/1997
Richmond	11/20/2008		Runaway Bay	11/12/2001
Richwood	11/24/2013		Runnels Co. Pct 1	09/03/2003
Riesel	12/04/1997		Runnels Co. Pct 2	08/04/2003
Rio Grande City	06/19/1998		Runnels County Judge	10/10/2003
Rio Hondo	11/16/2007		Rusk	09/16/1998
Rio Vista	08/31/2005		Rusk County	01/25/1999
Rising Star	06/06/2008		Rusk Co. Pct 5	09/16/2011

S

City/County	First Transaction		City/County	First Transaction
Sabinal	03/06/1997		Sherman	03/16/2001
Sabine Co. Pct 1	08/24/2004		Sherman Co. P 1,2,4	05/04/1998
Sabine Co. Pct 2	08/24/2004		Sherman Co. Pct. 3	02/19/1998
Saint Jo	03/21/2000		Shiner	11/25/2008
Salado	05/07/2003		Shoreacres	12/06/2002
San Angelo	03/13/2013		Silsbee	03/10/2000
San Antonio	05/02/1997		Sinton	03/26/1999
San Augustine	05/26/2000		Skellytown	10/29/2004
San Augustine Co. Judge	10/09/2003		Slaton	09/11/1997
San Augustine County	02/25/1999		Smith Co. County Courts	04/07/2008
San Augustine Co. Pct 1	03/10/1999		Smith Co. District Clerk	04/03/2009
San Augustine Co. Pct 2	03/10/1999		Smith Co. Pct 1	07/05/2001
San Augustine Co. Pct 3	03/24/2011		Smith Co. Pct 2	06/14/2001
San Augustine Co. Pct 4	03/10/1999		Smith Co. Pct 3	06/13/2001
San Benito	02/11/2009		Smith Co. Pct 4	06/14/2001
San Diego	06/16/2005		Smith Co. Pct 5	06/05/2001
San Felipe	08/09/2005		Smith County	09/18/1998
San Jacinto Co. Pct 2	05/14/2001		Smithville	06/27/1998
San Jacinto Co. Pct 3	05/25/2005		Snyder	05/20/1999

City/County	First Transaction		City/County	First Transaction
San Jacinto Co. Pct.1	08/05/1999		Socorro	05/19/2000
San Jacinto Co. Pct.4	05/27/1999		Somerset	04/18/2006
San Marcos	01/14/2004		Somervell Co. Pct 1 & 2	07/12/2004
San Patricio Co. Pct 1	08/15/2008		Somerville	09/03/1998
San Patricio Co. Pct 5	08/27/2008		Sonora	01/29/1998
San Patricio Co. Pct 6	08/24/2007		Sour Lake	06/11/1999
San Patricio Co. Pct 8	05/07/2009		South Houston	09/16/2013
San Saba	01/10/2002		Southmayd	06/04/2001
San Saba County	10/08/1998		Splendora	09/16/1997
Sansom Park	05/12/2011		Spring Valley	07/06/2007
Santa Anna	01/26/1999		Springtown	04/04/2008
Santa Fe	04/01/2004		Spur	10/18/2006
Santa Rosa	10/31/2008		Stafford	11/15/2001
Savoy	05/05/1997		Stagecoach	06/02/1997
Schertz	05/22/1998		Stamford	11/20/2007
Schleicher County	07/24/1998		Starr Co. Pct 1	10/04/2005
Schulenberg	03/05/2002		Starr Co. Pct 8	02/14/2005
Scurry Co. Pct 1	02/14/2002		Stephens County	04/14/1999
Scurry Co. Pct 2	07/24/2006		Stephenville	06/28/2000
Seabrook	12/27/2002		Sterling County	07/21/1999
Seagoville	05/18/1997		Stonewall Co	01/02/2014
Seagraves	08/15/2001		Stratford	11/14/2005
Sealy	11/06/1997		Strawn	05/30/2012
Seguin	01/02/2014		Sudan	05/23/2005
Selma	03/20/2007		Sugarland	07/27/2004
Seminole	11/06/1997		Sullivan City	04/02/2009
Shackelford County	09/22/1998		Sulphur Spring	06/12/1997
Shady Shores	11/06/2009		Sundown	04/16/2002
Shamrock	04/14/2003		Sunnyvale	06/06/1997
Shavano Park	09/28/2000		Sunrise Beach	10/07/1997
Shelby Co. Attorney	02/04/2004		Sunset	12/02/2001
Shelby Co. Pct 1	08/14/2001		Sunset Valley	01/28/2000
Shelby Co. Pct 3	01/05/2005		Surfside Beach	01/26/2001
Shelby Co. Pct 5	03/20/2003		Sutton Co.	06/17/2008
Shelby Co. Pct. 4	07/29/1999		Sweeny	01/10/2007
Shenandoah	07/24/1998		Sweetwater	04/30/2002
Shepherd	10/03/2000			

T

City/County	First Transaction		City/County	First Transaction
Taft	12/01/2005		Texline	06/11/2008
Tararnt Co. Crim #6	03/30/2007		Thorndale	07/01/1998
Tarrant Co. Crim #1	04/02/2007		Thrall	07/19/2000
Tarrant Co. Crim #10	03/30/2007		Three Rivers	06/23/2011
Tarrant Co. Crim #2	04/06/2007		Tiki Island	09/06/2000
Tarrant Co. Crim #3	03/30/2007		Timbercreek Canyon	10/26/2005
Tarrant Co. Crim #4	04/17/2007		Timpson	02/23/1998
Tarrant Co. Crim #5	03/28/2007		Titus County, Pct 1	07/24/2001
Tarrant Co. Crim #7	03/29/2007		Titus County, Pct 2	08/07/2001
Tarrant Co. Crim #8	04/11/2007		Tolar	03/26/1998
Tarrant Co. Crim #9	04/11/2007		Tom Bean	01/28/2004
Tarrant Co. Pct 1	04/24/2007		Tom Green Co. Pct 1	08/18/2005
Tarrant Co. Pct 2A	06/01/2007		Tom Green Co. Pct 2	08/18/2005
Tarrant Co. Pct 3H	04/24/2007		Tom Green Co. Pct 3	08/18/2005
Tarrant Co. Pct 3S	04/24/2007		Tom Green Co. Pct 4	08/18/2005
Tarrant Co. Pct 4	04/24/2007		Tomball	02/28/2008
Tarrant Co. Pct 5	04/24/2007		Travis Co. Pct 1	01/16/2002
Tarrant Co. Pct 6	04/24/2007		Travis Co. Pct 2	05/07/2001
Tarrant Co. Pct 7	06/01/2007		Travis Co. Pct 3	12/13/2001
Tarrant Co. Pct 8	04/24/2007		Travis Co. Pct 4	01/10/2002
Tatum	06/23/1998		Travis Co. Pct 5	12/24/2001
Taylor	03/19/2001		Trenton	02/27/2001
Taylor Co. , Co Courts	12/12/2005		Trinidad	03/02/1998
Taylor Co. Pct 1 Pl 2	05/06/2004		Trinity	09/19/2001
Taylor Co. Pct 2	04/15/2004		Trinity Co. Pct 1	12/08/2004
Taylor Co. Pct 3 Pl 1	05/12/2004		Trinity Co. Pct 2	04/17/2002
Taylor Co. Pct 4	12/19/2005		Trinity Co. Pct 3	11/10/2005
Taylor Co. Pct. 1 Pl 1	12/17/1999		Trinity Co. Pct 4	11/19/2004
Taylor Lake Village	12/05/2001		Trophy Club	05/27/2004
Teague	11/22/2000		Troup	09/25/2002
Temple	06/23/2006		Troy	06/29/2001
Tenaha	05/09/2003		Tulia	04/15/1999
Terrell Co. Pct 1, 3 & 4	10/11/2004		Tye	03/06/1998
Terrell Co. Pct 2	08/17/2004		Tyler	09/13/2006
Terrell Hills	11/06/2008		Tyler Co. Pct 1	08/19/2004
Terry Co. Pct 1	06/23/2004		Tyler Co. Pct 3	03/17/2006
Texas City	02/17/1997		Tyler Co. Pct 4	12/12/2005

U

City/County	First Transaction		City/County	First Transaction
Universal City	11/14/2000		Upton Co. Pct. 3&4	01/26/2000
University Park	10/23/2006		Uvalde	11/15/2002
Upshur Co. Pct 1	09/17/2001		Uvalde Co. Pct 1	02/24/2003
Upshur Co. Pct 3	09/14/2001		Uvalde Co. Pct 2	11/21/2002
Upshur Co. Pct 4	05/30/2001		Uvalde Co. Pct 3	04/03/2003
Upshur CSCD	01/15/2002		Uvalde Co. Pct 4	02/27/2003
Upton Co. Pct 1&2	09/18/1997		Uvalde Co. Pct 6	05/14/2003

V

City/County	First Transaction		City/County	First Transaction
Val Verde Co. Pct 1	07/10/2002		Van Zandt Co. Pct 1	03/15/2000
Val Verde Co. Pct 2	07/03/2002		Van Zandt Co. Pct. 2	05/18/2000
Val Verde Co. Pct 3	07/03/2002		Van Zandt Co. Pct. 3	02/03/2000
Val Verde Co. Pct 4	07/10/2002		Van Zandt Co. Pct. 4	07/24/2000
Valley Mills	01/10/2003		Vega	01/22/2003
Valley View	04/07/1997		Venus	04/20/2007
Van	08/29/2006		Vernon	03/07/2011
Van Alstyne	05/18/1998		Victoria	06/17/2009
Van Horn	12/16/2008		Vidor	07/09/2003

W

City/County	First Transaction		City/County	First Transaction
Waco	04/29/2003		Whitney	12/07/1998
Wake Village	11/05/2009		Wichita Co. Pct 1, Pl 1	04/20/2004
Walker Co. Pct 1	02/12/2004		Wichita Co. Pct 2	10/22/2003
Walker Co. Pct 2	02/18/2004		Wichita Co. Pct 3	09/10/2004
Walker Co. Pct 3	02/20/2004		Wichita Co. Pct 4	02/25/2005
Walker Co. Pct 4	02/20/2004		Wichita Co., Pct 1, Pl 2	03/03/2003
Waller	08/22/2000		Wichita Falls	04/19/2002
Waller Co. Pct 1	10/19/2004		Wilbarger Co. Pct 2	05/25/2004
Waller Co. Pct 2	03/30/1999		Wilbarger Co. Pct. 1	10/10/2000
Waller Co. Pct 3	04/19/1999		Willacy Co. Pct 3	11/22/2011
Waller Co. Pct 4	07/15/2003		Williamson Co. Pct 1	10/09/2003
Wallis	04/03/2007		Williamson Co. Pct 2	09/20/2002
Ward Co. Pct 1	07/15/2004		Willis	06/27/1997

City/County	First Transaction		City/County	First Transaction
Ward Co. Pct 2 & 3	05/25/2004		Willow Park	12/17/2008
Washington Co. Pct. 1	04/16/1998		Wills Point	07/25/2001
Washington Co. Pct. 2	01/15/1998		Wilmer	11/16/2002
Washington Co. Pct. 3	12/01/1997		Wilson Co. Dist Atty	05/09/2005
Washington Co. Pct. 4	12/24/1997		Wilson Co. Pct 1	05/10/2004
Waskom	06/05/1997		Wilson Co. Pct 2	07/29/2009
Watauga	07/24/2008		Wilson Co. Pct 3	07/26/2004
Waxahachie	11/04/2008		Wilson Co. Pct 4	05/11/2004
Weatherford	11/22/2006		Windcrest	03/08/2001
Webster	12/12/2000		Windthorst	02/11/2008
Weimar	12/17/2007		Winfield	06/10/2003
Wells	06/06/2000		Wink	09/25/1998
Weslaco	03/03/2003		Winkler Co. Pct 1	02/17/2012
West	08/13/1997		Winnsboro	12/27/2000
West Columbia	08/18/1997		Winona	11/03/2005
West Lake Hills	02/15/2006		Winters	02/23/1998
West Orange	08/05/1998		Wise Co. Pct 1	03/29/2001
West Tawakoni	04/21/1997		Wise Co. Pct. 2	09/21/1999
Westlake	11/02/2007		Wise Co. Pct. 3	03/01/2000
Westworth Village	07/24/2001		Wise Co. Pct. 4	10/06/1999
Wharton Co. Pct 1	05/28/2004		Wolfe City	10/17/2003
Wharton Co. Pct 2	06/11/2004		Wolfforth	02/04/2000
Wharton Co. Pct 3	06/10/2004		Wood Co. Pct 2	12/08/2004
Wharton Co. Pct 4	05/20/2004		Wood Co. Pct. 1	10/27/2000
Wheeler Co. Pct 2	05/18/2001		Wood Co. Pct. 3	02/05/2001
White Oak	07/12/2000		Woodbranch Village	04/12/2000
White Settlement	12/17/2004		Woodsboro	02/17/2000
Whitehouse	04/09/2004		Woodville	06/23/1997
Whitesboro	03/19/2003		Woodway	01/28/2005
Whitewright	12/09/2013		Wortham	07/15/1997

Y

City/County	First Transaction		City/County	First Transaction
Yoakum Co. Pct 1	08/15/2003		Young Co. Pct 1	03/01/2004
Yoakum Co. Pct 2	08/05/2003		Young Co. Pct 3	05/11/2004

Z

City/County	First Transaction		City/County	First Transaction
Zavala Co. Pct 1	06/17/2003		Zavala Co. Pct 4	09/15/2003
Zavala Co. Pct 2	03/09/2005		Zavala County Judge	03/15/2004
Zavala Co. Pct 3	12/09/2004		Zavalla	03/20/2001

Misc

City/County	First Transaction		City/County	First Transaction
100th Jud Dist Adult Probation	10/03/2006			

Table II
Judicial Fund
Constitutional, Statutory, and Probate Courts

The following dates reflect the county's participation in the state court cost system for constitutional, statutory county and statutory probate courts.

County	Taxpayer Number	Constitutional County Court	Statutory County Court	Statutory Probate Courts
Anderson	17560008124	Yes, 6/19/99	Yes, 7/1/92 forward	
Andrews	17560008157	Yes, 6/19/99		
Angelina	17560008090	Yes, 6/19/99	Yes, 7/1/96 forward	
Aransas	17460019981	6/19/99 - 8/31/01 only	Yes, 9/19/01 forward	
Archer	17560008173	Yes, 6/19/99		
Armstrong	17560008181	Yes, 6/19/99		
Atascosa	17460014685	Yes, 6/19/99	9/1/13	
Austin	17460003415		Yes, 10/1/07 forward	
Bailey	17560008231	Yes, 6/19/99		
Bandera	17460002169	Yes, 6/19/99		
Bastrop	17460002268		Yes. 07/01/01 forward	
Baylor	17560008249	Yes, 6/19/99		
Bee	17460003274	Yes, 6/19/99		
Bell	17460003480	Yes, 6/19/99	Yes, 7/1/99 forward	
Bexar	17460020393		Yes, 7/1/92 forward	Yes,10/1/99 forward
Blanco	17460014602	Yes, 6/19/99		
Borden	17560008272	Yes, 6/19/99		
Bosque	17460017217	Yes, 6/19/99	Yes, 10/01/09 fwd	
Bowie	17560008298	Yes, 6/19/99	Yes, 7/1/03 forward	
Brazoria	17460000445	Yes, 9/01/07	Yes, 7/1/00 forward	
Brazos	17460004330		Yes, 7/1/92 forward	
Brewster	17460000213	Yes, 6/19/99		
Briscoe	17560008314	Yes, 6/19/99		
Brooks	17460008364	Yes, 6/19/99		
Brown	17560008389	Yes, 6/19/99	Yes, 3/1/03	
Burleson	17460004678	Yes, 6/19/99		
Burnet	17460004546	Yes, 6/19/99 - 12/31/02, 9/1/07 fwd	Yes, 1/1/03 forward	
Caldwell	17460016318		Yes, 7/1/92 forward	
Calhoun	17460019239	Yes, 9/1/11 fwd	Yes, 7/1/92 forward	
Callahan	17560008413	Yes, 6/19/99		
Cameron	17460004207		Yes, 7/1/93 forward	

County	Taxpayer Number	Constitutional County Court	Statutory County Court	Statutory Probate Courts
Camp	17560008454	Yes, 6/19/99		
Carson	17560008488	Yes, 6/19/99		
Cass	17560008504	Yes, 6/19/99	Yes, 8/1/05 forward	
Castro	17560008520	Yes, 6/19/99 - 08/31/06, 9/1/07 fwd		
Chambers	17460000361	Yes, 09/1/99		
Cherokee	17560008546	Yes, 09/1/01	Yes, 7/1/92-6/30/93 & 7/1/94 forward	
Childress	17560008587	Yes, 6/19/99		
Clay	17560008611	Yes, 6/19/99		
Cochran	17560008652	Yes, 6/19/99		
Coke	17560008686	Yes, 6/19/99		
Coleman	17560008702	Yes, 6/19/99		
Collin	17560008736		7/1/92 - 6/30/00, 7/1/04 forward	Yes, 07/01/06 forward
Collingsworth	17560008769	Yes, 6/19/99		
Colorado	17460005444	Yes, 6/19/99		
Comal	17460017753	Yes, 9/1/99	Yes, 7/1/92 forward	
Comanche	17560008819	Yes, 6/19/99		
Concho	17560008843	Yes, 6/19/99		
Cooke	17560008850	6/19/99 – 1/31/02	Yes, 2/01/02 forward	
Coryell	17460009594	Yes, 6/19/99	Yes, 7/1/94 forward	
Cottle	17560008934	Yes, 6/19/99		
Crane	17560008942	Yes, 9/1/99		
Crockett	17560008959	Yes, 6/19/99		
Crosby	17560008991	Yes, 6/19/99		
Culberson	17460024338	Yes, 6/19/99		
Dallam	17560009031	Yes, 6/19/99		
Dallas	17560009056		7/1/92 - 6/30/00, 1/1/04 forward	Yes,10/1/99 forward
Dawson	17560009080	Yes, 6/19/99		
Deaf Smith	17560009106	Yes, 6/19/99		
Delta	17560009148	Yes, 6/19/99		
Denton	17560009205		Yes, 7/1/93 forward	Yes,10/1/99 forward
DeWitt	17460006509	Yes, 6/19/99		
Dickens	17560009247	Yes, 6/19/99		
Dimmit	17460004959	Yes, 6/19/99		
Donley	17560009270	Yes, 6/19/99		
Duval	17460022266	Yes, 6/19/99		

County	Taxpayer Number	Constitutional County Court	Statutory County Court	Statutory Probate Courts
Eastland	17560009320	Yes, 6/19/99		
Ector	17560035531	Yes, 9/1/99	Yes, 7/1/92 - 6/30/93 & 7/1/95 forward	
Edwards	17460020039	Yes, 6/19/99 - 08/31/2006, 9/1/07 fwd		
Ellis	17560009353	No, 6/19/99-8/31/03	Yes, 7/1/92 forward	
El Paso	17460007622		Yes, 7/1/92 - 6/30/00, 12/01/03 forward	Yes.10/1/99 forward
Erath	17560009395		Yes, 7/1/95 forward	
Falls	17460016946	Yes, 6/19/99		
Fannin	17560009411	Yes, 6/19/99	Yes, 6/1/2010 fwd	
Fayette	17460015443	Yes, 6/19/99		
Fisher	17560009445	Yes, 6/19/99	9/1/13; part of multi-county with Mitchell & Nolan	
Floyd	17560009494	Yes, 6/19/99		
Foard	17560009528	Yes, 6/19/99		
Fort Bend	17460019692		Yes, 7/1/92 forward	
Franklin	17560009551	Yes, 6/19/99		
Freestone	17460008331	Yes, 9/1/99		
Frio	17460035490	Yes, 6/19/99		
Gaines	17560009601	Yes, 6/19/99		
Galveston	17460009081	Yes, 1/1/2011 fwd	Yes, 7/1/94 forward	Yes,10/1/99 forward
Garza	17560009627	Yes, 6/19/99		
Gillespie	17460008786	Yes, 6/19/99		
Glasscock	17560009643	Yes, 6/19/99		
Goliad	17460009941	Yes, 9/1/07		
Gonzales	17460010030	Yes, 6/19/99		
Gray	17560009668	Yes, 6/19/99		
Grayson	17560009692	Yes, 6/19/99	Yes, 7/1/92 forward	
Gregg	17560009718	No, 6/19/99-8/31/03	Yes, 7/1/92 forward	
Grimes	17460000411	Yes, 6/19/99		
Guadalupe	17460022829	Yes, 6/19/99 - 6/30/03, 1/1/07 fwd	Yes, 7/1/92 forward	
Hale	17562156046	Yes, 6/19/99		
Hall	17560009775	Yes, 6/19/99		
Hamilton	17460010345	Yes, 6/19/99		
Hansford	17560009809	Yes, 6/19/99		
Hardeman	17560009825	Yes, 6/19/99		
Hardin	17460015369	Yes, 6/19/99		

County	Taxpayer Number	Constitutional County Court	Statutory County Court	Statutory Probate Courts
Harris	17604545149		Yes, 7/1/92 forward	Yes, 9/1/2007
Harrison	17560009882	Yes, 6/19/99 - 08/31/2006, 9/1/07 fwd	10/1/07 -12/31/07 (rescinded)**(active)	
Hartley	17560009866	Yes, 6/19/99		
Haskell	17560009916	Yes, 6/19/99		
Hays	17460022415	9/1/07 - 12/31/10	Yes, 7/1/92 forward	
Hemphill	17560009965	Yes, 6/19/99		
Henderson	17560010005	Yes, 6/19/99	Yes, 7/1/92 forward	
Hidalgo	17460007176		Yes, 7/1/94 forward	Yes, 03/01/02 forward
Hill	17460010915	Yes, 6/19/99	Yes, 9/1/05 forward	
Hockley	17560010013	Yes, 6/19/99		
Hood	17560010047	Yes, 6/19/99	Yes, 10/1/01 forward	
Hopkins	17560010070	Yes, 6/19/99	Yes, 7/1/93 forward	
Houston	17560010112	Yes, 9/1/07	Yes, 7/1/92 forward	
Howard	17560010138	Yes, 6/19/99		
Hudspeth	17460022969	Yes, 6/19/99		
Hunt	17560010179	Yes, 6/19/99	Yes, 7/1/97 forward	
Hutchinson	17560010229	Yes, 6/19/99		
Irion	17560010245	Yes, 6/19/99		
Jack	17560010252	Yes, 6/19/99		
Jackson	17460007259	Yes, 6/19/99		
Jasper	17460014529	Yes, 6/19/99		
Jeff Davis	17460029352	Yes, 6/19/99		
Jefferson	17460002912	Yes, 6/19/99	Yes, 10/1/07 forward	
Jim Hogg	17460010717	Yes, 6/19/99		
Jim Wells	17460000155	Yes, 6/19/99	1/1/15	
Johnson	17560010302		Yes, 7/1/92 - 6/30/93 & 7/1/94 forward	
Jones	17560010336	Yes, 6/19/99		
Karnes	17460014800	Yes, 6/19/99		
Kaufman	17560010369	Yes, 6/19/99	Yes, 7/1/95 forward	
Kendall	17460003746	6/19/99 - 12/31/00	Yes 01/01/2001 forward	
Kenedy	17460022704			
Kent	17560010393	Yes, 6/19/99		
Kerr	17460014941	Yes, 6/19/99	Yes, 7/1/92 forward	
Kimble	17460014735	Yes, 6/19/99		
King	17560010419	9/1/99 - 8/31/02		
Kinney	17460003811	Yes, 6/19/99		

County	Taxpayer Number	Constitutional County Court	Statutory County Court	Statutory Probate Courts
Kleberg	17460015237	Yes, 6/19/99	Yes, 7/1/92 forward	
Knox	17560010435	Yes, 6/19/99		
Lamar	17560010476	Yes, 6/19/99	Yes, 7/1/00 forward	
Lamb	17560010492	Yes, 6/19/99		
Lampasas	17460015641	Yes, 6/19/99		
La Salle	17460006293	Yes, 6/19/99		
Lavaca	17460010303	Yes, 6/19/99		
Lee	17460009867	Yes, 6/19/99		
Leon	17460005030	Yes, 6/19/99		
Liberty	17460016045	Yes, 10/1/99	Yes, 7/1/94 - 6/30/95 & 7/1/96 forward	
Limestone	17460010170	Yes, 6/19/99		
Lipscomb	17515054942	Yes, 6/19/99		
Live Oak	17460009701	Yes, 6/19/99		
Llano	17460016268	Yes, 6/19/99		
Loving	17560010559	Yes, 6/19/99		
Lubbock	17560010567	Yes, 6/19 - 8/31/99 & 9/00 - 8/31/01, 9/1/06 fwd	Yes, 7/1/92 forward	
Lynn	17560010591	Yes, 6/19/99		
McCulloch	17460003910	Yes, 6/19/99		
McLennan	17460024924	Yes, 6/19/99	Yes, 7/1/92 forward	
McMullen	17460024056	Yes, 9/1/99		
Madison	17460016722	Yes, 6/19/99		
Marion	17560010617	Yes, 6/19/99		
Martin	17560010658	Yes, 6/19/99		
Mason	17460017068	Yes, 6/19/99		
Matagorda	17460002391	Yes, 6/19/99		
Maverick	17460007028	Yes, 6/19/99		
Medina	17460011061	6/19/99 - 12/31/02	Yes, 7/1/92 forward	
Menard	17560010666	Yes, 6/19/99		
Midland	17560010690	Yes, 6/19/99	Yes, 7/1/92 - 6/30/93 & 7/1/94 forward	
Milam	17460004819	Yes, 6/19/99		
Mills	17560010724	Yes,6/19/99 - 8/31/02, 01/01/03 forward		
Mitchell	17560010740	Yes, 6/19/99	9/1/13; part of multi-county with Fisher & Nolan	
Montague	17560010781	Yes, 6/19/99		
Montgomery	17460005584		Yes, 7/1/92 forward	

County	Taxpayer Number	Constitutional County Court	Statutory County Court	Statutory Probate Courts
Moore	17560010815	Yes, 6/19/99 - 8/31/00, 10/01/03 forward	Yes, 7/1/92 forward	
Morris	17560010831	Yes, 6/19/99		
Motley	17560010856	Yes, 6/19/99		
Nacogdoches	17560010880		Yes, 7/1/92 forward	
Navarro	17560010922	Yes, 6/19/99	Yes, 12/1/11 forward	
Newton	17460017902	Yes, 6/19/99		
Nolan	17560010948	Yes, 9/01/08	Yes, 11/1/97 through 9/1/13; Effective 9/1/13 part of multi-county with Fisher and Mitchell	
Nueces	17460005857		Yes, 7/1/92 forward	
Ochiltree	17560010963	Yes, 6/19/99		
Oldham	17560011003	Yes, 6/19/99		
Orange	17460018264		Yes, 7/1/92 forward	
Palo Pinto	17560011029	Yes, 6/19/99		
Panola	17560011060		Yes, 7/1/92 forward	
Parker	17560011094	Yes, 6/19/99	Yes, 7/1/92 - 6/30/93 & 7/1/95 forward	
Parmer	17560011128	Yes, 6/19/99		
Pecos	17460008661	Yes, 6/19/99		
Polk	17460016219	Yes, 9/1/99	Yes, 7/1/92 forward	
Potter	17560011151	Yes, 6/19/99	Yes, 7/1/92 - 6/30/93 & 7/1/94 forward	
Presidio	17460016896	Yes, 6/19/99		
Rains	17560011185	Yes, 6/19/99		
Randall	17560011201	Yes, 6/19/99	Yes, 7/1/92 forward	
Reagan	17560011235	Yes, 6/19/99		
Real	17460015948	Yes, 6/19/99		
Red River	17560011243	Yes, 6/19/99		
Reeves	17460018702		Yes, 11/1/03 forward	
Refugio	17460019593	Yes, 6/19/99		
Roberts	17560011284	Yes, 6/19/99		
Robertson	17460008711	Yes, 6/19/99		
Rockwall	17560011292	6/19/99 - 08/31/05, 1/1/07 - 12/31/10	Yes, 11/1/04 forward	
Runnels	17560011318	Yes, 6/19/99		
Rusk	17560011334	Yes, 6/19/99	Yes, 7/1/92 forward	
Sabine	17560011367	Yes, 6/19/99		
San Augustine	17560011409	Yes, 6/19/99		

County	Taxpayer Number	Constitutional County Court	Statutory County Court	Statutory Probate Courts
San Jacinto	17460005253	Yes, 6/19/99		
San Patricio	17460023074	Yes 09/01/99 - 02/28/02, 01/01/03 forward	Yes, 7/1/93 forward	
San Saba	17460022530	Yes, 6/19/99		
Schleicher	17560011466	6/19/99 - 03/31/08, 9/01/09 fwd		
Scurry	17560011441	Yes, 6/19/99		
Shackelford	17560011482	Yes, 6/19/99		
Shelby	17560011508	Yes, 6/19/99		
Sherman	17560011524	Yes, 6/19/99		
Smith	17560011557	Yes, 6/19/99	Yes, 7/1/92 forward	
Somervell	17460457280	Yes, 6/19/99		
Starr	17460019767	Yes, 6/19/99	Yes, 10/1/07 forward	
Stephens	17560011573	Yes, 6/19/99		
Sterling	17560011615	Yes, 6/19/99		
Stonewall	17560011623	Yes, 6/19/99		
Sutton	17560011664	Yes, 6/19/99		
Swisher	17560011680	Yes, 6/19/99		
Tarrant	17560011706		Yes, 10/1/07 forward	Yes10/1/99 forward
Taylor	17560011730	Yes, 9/1/00	Yes, 7/1/00 forward	
Terrell	17460022605	Yes, 9/1/99		
Terry	17560011763	Yes, 6/19/99		
Throckmorton	17560011789	Yes, 6/19/99		
Titus	17560011805	Yes, 6/19/99		
Tom Green	17560011847	Yes, 6/19/99	Yes, 7/1/93 forward	
Travis	17460001922		Yes, 7/1/92 forward; additional court added 9/1/15	Yes10/1/99 forward
Trinity	17460010246	Yes, 6/19/99		
Tyler	17460025764	Yes, 6/19/99		
Upshur	16907400192	Yes, 6/19/99		
Upton	17560011896	Yes, 6/19/99		
Uvalde	17460024221	Yes, 6/19/99		
Val Verde	17460006731	Yes, 6/19/99	Yes, 7/1/92 -/30/93 & 7/1/94 forward	
Van Zandt	17560011904	Yes, 6/19/99	Yes, 1/1/11 forward	
Victoria	17460024452		Yes, 7/1/92 forward	
Walker	17460014321	Yes, 6/19/99	Yes, 7/1/92 forward	
Waller	17460010790		Yes, 7/1/99 forward	
Ward	17560011938	Yes, 6/19/99		

County	Taxpayer Number	Constitutional County Court	Statutory County Court	Statutory Probate Courts
Washington	17460004082		Yes, 7/1/98 forward	
Webb	16907408260		Yes, 7/1/92 - 6/30/93 & 7/1/95 forward	
Wharton	17460025590	Yes, 6/19/99		
Wheeler	17560011946	Yes, 6/19/99		
Wichita	17560011987	Yes, 6/19/99	Yes, 7/1/92 forward	
Wilbarger	17560012001	Yes, 6/19/99		
Willacy	17460019528	Yes, 6/19/99 - 08/31/08, 1/1/2011 fwd		
Williamson	17460009784		Yes, 7/1/92 forward	
Wilson	17460008505	Yes, 6/19/99		
Winkler	17560012027	Yes, 6/19/99		
Wise	17560012035	Yes, 9/1/99 - 8/31/03, 9/1/07 fwd	Yes, 7/1/92 - 6/30/93 & 7/1/94 forward	
Wood	17560012092	Yes, 6/19/99		
Yoakum	17560012126	Yes, 6/19/99		
Young	17560012167	Yes, 6/19/99		
Zapata	17460030780	Yes, 6/19/99		
Zavala	17460006400	Yes, 6/19/99		

Table III
Cities With Population Less Than 5,000 Subject to Excess Highway Fines

FN 1	The population of these cities was less than 5,000 on the 2000 census but rose above 5,000 on the 2010 census.
FN 2	The population of these cities was above 5,000 on the 2000 census but fell below 5,000 on the 2010 census.
FN 3	These cities had populations of less than 5,000 on the 2010 census and were not permitted for 38/64 as of 11-7-11. The auditor should verify the status of these cities prior to fieldwork.

Click on the letter below to quickly locate the city:

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

A

FN	City	Taxpayer No.		FN	City	Taxpayer No.
3	Abbott	17418450114		3	Annetta North	30007973602
	Abernathy	17560007043		3	Annetta South	30008166255
3	Ackerly	30006102500		3	Annona	17560048161
3	Adrian	30003312979			Anson	17560004487
3	Agua Dulce	17460034857		1	Anthony	17460144300
	Alba	17514609571			Anton	17560042131
	Albany	17560004412		3	Appleby	30000258605
	Aledo	17522035660		3	Aquilla	30003620413
3	Alma	30003312995			Archer City	17560004495
	Alto	17560004420			Arcola	17600417608
1	Alton	30004305121			Argyle, Town of	17513890768
	Alvarado	17560004438			Arp	17560004511
	Alvord	17516619107		3	Asherton	17418233403
	Ames	17419772466		3	Aspermont	17560004529
	Amherst	17560004453			Aubrey	17512351374
	Anahuac	17460031796			Aurora	30006102567
3	Anderson	17604615942			Austwell	17460241130
3	Angus	30003313019		3	Avery	17511562575
1	Anna	16907409896			Avinger	17513793038
3	Annetta	30011205561				

B

FN	City	Taxpayer No.		FN	City	Taxpayer No.
3	Bailey	30006102583			Blooming Grove	17514615149
3	Bailey's Prairie	17603229554		3	Blossom	17514238017
	Baird	17560004552			Blue Mound	17560053450

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Balcones Heights	17460240652		3	Blue Ridge	17519696854
	Ballinger	17560004560			Blum	17418906198
3	Balmorhea	17460231339			Bogata	17560040192
	Bandera	17416711699		3	Bonney	11111111111
	Bangs	17560004578			Booker	17560004651
	Bardwell	17560214193			Bovina	17560035812
3	Barry	17517422154			Boyd	17512467634
3	Barstow	30006102625			Brackettville	17460003803
	Bartlett	17310002245			Brazoria	17460003969
	Bartonville, Town of	30004120298		3	Brazos Bend	11111111111
	Bayou Vista	17601446689		3	Brazos Country	32002980302
	Bayside, Town of	17419478213			Bremond	16907409813
3	Bayview	17425231812		3	Briarcliff	11111111111
3	Beach City	30006102658			Briaroaks	17527933984
3	Bear Creek	11111111111		1	Bridgeport	17560004693
3	Beasley	17462052139		3	Broaddus	17515386005
3	Beckville	17513661557			Bronte	17560004701
3	Bedias	32017717144			Brookshire	17460031176
	Bee Cave	17425063652			Brookside Village	30003378780
3	Bellevue	30003620330		3	Browndell	30006102708
	Bells	17560045779			Brownsboro	17515293078
	Bellville	17460003456			Bruceville-Eddy	17418936328
	Benavides	17417988056		3	Bryson	17560004735
3	Benjamin	17560004594			Buckholts	17424059032
	Berryville	30003178545		1	Buda	17417072208
	Bertram	17417625591			Buffalo	17460225851
	Beverly Hills	17414013064		3	Buffalo Gap	17511726253
	Bevil Oaks	17460832318			Buffalo Springs	17522068240
	Big Lake	17560004602			Bullard	17512116983
	Big Sandy	17560004610			Bulverde	17428618759
3	Big Wells	17460003662			Bunker Hill Village	17460269693
	Bishop	17460003688		3	Burke	13006291630
3	Bishop Hills	11111111111		1	Burnet	17460004603
3	Blackwell	17519112472			Burton	17417945239
	Blanco	17460035029		3	Byers	17514332240
3	Blanket	30003378764		3	Bynum	17422331813
	Bloomburg	17521734586				

C

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Cactus	17513685986		3	Coahoma	17560004933
	Caddo Mills	17514791981			Cockrell Hill	17560004941
	Caldwell	17460004702			Coffee City	30005851479
3	Callisburg	30004350945		3	Coldspring	30003378897
	Calvert	17460004751		2	Coleman	17560004958
	Camp Wood	17415462013			Collinsville	17516932096
3	Campbell	17517324624		3	Colmesneil	17416854069
	Canadian	17560004768			Colorado City	30003186050
	Caney City	17513118491			Columbus	17460005436
	Canton	17560029328			Comanche	17560004974
3	Carbon	30006102757			Combes	17417173675
3	Carl's Corner	30008129451			Combine	30006104241
3	Carmine	17417905589			Como	17513117972
3	Cashion Community	17528873437		3	Cool	30006102799
	Castle Hills	17460231446			Coolidge	17460005626
	Castroville	17460004975			Cooper	17560008884
	Celeste	17512240601			Copper Canyon, Town of	17522119621
1	Celina	17560004818		3	Corral City	17525911065
3	Centerville	17460283520			Corrigan	17416113516
	Chandler	17514560121		3	Cottonwood	11111111111
	Channing	17514670276			Cottonwood Shores	17425187568
	Charlotte	17460035185			Cotulla	17460006285
3	Chester	17416498255		3	Cove	17717722320
	Chico	17560041182			Covington	17418723791
	Chillicothe	17560004859			Crandall	17560044889
3	China	17600405116			Crane	17560005013
	China Grove	17419451202		3	Cranfills Gap	17419016468
3	Chireno	30003378871			Crawford	17422153357
3	Christine	17420852414		3	Creedmoor	11111111111
1	Cibolo	17418125765		3	Cresson	13836497886
	Cisco	17560004867			Crosbyton	17560005039
	Clarendon	17560004875			Cross Plains	17560005047
	Clarksville	17560004883		3	Cross Roads	30006102864
	Clarksville City	17513787121			Cross Timber	17523389579
	Claude	17560004891			Crowell	17560005054
	Clear Lake Shores	17414642151			Cumby	17513799217
	Clifton	17460005188			Cuney	17520929948

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Clint, Town of	17418911073		3	Cushing	17560026449
	Clyde	17560004925			Cut and Shoot	30003620421

D

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Daingerfield	16907406579			Devine	17460006798
	Daisetta	17414860431		2	Diboll	17511043444
	Dalworthington Gardens	17560030698		3	Dickens	17560034211
	Danbury	17417808023			Dilley	17460006855
	Darrouzett	17513038293			Dimmitt	17560005161
	Dawson	17517444737			Dish	17528878444
	Dayton Lakes	30010512595			Dodd City	17516942616
3	Dean	30004120165		3	Dodson	30006102922
3	DeCordova	32011637066			Domino	17516102591
	DeKalb	17560005112		3	Dorchester	17517443341
	DeLeon	17560005120			Double Oak, Town of	30006102948
3	Dell City	17416517872		3	Douglassville	30006102955
	Denver City	17560005153			Dripping Springs	17425400369
3	Deport	17511804217			Driscoll	17419670603
3	Detroit	17515265092			Dublin	17560005179
3	Devers	17602413944				

E

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Eagle Lake	17460006962			El Cenizo	17425669714
	Early	17560042727			El Lago	17416126666
	Earth	17560044814			Eldorado	17560005211
	East Bernard	12011461055			Electra	17560005989
	East Mountain	30004120207			Elkhart	17516886631
	East Tawakoni	17512990759			Elmendorf	17417187246
	Eastland	17560005195		3	Emhouse	30006103003
	Easton	17561743893			Emory	17513773253
	Ector	17514477995			Enchanted Oaks	30006103029
	Edcouch	17460007093			Encinal	17420568796
	Eden	17560005203			Escobares	32020078906
	Edgecliff Village	17510879855			Estelline	17519494839
	Edgewood	17512209069		3	Eureka	30009325710
3	Edmonson	30003281570			Eustace	17514128146
3	Edom	17516689431			Evant	17516581349

F

FN	City	Taxpayer No.		FN	City	Taxpayer No.
1	Fair Oaks Ranch	17424901100			Floydada	17560005260
3	Fairchilds	11111111111		3	Follett	17560005278
	Fairfield	17460008307		3	Forsan	30006103037
1	Fairview	17514508211			Franklin	17416834897
2	Falfurrias	17460008398			Frankston	17560005294
	Falls City	17414055149			Freer	17419145275
	Farmersville	17560005245			Friona	17560005302
	Farwell	17560049565			Fritch	17560051843
3	Fayetteville	17420687257			Frost	17560035879
	Ferris	17560005252		3	Fruitvale	30006103045
	Flatonia	17460008422			Fulshear	17421548821
	Florence	17460273463		3	Fulton	11111111111

G

FN	City	Taxpayer No.		FN	City	Taxpayer No.
3	Gallatin	30115395227			Goree	17560005393
	Ganado	17460009537			Gorman	17560005401
	Garden Ridge	30006103078			Graford	17517698936
	Garrett	30006103086			Grand Saline	17560005443
	Garrison	17560005351		3	Grandfalls	17509406348
3	Gary City	30115395235			Grandview	17513032114
	George West	17460116886			Granger	17460010121
3	Gholson	30003161343			Granite Shoals	17416472953
2	Giddings	17460009834		3	Granjeno	17426689679
	Gilmer	17560005369			Grapeland	17560005450
	Glen Rose	17460009891		3	Grays Prairie	17522103294
	Godley	17511874384			Gregory	17460145257
3	Goldsmith	17560046397			Grey Forest	17415940851
	Goldthwaite	17560005385			Groesbeck	17460010154
3	Goliad	17460009933			Groom	17514819923
3	Golinda	30006103110			Groveton	17460010220
3	Goodlow	17517206722			Gruver	17560044376
3	Goodrich	17418820670			Gunter	17560048179
	Gordon	17560044061		3	Gustine	30003379077

H

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Hackberry	17522378987			Hico	17460010832
	Hale Center	17560005492		3	Hideaway	32004031764
	Hallettsville	17460010287		3	Higgins	17560005583
3	Hallsburg	30003379085			Highland Haven	17427677566
	Hallsville	17560051801			Hill Country Village	17419578448
	Hamilton	17460010337		3	Hillcrest Village	17417509423
	Hamlin	17560005500			Hilshire Village	17421629654
	Happy	17560005518			Holiday Lakes	17600384766
3	Hardin	30006103169			Holland	17460011012
	Hart	17560052627			Holliday	17560005591
	Haskell	17560005526			Hollywood Park	17414042410
	Haslet	17514474778			Honey Grove	17560005609
	Hawk Cove	17528340650			Hooks	17560005617
	Hawkins	30007568964			Horseshoe Bay	32025521272
	Hawley	17514731136			Howardwick	17513905491
3	Hays	17422266811			Howe	17510868106
	Hearne	17460010683			Hubbard	17460014164
1	Heath	17513677256			Hudson	17515343055
3	Hebron	17522926496			Hudson Oaks	17519021012
3	Hedley	17510957420			Hughes Springs	17560005625
	Hedwig Village	17417584087			Hunters Creek Village	17460217312
1	Helotes	17422202246			Huntington	17560005633
	Hemphill	17560028403		1	Hutchins	17560050829
1	Hempstead	17460010758		1	Hutto	17414721922
	Henrietta	17560005567		3	Huxley	17513109045
	Hickory Creek	17516682766				

I

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Idalou	17560005641			Iowa Colony	17602118923
3	Impact	30003379143			Iraan	17460110673
	Indian Lake, Town of	17420750360		3	Iredell	17418256982
3	Industry	30116378669			Italy	17560005674
	Ingleside on the Bay	17426312744			Itasca	17460014453
	Ingram	17422940159		3	Ivanhoe	11111111111
3	Iola	13837841892		3	Ivanhoe North	11111111111

J

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Jacksboro	17560005682		3	Jolly	30003386973
	Jamaica Beach	17418618793			Jones Creek	30003379184
	Jarrell	17430148142			Jonestown	17423673023
3	Jayton	17560005708			Josephine	17519578672
	Jefferson	17560005716		1	Joshua	17514011836
	Jewett	17460241163			Jourdanton	17460014677
	Joaquin	17515112567			Junction	17460014719
	Johnson City	17460031465			Justin	17513383376

K

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Karnes City	17460014784		3	Kirvin	30006103292
	Kemah	17416072423		3	Knollwood	30008106004
	Kemp	17560005732			Knox City	17560005773
	Kempner	17428341584			Kosse	17415010556
	Kendleton	17418520064			Kountze	17460031879
	Kenedy	17460014859			Kress	17560043469
	Kenefick	17602423729			Krugerville	17523542151
3	Kennard	17513970800			Krum	17514262207
	Kerens	17560005740		3	Kurten	32041953970
	Kirbyville	17460015328				

L

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	La Coste	17416743445			Lexington	17460035623
	La Grange	17460015435			Liberty Hill	17429176567
	La Grulla	17513891659		3	Lincoln Park	30003379325
	La Joya	30003379267			Lindale	17560005849
1	La Porte	17460015526			Linden	17560005856
	La Vernia	17416145450			Lindsay	17518299692
	La Villa	17418124784			Lipan	17521633432
	La Ward	18005217353		1	Little Elm	17513605562
	Ladonia	17560047486			Little River Academy	30003418016
1	Lago Vista	17423370067			Liverpool	17421314174
	Laguna Vista	30003379259			Llano	17460016243
	Lake Bridgeport	17519284644			Lockney	17560005872
	Lake City	17422964175			Log Cabin	1721786453

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Lake Tanglewood	30006103318			Lometa	17460016367
	Lake Worth	17560038030			Lone Oak	17511544144
	Lakeport	17516790056			Lone Star	17560038303
3	Lakeside (San Patricio County)	11111111111			Loraine	17560005898
	Lakeside, Town of (Tarrant County)	17422543011			Lorena	17420013322
	Lakeside City	17522135825			Lorenzo	17513163554
3	Lakeview	17460019171		1	Los Fresnos	17417768474
	Lakewood Village	17521287981		3	Los Indios	17427581396
3	Latexo	30004120322		3	Los Ybanez	30000000686
	Lavon	17520041041			Lott	17460016433
3	Lawn	17513718159		3	Lovelady	17512317581
3	Leakey	17419328103			Lowry Crossing	17521881429
3	Leary	17524233222		1	Lucas	17517071795
	Lefors	30003379309		3	Lueders	17518757715
3	Leona	30004120124			Lyford	17414897060
	Leonard	17560039806			Lytle	17460185212
3	Leroy	17423538242				

M

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Mabank	17560005922		3	Miami	17514466998
	Madisonville	17460016714		3	Midway	30008134659
	Magnolia	17417014689		3	Milano	17420487617
	Malakoff	17560005930		3	Mildred	30008079805
	Malone	17460016771			Miles	17560006102
1	Manor	17416647455			Milford	17560006110
1	Manvel	17420251880		3	Miller's Cove	30003620439
1	Marble Falls	17460031705		3	Millican	11111111111
	Marfa	17460016847		3	Millsap	30007840199
3	Marietta	11111111111			Mineola	17560006128
	Marion	17460260999		3	Mingus	30003161228
3	Marquez	17421395231		3	Mobeetie	30003259592
	Mart	17460017001		3	Mobile City	30114371997
	Martindale	17422963839			Mont Belvieu	17416835548
	Mason	17460017043			Montgomery	17420635926
	Matador	17560005963			Moody	17460017514
2	Mathis	17460017092		3	Moore Station	30006103482

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Maud	17510924834		3	Moran	17560006151
	Maypearl	17512983689		3	Morgan	17418999458
3	McCamey	17560005971			Morgan's Point	17415479959
	McGregor	17460016664			Morgan's Point Resort	17417522301
	McLean	17560006003			Morton	17560006169
3	McLendon-Chisholm	17519617272			Moulton	17460017563
	Meadow	17511818951		3	Mount Calm	17460133477
	Meadowlakes	17427731678			Mount Enterprise	17515703266
	Meadows Place	17601100757			Mount Vernon	17560006185
	Megargel	17560049953		3	Mountain City	17423307093
	Melissa	17517324533			Muenster	17511606190
3	Melvin	17420888137		1	Muleshoe	17560006193
	Memphis	17560006037		3	Mullin	13646645831
	Menard	17560006045			Munday	17560006201
	Meridian	17460017258		3	Murchison	17521097323
	Merkel	17560006052		1	Murphy	17514101025
3	Mertens	30004120389		3	Mustang	30003360184
	Mertzon	17514264955			Mustang Ridge	17424224180

N

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Naples	17512108147			New Summerfield	17514530900
	Nash	17560053062		3	New Waverly	17418949263
	Nassau Bay	17417174822			Newark	17514062144
	Natalia	17416532558			Newcastle	17560006235
3	Navarro	30114371971			Newton	17460017894
	Nazareth	17514333040		3	Neylandville	17523448482
	Needville	17414974349		3	Niederwald	17425476516
3	Nesbitt	30006103508			Nixon	17460150984
	Nevada	17522236250			Nocona	17560006243
3	New Berlin	17418527614			Nolanville	17415350879
	New Boston	17560006227		3	Nome	30005641250
3	New Chapel Hill	30003400329			Noonday	17520855887
	New Deal	17513318471		3	Nordheim	17416877912
	New Fairview	17521304034			Normangee	17420579181
3	New Home	17511786349		3	North Cleveland	30003360242
	New Hope, Town of	30008063932			Northlake	17524148149
	New London	17512142955		3	Novice	17522349731

O

FN	City	Taxpayer No.		FN	City	Taxpayer No.
3	Oak Grove	30006103581			Olmos Park	17460021920
	Oak Leaf	17520454988			Olney	17560006284
	Oak Point	17519594257			Olton	17560006292
3	Oak Ridge (Kaufman County)	30006103607			Omaha	30003386437
	Oak Ridge North	17420874731			Onalaska	17417182627
	Oak Ridge, Town of	17521863419		3	Opdyke West	30008000025
3	Oak Valley	18006003208			Orange Grove	17415400666
	Oakwood	17520815634		3	Orchard	17418325845
3	O'Brien	17516880741			Ore City	17511787313
	Odem	17460018041			Overton	17560006300
	O'Donnell	17560006276			Ovilla	17513993455
3	Oglesby	17521763577			Oyster Creek	17418219253
	Old River-Winfree	30007972281				

P

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Paducah	17560006318			Piney Point Village	12370151719
3	Paint Rock	17521315550			Pittsburg	17560006383
2	Palacios	17460018421		3	Plains	17560037792
	Palisades, Village of	17526426626		3	Pleak	11111111111
	Palm Valley	30005547333		3	Pleasant Valley	30118083333
	Palmer	17560392841			Plum Grove	17802630380
	Palmhurst	30006103631			Point	17514366941
1	Palmview	17422778419		3	Point Blank	30006103714
	Panhandle	17560006342			Point Comfort	17460123007
	Panorama Village	17417435579			Point Venture, Village of	17429855178
	Pantego	17512910971			Ponder, Town of	17517669655
3	Paradise	17526811777			Port Aransas	17460241106
	Parker	17513829543		1	Port Isabel	17460019213
3	Pattison	17462524079		1	Post	17560006417
	Patton Village	17420066718		3	Post Oak Bend	17524388018
	Payne Springs	17519695021			Poteet	17460019353
3	Pecan Gap	17515212748			Poth	17460019379
	Pecan Hill	17522187958			Pottsboro	17560039038
	Pelican Bay	17517849901		3	Powell	11111111111
3	Penelope	17426196089		3	Poynor	30004120041
	Penitas	17426767830		1	Prairie View	17416256372

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Petersburg	17560006375			Premont	17460019429
3	Petrolia	17512333638			Presidio	17422304612
3	Petronila	30007329201			Primera	17418300285
	Pilot Point	17560028429		1	Princeton	17560039921
	Pine Forest	17417003666		1	Progreso	17426369033
3	Pine Island	30118083317			Progreso Lakes	30004120132
	Pinehurst	17460275633		3	Putnam	16907407924
	Pineland	17560046785		3	Pyote	30006103755

Q

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Quanah	17560006433		3	Quintana	30003645014
	Queen City	17513369458		3	Quitaque	17560042875
	Quinlan	17511899126			Quitman	17560006441

R

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Ralls	17560030201		1	Roanoke	17512297791
	Rancho Viejo	17422278501		3	Roaring Springs	17512544994
	Ranger	17560006458			Robert Lee	17560006508
3	Rangerville	11111111111		3	Roby	17560006516
3	Rankin	17560006466			Rochester	30003386551
	Ransom Canyon	30006103300		3	Rocksprings	16907400663
3	Ravenna	17525114389		3	Rocky Mound	30003620371
3	Red Lick	11111111111			Rogers	17460020088
1	Red Oak	17513064083			Rollingwood	17461228391
3	Redwater	17522496235			Roman Forest	17418386342
	Refugio	17460019577			Ropesville	30003386205
	Reklaw	17515232183			Roscoe	17560006532
	Reno (Lamar Co.)	17514684780			Rose City	17418452086
	Reno (Parker Co.)	17514800493		3	Rose Hill Acres	30006103789
3	Retreat	30006103763			Rosebud	17460020120
	Rhome	17513600225		3	Ross	17462590047
	Rice	17516129677		3	Rosser, Village of	17524828476
3	Richland	17518894385		3	Rotan	17560006540
3	Richland Springs	17460019650		3	Round Mountain	30114371989
	Richwood	17417105495		3	Round Top	30003219463
	Riesel	17418120998			Roxton	17516889833

FN	City	Taxpayer No.		FN	City	Taxpayer No.
3	Rio Bravo	17425456419		1	Royse City	17560006557
	Rio Hondo	17460019809			Rule	17560006565
	Rio Vista	17514518657			Runaway Bay	17516454513
	Rising Star	17560006474		3	Runge	17460020195
3	Riverside	30003168686				

S

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Sabinal	17460020211			Skellytown	17560051306
3	Sadler	30006103805		3	Smiley	17460282522
3	Saint Hedwig	30006200023			Smithville	17460023223
	Saint Jo	17560006581		3	Smyer	30006103896
3	Saint Paul	30006103813		3	Snook	17461790499
	Salado, Village of	17429827243			Somerset	17417264698
	San Augustine	17560006607			Somerville	17460023264
	San Diego	17420164919			Sonora	17560006722
	San Felipe	17422838684			Sour Lake	17460023280
3	San Leanna	30006103821		3	South Mountain	11111111111
3	San Patricio	30006103839			South Padre Island	17417564428
3	San Perlita	30006103847			Southmayd	17517047605
	San Saba	17460022514			Southside Place	17460011665
3	Sanctuary	11111111111			Spearman	17560006730
3	Sanford	17512343868			Splendora	17414643966
1	Sanger	17560006615		3	Spofford	30004574114
	Sansom Park	17560042008			Spring Valley	17460236833
	Santa Anna	17560006623		3	Springlake	17517011395
3	Santa Clara	17429275120			Springtown	17513338396
	Santa Rosa	17417057811			Spur	17560006748
	Savoy	17514749997			Stagecoach	17601350097
	Schulenburg	17460022738			Stamford	17560006755
3	Scotland	17513933089			Stanton	17560006763
3	Scottsville	17519215721		3	Staples	11111111111
3	Scurry	17531333536			Star Harbor	17514271992
	Seadrift	17460035219		3	Sterling City	17560048237
	Seagraves	17560006649			Stinnett	17560006789
1	Selma	17416930646			Stockdale	17460023405
3	Seven Oaks	30003386627			Stratford	17560006797
	Seven Points	17513203814			Strawn	17560006805

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Seymour	17560006664		3	Streetman	17416218141
	Shady Shores, Town of	17503772240			Sudan	17560006813
	Shallowater	17560043592			Sullivan City	17428596757
	Shamrock	17560006672		3	Sun Valley	30003386668
	Shavano Park	17412946927			Sundown	17560006839
	Shenandoah	17420140620		1	Sunnyvale	17511806097
	Shepherd	17416061913			Sunray	17560006847
	Shiner	17460022928			Sunrise Beach Village	17418105114
	Shoreacres	17460035755			Sunset Valley	17462117353
3	Silverton	17560028528			Surfside Beach	17420530432
3	Simonton	17602617957			Sweeny	17460023462

T

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Taft	17460023488			Timber Creek Canyon	30118083341
	Tahoka	17560006862			Timpson	17560006920
3	Talco	17560006870			Tioga	17560006938
	Talty, Town of	17528438165		3	Tira	30006104019
	Tatum	17511028783		3	Toco	30003400410
	Taylor Lake Village	17417289950		3	Todd Mission	30007324392
3	Taylor Landing	32030654738			Tolar	17513848436
	Teague	17460023603			Tom Bean	17510951050
3	Tehuacana	30006103987			Tool	30003186092
	Tenaha	17514083850			Toyah	17460024098
2	Terrell Hills	17460021938			Trent	17521749766
	Texhoma	17518707793			Trenton	17560045043
	Texline	17420614764			Trinidad	17560046009
3	The Hills	17428583409			Trinity	17460024114
3	Thompsons	17600768182		1	Trophy Club	17520474747
	Thorndale	17460023975			Troup	17560006946
	Thornton	17415085525			Troy	17414697700
	Thorntonville	17517906370		2	Tulia	17560006953
	Thrall	17460251329			Turkey	17560006961
	Three Rivers	17460024031		3	Tuscola	17517441295
3	Throckmorton	17560006912			Tye	17511822292
	Tiki Island, Village of	30007612309				

U

FN	City	Taxpayer No.		FN	City	Taxpayer No.
3	Uhland	30008012152		3	Union Grove	30005332033
3	Uncertain	30003811772		3	Union Valley	11111111111

V

FN	City	Taxpayer No.		FN	City	Taxpayer No.
3	Valentine	30006104068			Vega	17560007019
	Valley Mills	17917930751			Venus	17515180390
	Valley View	30004497001			Vinton, Village of	17420519872
	Van	17560006995		3	Volente	18610694442
	Van Alstyne	17560007001			Von Ormy	12638384052
	Van Horn	17460024320				

W

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Waelder	17460025376			Whitesboro	17560007126
	Waller	17460145224			Whitewright	17514957269
	Wallis	17417831660			Whitney	17460025665
	Walnut Springs	17415980840			Wickett	17511525176
3	Warren City	17515953499		1	Willis	17460165941
	Waskom	17560048617			Willow Park	17517904318
3	Webberville	32011458299			Wills Point	17560007159
	Weimar	17460025426			Wilmer	17560044145
	Weinert	17512436068			Wilson	17560032165
3	Weir	17428987584			Wimberley	17429713963
3	Wellington	17560007084		3	Windom	17516910910
3	Wellman	30113659780			Windthorst	17561789508
	Wells	17513376537			Winfield	17515011660
	West	17460025491			Wink	17560007167
	West Columbia	17460025525			Winnsboro	17560007183
	West Lake Hills	17416704520			Winona	17514544836
	West Orange	17460153970			Winters	17560007175
	West Tawakoni	17514272008		3	Wixon Valley	30113797234
3	Westbrook	17515832545			Wolfe City	17560047494
	Westlake (Tarrant Co.)	17524493578			Wolfforth	17560043527
3	Weston	30003386759			Woodbranch Village	30006104167
3	Weston Lakes	18003152818			Woodcreek	30008009950
3	Westover Hills	30006104134		3	Woodloch	17419426352

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Westworth Village	17560042354			Woodsboro	17460025715
	Wheeler	17560007092		3	Woodson	17515750952
	White Deer	17560007100			Woodville	17460025749
3	Whiteface	17560037339			Wortham	17460025814

Y

FN	City	Taxpayer No.		FN	City	Taxpayer No.
3	Yantis	17515344756			Yorktown	17460025863

Z

FN	City	Taxpayer No.		FN	City	Taxpayer No.
	Zavalla	30003386288				

Table IV
Counties With Population of Less Than 5,000 Potentially Subject to Excess Highway Fines

County	Taxpayer No.		County	Taxpayer No.
Armstrong County	17560008181		Kimble County	17460014735
Baylor County	17560008249		King County	17560010419
Borden County	17560008272		Kinney County	17460003811
Briscoe County	17560008314		Knox County	17560010435
Cochran County	17560008652		Lipscomb County	17515054942
Coke County	17560008686		Loving County	17560010559
Collingsworth County	17560008769		Martin County	17560010658
Concho County	17560008843		Mason County	17460017068
Cottle County	17560008934		McMullen County	17460024056
Crane County	17560008942		Menard County	17560010666
Crockett County	17560008959		Mills County	17560010734
Culberson County	17460024338		Motley County	17560010856
Dickens County	17560009247		Oldham County	17560011003
Donley County	17560009270		Reagan County	17560011235
Edwards County	17460020039		Real County	17460015948
Fisher County	17560009445		Roberts County	17560011284
Foard County	17560009528		Schleicher County	17560011466
Glasscock County	17560009643		Shackelford County	17560011482
Hall County	17560009775		Sherman County	17560011524
Hardeman County	17560009825		Sterling County	17560011615
Hemphill County	17560009965		Stonewall County	17560011623
Hudspeth County	17460022969		Sutton County	17560011664
Irion County	17560010245		Terrell County	17460022605
Jeff Davis County	17460029352		Throckmorton County	17560011789
Kenedy County	17460022704		Upton County	17560011896
Kent County	17560010393			

Table V
Offenses, Statutory References, Classifications

NOTE: This is not intended to be an all-inclusive listing of offenses in the statutory codes of Texas, but is provided only as a quick reference for auditors. The statutes in particular should be referenced for details and exact provisions. The minimum classification shown here is the minimum classification only. Many offenses may rise to a higher level of offense under certain circumstances.

For Subtitle C, Rules of the Road offenses in the Transportation Code, if a specific penalty is not provided for the offense, Section 542.402 provides that the offense is a misdemeanor with a minimum penalty of $1 and a maximum penalty of $200. Fine-only offenses for commercial driver's license offenses under Chapter 522 are Class C misdemeanors. The Transportation Code does not define Class C misdemeanors. Hence, courts must use the definition in Section 12.23 of the Penal Code, which provides for a maximum fine of $500 for Class C misdemeanors. Section 12.41 of the Penal Code provides that any fine only offense outside of the Penal Code is a Class C misdemeanor. However, that does not mean that every Class C misdemeanor will have a maximum fine of $500. Each code may set different fines for Class C misdemeanors. It is only if a code does not define Class C misdemeanor does a court use the Penal Code definition of Class C misdemeanor.

Transportation Code, Rules of the Road, only includes offenses in Chapters 541-600. The column on the far right of this table indicates whether this offense is included in Rules of the Road, which is important for application of State Traffic Fine, and the calculation of Excess Highway Fines.

Offense	Statute Code	Minimum Classification	In Rules of the Road?
Allow minor child to ride in bed of pickup	Transp. Code, Sec. 545.414	Class C	X
Allow unauthorized person to drive	Transp. Code, Sec. 521.458	Class C	
Arson	Penal Code, Sec. 28.02	Felony	
Assembling amusement ride while intoxicated	Penal Code, Sec. 47.065	Class B	
Boating while intoxicated	Penal Code, Sec. 49.06	Class B	
Burglary	Penal Code, Chapter 30	Felony	
Child safety seat, failure to use	Transp. Code, Sec. 545.412	Class C	X
Commercial Motor Vehicle Standards	Transp. Code, Chapter 644	Class C	
Criminally negligent homicide	Penal Code, Sec. 19.05	Felony	
Cruelty to animals	Penal Code, Sec. 42.09	Class A	
Disorderly conduct	Penal Code, Sec. 42.01	Class C	
Driving while intoxicated	Penal Code, Sec. 49.04	Class B	
Driving while intoxicated with child passenger	Penal Code, Sec. 49.045	Felony	
Expired driver's license	Transp. Code, Sec. 521.025	Class C	
Expired inspection	Transp. Code, Sec. 548.602	Class C	X
Expired registration	Transp. Code, Sec. 502.407	Class C	
Failure to Appear	Penal Code, Sec. 38.10	Class C	
Failure to change name or address on driver's license	Transp. Code, Sec. 521.054	Class C	
Failure to maintain financial responsibility (no insurance)	Transp. Code, Sec. 601.191	Class C	
Failure to drive in/maintain single lane	Transp. Code, Sec. 545.060	Class C	X
Fictitious driver's license (Represents person as being age 21; other fictitious driver's licenses are Class B—see Section 521.451)	Transp. Code, Sec. 521.453	Class C	
Fishing, license required	Parks & Wildlife, Sec. 46.001	Class C	
Fleeing police officer	Transp. Code, Sec. 545.421	Class B	X
Flying while intoxicated	Penal Code, Sec. 49.05	Class B	
Following too closely	Transp. Code, Sec. 545.062	Class C	X
Forgery	Penal Code, Sec. 32.21	Class A	
Gambling	Penal Code, Section 47.02	Class C	
Graffiti	Penal Code, Sec. 28.08	Class B	
Handicapped parking, illegal parking	Transp. Code, 681.011	Class C	
Headlights, not working	Transp. Code, Sec. 547.302	Class C	X
Hunting, at night	Parks & Wildlife, Sec. 62.004	Class A	
Hunting, bag limits	Parks & Wildlife, Sec. 42.021	Class C	
Hunting, from vehicles	Parks & Wildlife, Sec. 62.003	Class A	
Hunting, license required	Parks & Wildlife, Sec. 42.002	Class C	
Illegal parking	Transp. Code, Sec. 545.302	Class C	X
Illegal parking, handicapped parking	Transp. Code, Sec. 681.011	Class C	
Illegal turn	Transp. Code, Sec. 545.101	Class C	X
Indecent exposure	Penal Code, Sec. 21.08	Class B	

Offense	Statute Code	Minimum Classification	In Rules of the Road?
Intoxication assault	Penal Code, Sec. 49.07	Felony	
Intoxication manslaughter	Penal Code, Sec. 47.08	Felony	
Issuance of bad check	Penal Code, Sec. 32.41	Class C	
Jaywalking	Transp. Code, Sec. 552.005	Class C	X
Kidnapping	Penal Code, Chapter 20	Felony	
Leaving child in vehicle	Penal Code, Sec. 22.10	Class C	
License to be carried and exhibited upon demand	Transp. Code, Sec. 521.025	Class C	
Insignia obscured, wrong, or fictitious (fictitious is a Class B)	Transp. Code, Sec. 502.475	Class C	
Lighting, brake lights	Transp. Code, Sec. 547.323	Class C	X
Lighting, tail lights and license plate lights	Transp. Code, Sec. 547.322	Class C	X
Lighting, turn signals	Transp. Code, Sec. 545.324	Class C	X
Minor in possession of alcohol	Alcoholic Beverage Code, Sec. 106.05	Class C	
Minor in possession of tobacco	Health & Safety Code, Sec. 161.252	Class C	
Murder	Penal Code, Chapter 19	Felony	
No brake lights	Transp. Code, Sec. 547.322	Class C	X
No driver's license	Transp. Code, Sec. 521.025	Class C	
No insurance	Transp. Code, Sec. 601.191	Class C	
No registration insignia	Transp. Code, Sec. 502.473	Class C	
No license plate lighting	Transp. Code, Sec. 547.322	Class C	X
No vehicle registration	Transp. Code, Sec.502.472	Class C	
Operate improperly registered vehicle	Transp. Code, Sec. 502.472	Class C	
Overweight vehicle (non commercial)	Transp. Code, Sec. 502.412	Class C	
Parking violations	Transp. Code, Sec. 545.301, 545.302	Class C	X
Parking violations, handicapped parking	Transp. Code, Sec. 681.011	Class C	
Passing authorized emergency vehicle	Transp. Code, Sec. 545.157	Class C	X
Passing tow truck (effective 9-1-11; HB 378)	Transp. Code, Sec. 545.157	Class C	X
Passing Texas Department of Transportation vehicle (effective 9-1-13; SB 510)	Transp. Code, Sec. 545.157	Class C	X
Passing school bus	Transp. Code, Sec. 545.066	Class C	X
Pedestrian, crossing at point other than crosswalk	Transp. Code, Sec. 552.005	Class C	X
Possession alcoholic beverage in motor vehicle	Penal Code, Sec. 49.031	Class C	
Possession of drug paraphernalia	Health & Safety Code, Sec. 481.125	Class C	
Prohibited equipment on vehicle	Transp. Code, Sec. 547.004	Class C	X
Public intoxication	Penal Code, Sec. 49.02	Class C	
Racing on highway	Transp. Code, Sec. 545.420	Class B	X
Reckless driving	Transp. Code, Sec. 545.401	Class B	X
Riding in open beds of vehicles	Transp. Code, Sec. 545.414	Class C	X
Robbery	Penal Code, Chapter 29	Felony	

Offense	Statute Code	Minimum Classification	In Rules of the Road?
Running stop light	Transp. Code, Sec. 545.151	Class C	X
Running stop sign	Transp. Code, Sec. 545.153	Class C	X
School attendance, failure to attend school	Education Code, Sec. 25.094	Class C	
School attendance required, parent contributing to non-attendance	Education Code, Sec. 25.093	Class C	
Seat belt, failure to use	Transp. Code, Sec. 545.413	Class C	X
Sexual offenses	Penal Code, Chapter 21	Class B	
Special restrictions or endorsements	Transp. Code, Sec. 521.221	Class C	
Speeding	Transp. Code, Sec. 545.351	Class C	X
Theft	Penal Code, Chapter 31	Class C (Pecuniary loss less of property than $50)	
Theft of telecommunications services	Penal Code, Sec. 33A.04	Class B	
Towing, safety chains	Transp. Code, Sec. 545.410	Class C	X
Turn signals, failure to use	Transp. Code, Sec. 545.104	Class C	X
Unrestrained child under 4	Transp. Code, Sec. 545.412	Class C	X
Unsafe vehicle	Transp. Code, Sec. 547.004	Class C	X
Using wireless communication device within active school crossing zone (effective 9-1-09; HB 55)	Transp. Code 545.425	Class C	X
Using radar interference device (effective 9-1-11; HB 1116)	Transp. Code 547.616	Class C	X
Vehicle equipment	Transp. Code, Chapter 547	Class C	X
Vessels, failure to provide life preserving devices	Parks & Wildlife, Sec. 31.066	Class C	
Vessels, reckless or negligent operation	Parks & Wildlife, Sec. 31.094	Class C	
Vessels, excessive speed	Parks & Wildlife, Sec. 31.095	Class C	
Vessels, reckless operation and excessive speed	Parks & Wildlife, Sec. 31.096	Class B	
Violation of Promise to Appear	Transp. Code, Sec. 543.009	Class C	X
Weapons	Penal Code, Chapter 46	Class A	

If a block is grayed out, that means the offense is not in the Transportation Code, Rules of the Road and thus not subject to the State Traffic Fine.

The Municipal Court Education Center published a listing of all Class C misdemeanors in Subtitle C, Rules of the Road, Transportation Code. This listing is dated 11/03 and is very comprehensive for fine-only misdemeanors. It is categorized into offenses for:

- Bicycle offenses
- Drivers- Miscellaneous violations
- Following
- Highway
- Miscellaneous
- Oversize violations
- Overtaking

- Parking
- Pedestrians
- Right of Way
- Signal intention
- Speeding
- Traffic signals- pedestrians
- Traffic signs, signals, and road markings
- Traffic violations-miscellaneous
- Turning movements
- Vehicle- brakes
- Vehicle lights, signal lamps, and reflectors
- Vehicle- miscellaneous
- Vehicle- miscellaneous equipment
- Violations against pedestrians
- Wrong side or Wrong way

Use this link to access the TMCEC table of fine-only Rules of the Road offenses:

http://www.tmcec.com/public/files/File/The%20Recorder/2003/NL11_03.pdf

The following table is a listing of **Class A/B misdemeanors and felonies** also found in the Rules of the Road (and also subject to the State Traffic Fine):

Offense	Transportation Code Section	Classification
Accident involving damage to vehicle - if damage is less than $200 - if damage is $200 or more	550.022	Class C Class B
Accident involving personal injury or death	550.021	Felony
Duty on striking fixture or highway landscaping - if damage is less than $200 - if damage is $200 or more	545.025	Class C Class B
Duty on striking unattended vehicle -if damage is less than $200 - if damage is $200 or more	545.024	Class C Class B
Fleeing or attempting to elude police officer - if another in danger of severe bodily injury	545.421	Class B Class A
Inspection certificate or insurance document, fictitious or counterfeit - displays or causes to be displayed - makes counterfeit document or possesses with intent to sell	548.603	Class B Felony
Passing authorized emergency vehicle, if it results in bodily injury	545.157	Class B
Passing school bus, if person causes serious bodily injury -first offense - subsequent offense	545.066	Class A Felony
Person riding in trailer or semi-trailer drawn by truck, road tractor, or truck tractor	545.4191	Class B
Racing on highway - first conviction - second conviction - third conviction, or if bodily injury or death results	545.420	Class B Class A Felony
Reckless driving	545.401	Class B
Restrictions on airbags	547.614	Class A

Table VI
Legislative References

This is not intended to be an all-inclusive listing of legislation, but is provided as a quick reference tool only. The auditor may find this useful if the court documents refer to a cost/fee by a House or Senate bill number rather than a name reference.

SESSION	BILL #	TOPIC	State/local
72nd Session, 1991			
	HB 70	Traffic Fee	local
	SB 460	Child Safety Fund	local
74th Session, 1995			
	HB 120	Juvenile Justice and Teen Court	local
	HB 840	Excess Highway Fines	state
	HB 1341	Birth Certificate Fees	state
	HB 2265	County transaction fee	local
	HB 2398	Government code filing fees	local
	SB 187	Peace Officer Fees	local
	SB 206	Peace Officer Fees	local
	SB 349	Courthouse Security Fund; Municipal Court Building Security Fee; Certified Copy fee	local
	SB 359	Juror Donation Program	state
	SB 959	Courthouse Security Fund	local
	SB 971	Excess Highway Fines; Motor Carrier Weight Violations;	state
	SB 971	Expired driver's license, expired inspection, expired registration, administrative fee; Impound fees; Traffic fee	local
	SB 1060	Jury Fee; Trial fee repealed	local
75th Session, 1997			
	HB 1018	Child Safety Fund	local
	HB 1553	Child Safety Fund	local
	HB 1886	Juror Donation Program	state
	HB 2272	Consolidated Court Cost	state
	HB 2273	Government code filing fees	local
	HB 2837	Judicial Fund filing fees	state
	SB 174	Insufficient Funds checks	local
	SB 182	Courthouse Security Fund, JP courts	local
	SB 758	Juvenile Delinquency Prevention Fund	local
	SB 898	Compensation to Victims of Crime Auxiliary; Failure to Appear/Pay; Motor Carrier Weight Violations	state
	SB 898	Community Supervision fees	local
	SB 1417	Time Payment Fee	state
	SB 1534	Filing Fee, Legal Services for Indigents	state

SESSION	BILL #	TOPIC	State/local
76th Session, 1999			
	HB 352	Excess Highway Fines	state
	HB 662	County Transaction fee	local
	HB 707	Expired inspection fee	local
	HB 731	Clerk's Record Fee	local
	HB 924	Expired registration fee	local
	HB 1123	Judicial Fund filing fees	state
	HB 1177	Courthouse Security fund	local
	HB 2968	Records Management and Preservation	local
	HB 3211	Judicial Fund filing fees	state
	SB 163	Peace Officer Fees	state
	SB 205	Bail fees	local
	SB 284	Insufficient Funds checks	local
	SB 577	Clerk fee, repealed subsection (e); Witness fees, repealed (a), (b), and (c)	local
	SB 601	Municipal Court Technology fund	local
	SB 898	Excess Motor Carrier Fines; Motor Carrier Weight Violations	state
	SB 1230	Jury fees	local
77th Session, 2001			
	HB 177	Justice Court Technology Fund	local
	HB 374	Child Safety Fund	local
	HB 598	Community Supervision fees	local
	HB 822	Juvenile Justice and Teen Court	local
	HB 1739	Child Safety Seat and Seat Belt Violations	state
	HB 2810	Misdemeanor Fee	local
	HB 2812	Delinquent Traffic Fine fee	local
	SB 7	Consolidated Court Cost	state
	SB 113	Child Safety Seat and Seat Belt Violations	state
	SB 220	Excess Motor Carrier Fines	state
	SB 638	DNA Testing Fee	state
	SB 1367	Child Safety Seat and Seat Belt Violations	state
	SB 1371	Failure to Appear/Pay	state
	SB 1421	Correctional Management Institute; Juvenile Crime & Delinquency Fund	state
	SB 1434	Magistrate's Fee, Brazos County	local
	SB 1475	Marriage License Fees	state

SESSION	BILL #	TOPIC	State/local
78th Session, 2003			
	HB 249	Returned Check fee	local
	HB 418	Child Safety Seat and Seat Belt Violations	state
	HB 1066	Municipal Court Building Security Fee; Municipal Court Technology Fund	local
	HB 1119	Animal Cruelty fees	local
	HB 1828	Juvenile Delinquency Prevention Fund	local
	HB 1905	Government code filing fees	local
	HB 1940	Bail Bond Fees	state
	HB 1945	Judicial Fund filing fees	state
	HB 2292	Family Protection Fee	local
	HB 2319	Juvenile Justice and Teen Court	local
	HB 2424	Consolidated Court Fee; Compensation to Victims of Crime Auxiliary; Failure to Appear/Pay; Sexual Assault Program Fund; Substance Abuse Felony Program; Time Payment Fee	state
	HB 2425	Sexual Assault Program Fund; Substance Abuse Felony Program	state
	HB 3167	Government code filing fees	local
	HB 3507	Delinquent Traffic Fine fee, repealed	local
	HB 3588	State Traffic Fine	state
	SB 782	Collection contracts	local
	SB 1131	EMS Trauma Fund	state
	SB 1464	Toll fees	local
	SB 1477	Nondisclosure Fee	state
	SB 1731	Records Archive Fee	local
	SB 1744	Vital Statistics Records	local
78th 3rd Called Session, 2003			
	HB 2	State Traffic Fine	state
79th Session, 2005			
	HB 183	Child Safety Seat and Seat Belt Violations	state
	HB 703	Driving Records Fee	state
	HB 1418	Justice Court Technology Fund	local
	HB 1575	Juvenile Case Manager Fee	local
	HB 1751	Restitution fee	local
	HB 1934	Courthouse Security fund	local
	HB 2026	Parks & Wildlife fees	local
	HB 2470	State Traffic Fine	state
	SB 6	Family Protection Fee	state
	SB 6	Child Sexual Assault fee	local
	SB 239	Birth Certificate Fees	local
	SB 526	Records Management and Preservation	local
	SB 550	Courthouse Security fund	local
	SB 1006	Pretrial Intervention Program	local
	SB 1426	Expunction fees	local
	SB 1704	Jury Reimbursement Fee	state
79th 2nd Called Session, 2005			
	HB 11	Judicial Support Fee	state

SESSION	BILL #	TOPIC	State/local
80th Session, 2007			
	HB 8	Child Sexual Assault Fee	local
	HB 530	Drug Court Program	state
	HB 764	Family Protection Fee	local
	HB 1204	Juror Donations	state
	HB 1267	Indigent Defense Fee	state
	HB 1623	Transportation Code Administrative Fees	local
	HB 1751	Restitution fee	local
	HB 2151	Juvenile Prevention Fund	local
	HB 2359	Judicial Fund	state
	HB 2385	Pretrial Intervention Fund	local
	HB 2685	Marriage License fees	state
	HB 2949	Teen Court	local
	SB 325	9th Court of Appeals filing fees	local
	SB 600	Judicial Support Fee and Judicial Fund	state
	SB 1083	Driving Records Fee	state
	SB 1119	Photographic Signal Enforcement	state
	SB 1182	Supreme Court and Appellate Courts filing fee	state
	SB 1412	Justice Courts civil suit filing fees	local
81st Session, 2009			
	HB 144	Filing Fee for Civil Cases in Bexar County	local
	HB 666	Drug Court Program	state
	HB 1960	County Employed Peace Officers witness fee	local
	HB 2062	Excess Funds from Forfeited Property	local
	HB 3389	Moving Violation Fees	state
	HB 3637	County and District Court Technology Fee	local
	HB 3637	Civil Filing Fee for Court Record Preservation	local
	HB 3637	Civil Filing Fee	state
	HB 4529	Court Reporter Service Fee	local
	HB 4718	Ector County Courts at Law	state
	SB 61	Child Safety Seat	state
	SB 82	Family Violence Center Fee	local
	SB 333	Breath Alcohol Testing Fee	local
	SB 658	6th Court of Appeals Judicial System Support Fee	local
	SB 659	12th Court of Appeals Judicial System Support Fee	local
	SB 727	DNA Database Fees	state
	SB 1269	7th Court of Appeals Judicial System Support Fee	local
	SB 1685	District Court Records Archive Fund	local

SESSION	BILL #	TOPIC	State/local
82nd Session, 2011			
	HB 27	Time Payment Fees	state
	HB 350	Juvenile Community Service and Tutoring	local
	HB 378	Tow Trucks added to Emergency Vehicles	state
	HB 442	Emergency Radio Infrastructure Account	state
	HB 1116	Radar Interference Devices	state
	HB 1504	The State Electronic Internet Portal	state
	HB 1517	Excess Highway Fines	state
	HB 2357	Transportation Code Renumbering; Registration Sticker Fees	state
	HB 2496	Teen Court	local
	HB 2949	Collection Improvement Program	state
	SB 605	Eighth Court of Appeals District	local
	SB 653	Texas Juvenile Justice Department	state
	SB 694	Metal Recycling Regulations	state
	SB 880	Pretrial Intervention Program; Community Supervision Programs	state
	SB 953	Community Supervision; Administrative Fees	local
	SB 990	High Occupancy Vehicle Lanes	local
	SB 1233	County Court Efficiencies	local
	SB 1386	Administrative Fees	local
	SB 1489	Juvenile Case Manager Fee	local
82nd, 1st Called Session, 2011			
	SB 1	Child Safety Seat Court Cost and Collection Improvement Program	state
83rd Session 2013			
	HB 410	Appellate Judicial System Fees	local
	HB 595	Abolishment of Tertiary Care Fund	state
	HB 1294	Child Safety Seat fine range	state
	HB 1513	Records Archive and Preservation fees	local
	HB 2021	Collection contracts for unpaid civil fees	local
	HB 2302	Electronic Filing System Fund	state/local
	SB 389	Imposition of criminal court costs	state/local
	SB 390	Effective date of new/amended court cost/fee	state/local
	SB 391	Defendant's obligation to pay after expiration of community supervision	state/local
	SB 395	Criminal fines/cost imposed on child	state/local
	SB 462	Specialty court programs	state/local
	SB 510	TX DOT vehicles added to emergency vehicles	state
	SB 686	Name change of Commission on Law Enforcement Officer Standards and Education To Texas Commission on Law Enforcement	state
	SB 1093	Non-substantive additions/corrections to codes	state
	SB 1237	Criminal dispute resolution	local
	SB 1419	Truancy prevention and diversion fund	state

Chapter 11
Appendix

The purpose of this appendix is to provide a historical reference for civil and criminal state and local costs, fees, and fines for the period of 9-1-01 through 12-31-03. The sections related to description of state and local funds are limited to funds not previously listed in Chapters 2 through 5 of the manual.

Table – State Criminal Costs, Fees, and Fines

Description of State Funds

Abbreviations

Rate Charts
- Municipal Courts
- Justice Courts
- County and District Courts

Table – Local Criminal Costs, Fees and Fines

Description of Local Funds

Civil Fees

Report Forms for Cities and Counties

State Criminal Costs, Fees and Fines 09/01/91 – 12/31/03

	COURT	FUND	9-1-91 through 8-29-93	8-30-93 through 8-31-95	9-1-95 through 8-31-97	9-1-97 through 8-31-99	9-1-99 through 8-31-01	9-1-01 through 8-31-03	9-1-03 through 12-31-03
1	C, D	Abused Children's Counseling Fund	X	X	X				
	C, D	Bail Bond Fees							X
1	M,J,C, D	Breath Alcohol Testing	X	X	X				
	M,J,C, D	Child Safety Seat and Seat Belt Violations						X	X
2	M,J,C, D	Compensation to Victims of Crime	X	X	X	X	X	X	X
	C, D	Compensation to Victims of Crime Auxiliary Fund	X	X	X	X	X	X	X
1	M,J,C, D	Comprehensive Rehabilitation Fund	X	X	X				
2	M,J,C, D	Consolidated Court Cost (1997-2003)				X	X	X	X
2	M,J,C, D	Correctional Management Institute						X	X
1	C, D	Crime Stopper's Assistance Fund	X	X	X				
1	M,J,C, D	Criminal Justice Planning Fund	X	X	X				
	C, D	DNA Testing Fee						X	X
	M	Excess Highway Fines	X	X	X	X	X	X	X
	M,J,C, D	Excess Motor Carrier Fines			X	X	X	X	X
	M,J,C, D	Failure to Appear			X	X	X	X	X
2	M,J,C, D	Fugitive Apprehension Fund				X	X	X	X
2	M,J,C, D	Judicial and Court Personnel Training Fund	X	X	X	X	X	X	X
2	M,J,C, D	Juvenile Crime & Delinquency				X	X	X	X
1	M,J,C, D	Law Enforcement Management Institute Fund	X	X	X				

	COURT	FUND	9-1-91 through 8-29-93	8-30-93 through 8-31-95	9-1-95 through 8-31-97	9-1-97 through 8-31-99	9-1-99 through 8-31-01	9-1-01 through 8-31-03	9-1-03 through 12-31-03
1	M,J,C, D	Law Enforcement Officers Administrative Fund			X				
1	M,J,C, D	Law Enforcement Officers Continuing Education Fund	X	X	X				
1	M,J,C, D	Misdemeanor Court Cost – General Revenue	X	X	X				
	M,J,C, D	Motor Carrier Weight Violations			X	X	X	X	X
1	M,J,C, D	Operator's and Chauffeur's License Fund	X	X	X				
	M,J,C, D	Peace Officer Fees	X	X	X	X	X	X	X
	C, D	Sexual Assault Program Fund		X	X	X	X	X	X
	M,J,C, D	State Traffic Fine			X	X	X	X	X
	C, D	Substance Abuse Felony Program					X	X	X
	M,J,C, D	Time Payment Fee				X	X	X	X

- Where a block is grayed out, the fund is not effective for that time period.
- An X means that the fund was effective for the time periods in the column headings, unless otherwise indicated.
- The following abbreviations are used for the court:
  - » M = Municipal
  - » J = Justice
  - » C = County
  - » D = District

1. These funds became part of the 9-1-97 Consolidated Court Cost and are described under that fund.
2. These funds became part of the 1-1-04 Consolidated Court Fee.

Description of State Funds

Compensation to Victims of Crime Fund (CVC)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-87 through 12-31-03**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Local Government Code, Section 133.102** (Previously Vernon's Ann. Code Crim. Proc., art. 56.54-56.57, repealed 1-1-04.)
Report Form	**Form # 40-144 (City) or Form #40-145 (County), lines 1-5 based on date of offense**
Purpose	Compensation to Victims of Crime Fund, administered by the Texas Attorney General for compensation to victims of crime for reimbursement of expenses, counseling, etc.

Note: As of 1-1-04, the Compensation to Victims of Crime Fund is allocated 37.6338% of the Consolidated Court Fee. For offenses on/after 1-1-04, a separate court cost should NOT be charged for Compensation to Victims of Crime.

Rates 9-1-87 through 12-31-03:

Offense	09-01-87 through 08-31-89	09-01-89 through 08-31-91	09-01-91 through 08-29-93	08-30-93 through 12-31-03
Municipal ordinance punishable by fine of $200 or less	$3	$5	$5	$15
Municipal ordinance punishable by fine of more than $200 but less than $501	$15	$15	$15	$35
Municipal ordinance punishable by fine of more than $500	N/A	N/A	$15	$35
Misdemeanor punishable by fine of $200 or less	$5	$5	N/A	N/A
Misdemeanor punishable by fine of more than $200	$15	$15	N/A	N/A
Misdemeanor punishable by fine of $500 or less	N/A	N/A	$5	$15
Misdemeanor punishable by imprisonment or fine of more than $500	N/A	N/A	$15	$35
Felony	$20	$20	$20	$45

Description:

- Applies to offenses committed between September 1, 1979, and December 31, 2003.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Historical background:
This fund was created in 1987, and rates were increased in 1989, 1991, and 1993. Effective 1-1-04, Compensation to Victims of Crime was included in the Consolidated Court Fee (2004) and was no longer a stand-alone fund. It is allocated a specified percentage of the Consolidated Court Fee, as provided in Local Government Code, Chapter 133 (from House Bill 2424, 78th Session (2003), effective 1-1-04).

Consolidated Court Cost (1997-2003) (CCC)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-97 through 12-31-03**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Local Government Code, Chapter 133** (Previously Code of Criminal Procedure, Art. 102.075, repealed 1-1-04.)
Report Form	**Form # 40-144 (City) or Form #40-145 (County), lines 1-5 based on date of offense**
Purpose	0.02% Abused Children's Counseling Account 0.60% Crime Stoppers Assistance Account 1.28% Breath Alcohol Testing Program 5.04% Bill Blackwood Law Enforcement Management Institute 11.63% Law Enforcement Officers Standards and Education 12.37% Comprehensive Rehabilitation 25.9% Operator's and Chauffeur's License Fund 29.18% Criminal Justice Planning Fund 13.98% Fair Defense Account

Note: As of 1-1-04, this was replaced by the Consolidated Court Fee (2004. For offenses on/after 1-1-04, this Consolidated Court Cost should not be separately charged.

Rate 9-1-97 through 12-31-03:

- $80 on conviction of a felony, or an offense punishable by imprisonment or confinement in jail for a term of more than one year;
- $40 on conviction of a Class A or B misdemeanor, an offense punishable by confinement in jail for a term of not more than one year, or a municipal ordinance punishable by a fine of more than $500;
- $17 on conviction of any offense punishable by fine only (other than municipal ordinances punishable by a fine of more than $500).

Description:

- Applies to offenses committed between September 1, 1997, and December 31, 2003.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Note:

The three levels of court costs were allocated to the following eleven funds, whose separate statutes were repealed on 8-31-97:

A. Abused Children's Counseling Account (0.02%) (*originally created by Senate Bill 1175, effective 9-1-89*)

The Abused Children's Counseling Account (Vernon's Ann. Code Crim. Proc., Art. 37.072 and Art. 42.151) was a stand-alone fund from 9-1-89 through 8-31-97 and was reported by County and District Courts only because it applied only to Class A and B Misdemeanors and felonies. It was reported quarterly, and allowed a 10% collection fee upon timely filing (as of 9-1-91).

The fee was not to exceed $500 from a defendant convicted of a misdemeanor under certain sections of the Penal Code (Class A or B Misdemeanors), and a fee not to exceed $1,000 from a defendant convicted of a felony under certain sections of the Penal Code. In determining the amount a defendant must pay, the court must have considered the ability of the defendant to make the payment, and the financial hardship on the defendant to make the payment. The court may have directed the defendant to pay the entire fee when sentence is pronounced, to pay the fee at some later date, or to pay in installments.

Conviction must be under one of the following sections of the Penal Code:

Section 21.08. Indecent exposure. (Class B misdemeanor)

Section 21.11. Indecency with a child. (Felony)

Section 22.011. Sexual assault. (Felony)

Section 22.021. Aggravated sexual assault. (Felony)

Section 25.02. Prohibited sexual conduct. (Felony)

Section 43.24. Sale, distribution or display of harmful material to minor. (Class A misdemeanor or felony)

Section 43.25. Sexual performance by a child. (Felony)

Section 43.251. Employment harmful to children. (Class A misdemeanor)

Section 43.26. Possession or promotion of child pornography. (Felony)

Historical note: The Abused Children's Counseling Account was originally created by Senate Bill 1175, effective 9-1-89, and it did not include provision for a collection fee at that time. House Bill 2578, effective 9-1-91, allowed a 10% collection fee upon timely filing.

B. Breath Alcohol Testing Program (1.28%) (*originally created by House Bill 11, 72nd Legislature, 1st Special Session, effective 9-1-91*)

The Breath Alcohol Testing Program (BAT) (Vernon's Ann. Code Crim. Proc., Art. 102.016) was a stand-alone fund from 9-1-91 through 8-31-97 and was reported by all municipal and county courts. It was reported quarterly; no collection fee was allowed.

The fee was $30.00 per offense under Transportation Code, Chapter 522, Commercial Driver's Licenses, or Penal Code, Chapter 49, Intoxication and Alcoholic Beverage Offenses (except misdemeanors in Sec. 49.02 and 49.03). The $30 court cost was to be collected in each of these violations. The breath alcohol test did not actually have to be administered for the court cost to apply. The amount to be remitted to the state, however, was dependent upon the following:

- The city/county remitted 100% of the court cost to the state when they used the services of a certified technical supervisor employed by the Department of Public Safety to administer the certified alcohol testing program.
- The city/county remitted $7.50 of each $30 court cost and retained $22.50 if they maintained a certified breath alcohol testing program but did **not** use the services of a certified technical supervisor employed by the Department of Public Safety.

C. Comprehensive Rehabilitation Fund (12.37%) (*originally created by Senate Bill 195, 72nd Session, effective 9-1-91*)

The Comprehensive Rehabilitation Fund (CR) (Vernon's Ann. Code Crim. Proc., Art. 102.081-102.085) was a stand-alone fund from 9-1-91 through 8-31-97. It was reported by all municipal and county courts, reported quarterly, and a 10% collection fee was allowed upon timely filing.

The fee applied only to certain offenses:

- $5 per offense under Transportation Code, Sec. 661.001-661.004 (motorcycle protective headgear)
- $5 per offense under Transportation Code, Sec. 545.351, 545.352, 545.364 (speeding)
- $25 per offense under Penal Code, Chapter 49, Intoxication and Alcoholic Beverage Offenses, other than an offense punishable as a Class C misdemeanor.

D. Crime Stopper's Assistance Fund Bond Fee (0.6%) (*originally created by Senate Bill 1451, 71st Regular Legislative Session, effective 9-1-89*)

The Crime Stopper's Assistance Fund Bond Fee (CS) (Vernon's Ann. Code Crim. Proc. art. 102.013) was a stand-alone fund from 9-1-89 through 8-31-97. It was reported by County and District courts only because the $2 fee per conviction only applied to offenses other than those punishable by fine only. The fee was remitted to the Comptroller quarterly, and a 10% collection fee was allowed upon timely filing.

E. Criminal Justice Planning Fund (29.18%)

The Criminal Justice Planning Fund (CJP) (Vernon's Ann. Code Crim. Proc., art. 102.051-102.056) was a stand-alone fund from 8-30-71 through 8-31-97. It was reported by all municipal and county courts quarterly, and a 10% collection fee was allowed upon timely filing. The rate after 9-1-91 was:

- $5 per misdemeanor conviction punishable by a fine of $500 or less;
- $10 per misdemeanor conviction punishable by a fine of more than $500;
- $20 per felony conviction.
- Prior to 9-1-91, the $5 and $10 costs applied to misdemeanors punishable by $200 or less, or more than $200, respectively.

F. Fair Defense Fund (13.98%)

The Fair Defense Fund applied to offenses between 1-1-02 through 12-31-03 only. This was never a stand-alone fund but was allocated 13.98% of the Consolidated Court Cost for these two years only.

The Fair Defense Fund was allocated 13.98% of the Consolidated Court Cost (1997) by Senate Bill 7, 77th Session (2001).

G. General Revenue Fund (13.98%) *(originally created in House Bill 11 , 72nd Session, effective 9-1-91)*

The Misdemeanor Court Cost-General Revenue Fund (MGR) (Vernon's Ann. Code Crim. Proc., Art. 102.015) was a stand-alone fund between 9-1-91 and 8-31-97. The fee of $2.50 per conviction was reported quarterly by all municipal and county courts, and a 10% collection fee was allowed upon timely filing.

When the Consolidated Court Cost was created in 1997, the General Revenue Fund was allocated 13.98% of the total instead of this separate court cost, for offenses between 9-1-97 through 12-31-01 only. This money was re-directed to the Fair Defense Fund on 1-1-02 by Senate Bill 7, 77th Session (2001).

H. Law Enforcement Management Institute Fund (5.04%)

The Bill Blackwood Law Enforcement Management Institute Fund (LEMI) (V.T.C.A. Government Code, Sec. 415.081- 415.086) was a stand-alone fund from 9-1-87 through 8-31-97. The 50 cent fee per conviction was reported quarterly by all municipal and county courts, and a 10% collection fee was allowed upon timely filing.

I. Law Enforcement Officers Administrative Fund

The Law Enforcement Officers Administrative Fund (LEOAF) (V.T.C.A. Government Code, Sec. 415.081- 415.086) was a stand-alone fund between 9-1-1977 and 8-31-97. The $1.00 fee per conviction was reported quarterly by all municipal and county courts, and a 10% collection fee was allowed upon timely filing.

J. Law Enforcement Officers Continuing Education Fund (11.63%)

The Law Enforcement Officers Continuing Education Fund (LEOCE) (V.T.C.A. Government Code, Sec. 415.081-415.086) was a stand-alone fund between 9-1-95 and 8-31-97. The $2 fee per conviction was reported quarterly by all municipal and county courts, and a 10% collection fee was allowed upon timely filing.

K. Operator's and Chauffeur's License Fund (25.9%) (*originally created in House Bill 2, 1987)*

The Operator's and Chauffeur's License Fund (OCL) (V.T.C.A. Transportation Code, Sec. 601.191) was a stand-alone fund between 9-1-87 and 8-31-97. The fee was $75 per conviction for failure to maintain financial responsibility (proof of liability insurance). It was reported quarterly by all municipal and county courts, and a 10% collection fee was allowed upon timely filing. The first offense for no insurance was punishable by a fine of not less than $175 and not more than $350. A subsequent offense was punishable by a fine of not less than $350 and not more than $1,000. Fine and court costs were based on the fine level.

Historical background:

House Bill 2272, 75th Session (1997), effective 9-1-97, repealed the individual statutes as indicated here, and created the Consolidated Court Cost in the Code of Criminal Procedure, Article 102.075.

Senate Bill 7, 77th Session (2001), effective 1-1-02, did not change the percentages shown above, but did re-allocate the 13.98% that had been going to General Revenue to the Fair Defense Fund.

House Bill 2424, 78th Session (2003), repealed Article 102.075, and created the Consolidated Court Fee (2004), effective 1-1-04.

Correctional Management Institute (CMI)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-01 through 12-31-03**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Local Government Code, Chapter 133** (Previously Vernon's Ann. Code Crim. Proc., Art. 102.075(n), repealed 1-1-04.)
Report Form	**Form # 40-144 (City) or Form #40-145 (County), lines 1-5 based on date of offense**
Purpose	Correctional Management Institute of Texas and Criminal Justice Center account, administered by Sam Houston State University in funding the Correctional Management Institute

Note: As of 1-1-04, the Correctional Management Institute is allocated 1.2090% of the Consolidated Court Fee. For offenses on/after 1-1-04, a separate court cost should NOT be charged for Correctional Management Institute.

Rate 9-1-01 through 12-31-03:

$0.50 per conviction

Description:

- Applies to offenses committed between September 1, 2001, and December 31, 2003.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Historical background:

This fund was created by Senate Bill 1421, 77th Session, effective 9-1-01. This bill created a new Correctional Management Institute and Criminal Justice Center Fund.

House Bill 2424, 78th Session (2003), repealed Code of Criminal Procedure, Article 102.075, and included the Correctional Management Institute in the Consolidated Court Fee (2004).

Fugitive Apprehension Fund (FA)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-97 through 12-31-03**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Local Government Code, sec. 133.102** (Previously Code Crim. Proc., art. 102.019, repealed 1-1-04)
Report Form	**Form # 40-144 (City) or Form #40-145 (County), lines 1-5 based on date of offense**
Purpose	Fugitive Apprehension Account, administered by the Department of Public Safety, for use in the apprehension program conducted by the Texas Department of Criminal Justice

Note: As of 1-1-04, the Fugitive Apprehension Fund receives 12.0904% of the Consolidated Court Fee -2004. For offenses on/after 1-1-04, no separate charge should be made for the Fugitive Apprehension Fund.

Rate 9-1-97 through 12-31-03:

- $5 per conviction of a felony, misdemeanor, or municipal ordinance.

Description:

- Applies to offenses committed between September 1, 1997, and December 31, 2003.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Historical background:

This fund was created by House Bill 2272, 75th Session (1997).

The previous statute in the Code of Criminal Procedure, Article 102.075, was repealed and this new Consolidated Court Fee was created in the Local Government Code by House Bill 2424, 78th Regular Session, effective 1-1-04.

Judicial And Court Personnel Training Fund (JCPT)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-85 through 12-31-03**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Local Government Code, sec. 133.102** (Previously V.T.C.A. Government Code, Sec. 56.001-56.003. Subsection 56.001 was repealed effective 1-1-04)
Report Form	**Form # 40-144 (City) or Form #40-145 (County), lines 1-5 based on date of offense**
Purpose	Judicial and Court Personnel Training Fund, administered by the Court of Criminal Appeals, to provide training for court personnel

Note: As of 1-1-04, the Judicial and Court Personnel Training Fund receives 4.8362% of the Consolidated Court Fee-2004. For offenses on/after 1-1-04, no separate charge should be made for the Judicial and Court Personnel Training Fund.

Rates 9-1-85 through 12-31-03:

Offense	9-1-85 through 8-30-99	8-31-99 through 12-31-03
Per conviction	$1.00	$2.00

Description:

- Applies to offenses committed between September 1, 1985, and December 31, 2003.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Historical background:

The previous provision in the Government Code was repealed and this fund became part of the Consolidated Court Fee (2004) in Chapter 133, Local Government Code, by House Bill 2424, 78th Regular Session (2003), effective 1-1-04.

Juvenile Crime & Delinquency Fund (JCD)

Courts	**Municipal, Justice, County & District**
Effective	**9-1-97 through 12-31-03**
Due date	**Quarterly**
Collection Fee	**10% upon timely filing**
Statute	**Local Government Code, Section 133.102** (Previously Code of Criminal Proc., Art. 102.075(m), repealed 1-1-04)
Report Form	**Form # 40-144 (City) or Form #40-145 (County), lines 1-5 based on date of offense**
Purpose	Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University

Note: As of 1-1-04, the Juvenile Crime and Delinquency Fund receives 1.2090% of the Consolidated Court Fee – 2004. For offenses on/after 1-1-04, no separate charge should be made for the Juvenile Crime and Delinquency Fund.

Rate:

Offense	09-01-97 through 8-31-01	09-01-01 through 12-31-03
Per conviction	$0.25	$0.50

Description:

- Applies to offenses committed between September 1, 1997, and December 31, 2003.
- Applies to all felonies, Class A, B, and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Historical background:

This fund was created by House Bill 2272, 75th Session, effective 9-1-97.

The 77th Session, Senate Bill 1421, effective 9-1-01, increased this court cost from 25 cents to 50 cents for offenses on or after 9-1-01.

Art. 102.075(m) was repealed by House Bill 2424, 78th Regular Session, effective 1-1-04 when it became part of the Consolidated Court Fee (2004).

Abbreviations

The following abbreviations are used on the court cost charts.

Abbrev.	Fund
BAT	Breath Alcohol Testing Program
CCC (1997)	Consolidated Court Cost (1997)
CMI	Correctional Management Institute
CR	Comprehensive Rehabilitation
CVC	Compensation to Victims of Crime Fund
CS	Crime Stopper's Assistance Fund
CJP	Criminal Justice Planning Fund
FA	Fugitive Apprehension Fund
GR	Misdemeanor Court Cost – General Revenue
JCD	Juvenile Crime & Delinquency Fund
JCPT	Judicial and Court Personnel Training Fund
LEOA, LEMI, LEOCE	Law Enforcement Funds
OCL	Operator's and Chauffeur's License Fund

Municipal Courts

Charts, Costs and Fees

- September 1, 2003 through December 31, 2003
- September 1, 2001 through August 31, 2003
- August 31, 1999 through August 31, 2001
- September 1, 1997 through August 30, 1999
- September 1, 1995 through August 31, 1997
- August 30, 1993 through August 31, 1995
- September 1, 1991 through August 29, 1993

Municipal Courts
Court Costs and Fees for Offenses Committed
September 1, 2003 Through December 31, 2003

OFFENSE/DESCRIPTION	JCPT	CVC	CCC (1997)	FA	JCD	CMI	STF	TOTAL
Municipal Ordinances								
- punishable by a fine of $200 or less	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
- punishable by a fine of $201 through $500	$2	$35	$17	$5	$0.50	$0.50	--	$60.00
- punishable by a fine of more than $500	$2	$35	$40	$5	$0.50	$0.50	--	$83.00
State Law								
V.T.C.A., Education Code								
- §25.093 - Parent Contributing to Nonattendance	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
- §25.094 - Failure to Attend School	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)								
- parking and pedestrian	--	--	--	--	--	--	$30	$30.00
- §545.066 overtaking and passing a school bus	$2	$35	$17	$5	$0.50	$0.50	$30	$90.00
- other	$2	$15	$17	$5	$0.50	$0.50	$30	$70.00
All Other Misdemeanors								
- punishable by a fine of $500 or less	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
- punishable by a fine of more than $500	$2	$35	$17	$5	$0.50	$0.50	--	$60.00

Note: Any of the above amounts collected for offenses during this time period should be reported on the City Quarterly Report.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
September 1, 2001 Through August 31, 2003

OFFENSE/DESCRIPTION	JCPT	CVC	CCC (1997)	FA	JCD	CMI	TOTAL*
MUNICIPAL ORDINANCES							
Parking authorized by V.T.C.A., Transportation Code §§542.202 - 542.203							
Pedestrian							
Other Municipal Offenses							
- punishable by a fine of $200 or less	$2	$15	$17	$5	$0.50	$0.50	$40.00
- punishable by a fine of $201 through $500	$2	$35	$17	$5	$0.50	$0.50	$60.00
- punishable by a fine of more than $500	$2	$35	$40	$5	$0.50	$0.50	$83.00
STATE LAW							
V.T.C.A., Education Code §25.093, Parent Contributing to Truancy and §25.094 - Failure to Attend School	$2	$15	$17	$5	$0.50	$0.50	$40.00
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)							
- parking and pedestrian							
- §545.066 overtaking and passing a school bus	$2	$35	$17	$5	$0.50	$0.50	$60.00
- other	$2	$15	$17	$5	$0.50	$0.50	$40.00
All Other Misdemeanors							
- punishable by a fine of $500 or less	$2	$15	$17	$5	$0.50	$0.50	$40.00
- punishable by a fine of more than $500	$2	$35	$17	$5	$0.50	$0.50	$60.00

Note: Any of the above amounts collected for offenses during this time period should be reported on the City Quarterly Report.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, and/or $30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations, **effective 9-1-01**: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(a) and (b). Reported on Form #40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102 Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
August 31, 1999* Through August 31, 2001

OFFENSE/DESCRIPTION	JCPT	CVC	CCC (1997)	FA	JCD	TOTAL*
MUNICIPAL ORDINANCES						
Parking authorized by V.T.C.A., Transportation Code §§542.202 - 542.203						
Pedestrian						
Other Municipal Offenses						
- punishable by a fine of $200 or less	$2	$15	$17	$5	$0.25	$39.25
- punishable by a fine of $201 through $500	$2	$35	$17	$5	$0.25	$59.25
- punishable by a fine of more than $500	$2	$35	$40	$5	$0.25	$82.25
STATE LAW						
V.T.C.A., Education Code §25.093, Thwarting Compulsory Attendance and §25.094 - Failure to Attend School	$2	$15	$17	$5	$0.25	$39.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)						
- parking and pedestrian						
- §545.066 overtaking and passing a school bus	$2	$35	$17	$5	$0.25	$59.25
- other	$2	$15	$17	$5	$0.25	$39.25
All Other Misdemeanors						
- punishable by a fine of $500 or less	$2	$15	$17	$5	$0.25	$39.25
- punishable by a fine of more than $500	$2	$35	$17	$5	$0.25	$59.25

The rate change for Judicial and Court and Personnel Training Fund (JCPT) was effective August 31, 1999.
Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on line 12 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
September 1, 1997 Through August 30, 1999

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	TOTAL*
MUNICIPAL ORDINANCES						
Parking authorized by V.T.C.A., Transportation Code §§542.202 - 542.203						
Pedestrian						
Other Municipal Offenses						
- punishable by a fine of $200 or less	$1	$15	$17	$5	$0.25	$38.25
- punishable by a fine of $201 through $500	$1	$35	$17	$5	$0.25	$58.25
- punishable by a fine of more than $500	$1	$35	$40	$5	$0.25	$81.25
STATE LAW						
V.T.C.A., Education Code §25.093, Thwarting Compulsory Attendance and §25.094 - Failure to Attend School	$1	$15	$17	$5	$0.25	$38.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)						
- parking and pedestrian						
- §545.066 overtaking and passing a school bus	$1	$35	$17	$5	$0.25	$58.25
- other	$1	$15	$17	$5	$0.25	$38.25
All Other Misdemeanors						
- punishable by a fine of $500 or less	$1	$15	$17	$5	$0.25	$38.25
- punishable by a fine of more than $500	$1	$35	$17	$5	$0.25	$58.25

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who seeks to pay any part of a fine, court costs, or restitution over a period of time rather than immediately. One-half ($12.50) sent to the state.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
September 1, 1995 Through August 31, 1997

OFFENSE/ DESCRIPTION	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	GR	BAT	TOTAL*
MUNICIPAL ORDINANCES											
Parking authorized by V.T.C.A., Transportation Code §§542.202 - 542.203											
Pedestrian											
Other Municipal Offenses											
- punishable by a fine of $200 or less	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	$27.00
- punishable by a fine of $201 through $500	$1	$1	$2	$0.50	$35	$5	--	--	$2.50	--	$47.00
- punishable by a fine of more than $500	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	--	$52.00
STATE LAW											
V.T.C.A., Education Code §25.093, Thwarting Compulsory Attendance	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	$27.00
V.T.C.A., Transportation Code, Chapter 522, Texas Commercial Driver's License Act	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	$30	$57.00
V.T.C.A., Transportation Code §661.003, Motorcycle Protective Headgear	$1	$1	$2	$0.50	$15	$5	--	$5	$2.50	--	$32.00
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road											
- parking and pedestrian											
- section 545.066 overtaking and passing a school bus	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	--	$52.00
- sections 545.351, 545.352, 545.364, speed restrictions	$1	$1	$2	$0.50	$15	$5	--	$5	$2.50	--	$32.00
- other	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	$27.00

V.T.C.A., Transportation Code §601.192, Failure to Maintain Financial Responsibility											
- first convictions	$1	$1	$2	$0.50	$15	$5	$75	--	$2.50	--	$102.00
- subsequent convictions	$1	$1	$2	$0.50	$35	$10	$75	--	$2.50	--	$127.00
All Other Misdemeanors											
- punishable by a fine of $500 or less	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	$27.00
- punishable by a fine of more than $500	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	--	$52.00

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

Note: Municipal Courts may also be responsible for remitting the following fines:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on line 12 of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
August 30, 1993* Through August 31, 1995

OFFENSE/ DESCRIPTION	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	TOTAL*
MUNICIPAL ORDINANCES										
Parking authorized by 6701d, Section 27										
Pedestrian										
Other Municipal Offenses										
- punishable by a fine of $200 or less	$1	$1	$0.50	$15	$5	--	--	$2.50	--	
- punishable by a fine of $201 through $500	$1	$1	$0.50	$35	$5	--	--	$2.50		
- punishable by a fine of more than $500	$1	$1	$0.50	$35	$10	--	--	$2.50	--	
STATE LAW										
Education Code, Sec. 4.25, Thwarting Compulsory Attendance	$1	$1	$0.50	$15	$5	--	--	$2.50	--	$25.00
VACS Article 6687b-2, Texas Comm. Driver's License Act	$1	$1	$0.50	$15	$5	--	--	$2.50	$30	$55.00
VACS Article 6701c-3, Motorcycle Protective Headgear	$1	$1	$0.50	$15	$5	--	$5	$2.50	--	$30.00
VACS Article 6701d, Uniform Act Regulating Traffic										
- parking and pedestrian										
- sec. 166 speeding (outside a school zone)	$1	$1	$0.50	$15	$5	--	$5	$2.50	--	$30.00
- other	$1	$1	$0.50	$15	$5	--	--	$2.50	--	$25.00
VACS Article 6701h, Failure to Maintain Financial Responsibility	$1	$1	$0.50	$15	$5	$75	--	$2.50	--	$100.00
All Other Misdemeanors										
- punishable by a fine of $500 or less	$1	$1	$0.50	$15	$5	--	--	$2.50	--	$25.00

The rate change for Compensation to Victims of Crime (CVC) was effective on August 30, 1993.
Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 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 war-

rant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.

2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

Note: Municipal Courts may also be responsible for remitting the following:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Municipal Courts
Court Costs and Fees for Offenses Committed
September 1, 1991 Through August 29, 1993

OFFENSE/DESCRIPTION	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	TOTAL*
MUNICIPAL ORDINANCES										
Parking authorized by 6701d, Section 27										
Pedestrian										
Other Municipal Offenses										
- punishable by a fine of $200 or less	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
- punishable by a fine of $201 through $500	$1	$1	$0.50	$15	$5	--	--	$2.50	--	$25.00
- punishable by a fine of more than $500	$1	$1	$0.50	$15	$10	--	--	$2.50	--	$30.00
PARKS AND WILDLIFE CODE										
- misdemeanors punishable by a fine of $500 or less	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
STATE LAW										
Education Code, Sec. 4.25, Thwarting Compulsory Attendance	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
VACS Article 6687b-2, Texas Comm. Driver's License Act	$1	$1	$0.50	$5	$5	--	--	$2.50	$30	$45.00
VACS Article 6701c-3, Motorcycle Protective Headgear	$1	$1	$0.50	$5	$5	--	$5	$2.50	--	$20.00
VACS Article 6701d, Uniform Act Regulating Traffic										
- parking and pedestrian										
- sec. 104, overtaking and passing a school bus	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
- sec. 166, speeding)	$1	$1	$0.50	$5	$5	--	$5	$2.50	--	$20.00
- other in a school zone	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
- other	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
VACS Article 6701h, Failure to Maintain Financial Responsibility	$1	$1	$0.50	$5	$5	$75	--	$2.50	--	$90.00
All Other Misdemeanors										
- punishable by a fine of $500 or less	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
- punishable by a fine of more than $500	$1	$1	$0.50	$15	$10	--	--	$2.50	--	$30.00

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 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. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

Note: Municipal Courts may also be responsible for remitting the following:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form #40-128.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Justice Courts

Charts, Costs and Fees

- September 1, 2003 through December 31, 2003
- September 1, 2001 through August 31, 2003
- August 31, 1999 through August 31, 2001
- September 1, 1997 through August 30, 1999
- September 1, 1995 through August 31, 1997
- August 30, 1993 through August 31, 1995
- September 1, 1991 through August 29, 1993

Justice Courts
Court Costs and Fees for Offenses
Committed On/Between
September 1, 2003 and December 31, 2003

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	CMI	STF	TOTAL
V.T.C.A., Education Code								
- §25.093 - Parent Contributing to Nonattendance - §25.094 - Failure to Attend School	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)								
- parking and pedestrian	--	--	--	--	--	--	$30	$30.00
- §545.066 overtaking and passing a school bus	$2	$35	$17	$5	$0.50	$0.50	$30	$90.00
- other	$2	$15	$17	$5	$0.50	$0.50	$30	$70.00
All Other Misdemeanors								
- punishable by a fine of $500 or less	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
- punishable by a fine of more than $500	$2	$35	$17	$5	$0.50	$0.50	--	$60.00

Note: Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form in one lump-sum amount on line 2, except for State Traffic Fine, reported on line 15.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. (Reported on Line 17of quarterly report form.)
- **PEACE OFFICER FEES:** Reported on Line 16of quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on Line 21of quarterly report form.

Note: Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on Line 20of quarterly report form.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees - Justice Courts later in this chapter.

Justice Courts
Court Costs and Fees for Offenses
Committed On/Between
September 1, 2001 and August 31, 2003

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	CMI	TOTAL*
V.T.C.A., Education Code §25.093, Parent Contributing to Truancy and §25.094 - Failure to Attend School	$2	$15	$17	$5	$0.50	$0.50	$40.00
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)							
- parking and pedestrian							
- §545.066 overtaking and passing a school bus	$2	$35	$17	$5	$0.50	$0.50	$60.00
- other	$2	$15	$17	$5	$0.50	$0.50	$40.00
All Other Misdemeanors							
- punishable by a fine of $500 or less	$2	$15	$17	$5	$0.50	$0.50	$40.00
- punishable by a fine of more than $500	$2	$35	$17	$5	$0.50	$0.50	$60.00

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state.

Note: Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: **Effective 9-1-01**, a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(a) and (b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying counties **effective 9-1-01**, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees - Justice Courts later in this chapter.

Justice Courts
Court Costs and Fees for Offenses Committed On/Between August 31, 1999* and August 31, 2001

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	TOTAL*
STATE LAW						
V.T.C.A., Education Code §25.093, Thwarting Compulsory Attendance and §25.094 - Failure to Attend School	$2	$15	$17	$5	$0.25	$39.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)						
- parking and pedestrian						
- §545.066 overtaking and passing a school bus	$2	$35	$17	$5	$0.25	$59.25
- other	$2	$15	$17	$5	$0.25	$39.25
All Other Misdemeanors						
- punishable by a fine of $500 or less	$2	$15	$17	$5	$0.25	$39.25
- punishable by a fine of more than $500	$2	$35	$17	$5	$0.25	$59.25

The rate increased for Judicial and Court Personnel Training Fund (JCPT) on August 31, 1999.

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state.

Note: Justice Courts may also be responsible for remitting the following fines:

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees - Justice Courts later in this chapter.

Justice Courts
Court Costs and Fees for Offenses
Committed On/Between
September 1, 1997 and August 30, 1999

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	TOTAL*
V.T.C.A., Education Code, §25.093 - Thwarting Compulsory Attendance and §25.094 - Failure to Attend School	$1	$15	$17	$5	$0.25	$38.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)						
- parking and pedestrian						
- §545.066 overtaking and passing a school bus	$1	$35	$17	$5	$0.25	$58.25
- other	$1	$15	$17	$5	$0.25	$38.25
All Other Misdemeanors						
- punishable by a fine of $500 or less	$1	$15	$17	$5	$0.25	$38.25
- punishable by a fine of more than $500	$1	$35	$17	$5	$0.25	$58.25

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.
- **TIME PAYMENT FEE: Effective 9-1-97**, $25.00 from a person who seeks to pay any part of a fine, court costs, or restitution over a period of time rather than immediately. One-half ($12.50) sent to the state.

Note: Justice Courts may also be responsible for remitting the following fines:

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees - Justice Courts later in this chapter.

Justice Courts
Court Costs and Fees for Offenses
Committed On/Between
September 1, 1995 and August 31, 1997

OFFENSE/ DESCRIPTION	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	GR	BAT	TOTAL*
V.T.C.A., Education Code §25.093, Thwarting Compulsory Attendance	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	$27.00
V.T.C.A., Transportation Code, Chapter 522, Texas Commercial Driver's License Act	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	$30	$57.00
V.T.C.A., Transportation Code §661.003, Motorcycle Protective Headgear	$1	$1	$2	$0.50	$15	$5	--	$5	$2.50	--	$32.00
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road											
- Parking and pedestrian	--	--	--	--	--	--	--	--	--	--	
Sec. 545.066, overtaking and passing A school bus	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	--	$52.00
Sec. 545.351, 545.352, 545.364, Speed restrictions	$1	$1	$2	$0.50	$15	$5	--	$5	$2.50	--	$32.00
- other	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	$27.00
V.T.C.A., Transportation Code §601.192, Failure to Maintain Financial Responsibility											
- first convictions	$1	$1	$2	$0.50	$15	$5	$75	--	$2.50	--	$102.00
- subsequent convictions	$1	$1	$2	$0.50	$35	$10	$75	--	$2.50	--	$127.00
All Other Misdemeanors											
Punishable by a fine of $500 or less	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	$27.00
Punishable by a fine of more than $500	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	--	$52.00

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA): Effective 9-1-95**, if the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.

- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

Note: Justice Courts may also be responsible for remitting the following fines:

- Motor Carrier Weight Violations, effective 9-1-95, per Transportation Code, Sec. 621.506.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees - Justice Courts later in this chapter.

Justice Courts
Court Costs and Fees for Offenses Committed On/Between August 30, 1993* and August 31, 1995

OFFENSE/DESCRIPTION	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	TOTAL
Education Code Section 4.25, Thwarting Compulsory Attendance	$1	$1	$0.50	$15	$5	--	--	$2.50	--	$25.00
VACS Article 6687b-2, Texas Commercial Driver's License Act	$1	$1	$0.50	$15	$5	--	--	$2.50	$30	$55.00
VACS Article 6701c-3, Motorcycle Protective Headgear	$1	$1	$0.50	$15	$5	--	$5	$2.50	--	$30.00
VACS Article 6701d, Uniform Act Regulating Traffic										
- sec. 104, overtaking and passing a school bus	$1	$1	$0.50	$35	$10	--	--	$2.50	--	$50.00
- parking and pedestrian										
- sec. 166 speeding	$1	$1	$0.50	$15	$5	--	$5	$2.50	--	$30.00
- other	$1	$1	$0.50	$15	$5	--	--	$2.50	--	$25.00
VACS Article 6701h, Failure to Maintain Financial Responsibility										
- first convictions	$1	$1	$0.50	$15	$5	$75	--	$2.50	--	$100.00
All Other Misdemeanors										
- punishable by a fine of $500 or less	$1	$1	$0.50	$15	$5	--	--	$2.50	--	$25.00
- punishable by a fine of more than $500	$1	$1	$0.50	$35	$10	--	--	$2.50	--	$50.00

The rate increased for Compensation to Victims of Crime (CVC) effective August 31, 1993.

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **PEACE OFFICER FEES**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees at the end of this chapter.

Justice Courts
Court Costs and Fees for Offenses
Committed On/Between
September 1, 1991 and August 29, 1993

OFFENSE/DESCRIPTION	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	TOTAL*
Education Code, Section 4.25, Thwarting Compulsory Attendance	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
VACS Article 6687b-2, Texas Commercial Driver's License Act	$1	$1	$0.50	$5	$5	--	--	$2.50	$30	$45.00
VACS Article 6701c-3, Motorcycle Protective Headgear	$1	$1	$0.50	$5	$5	--	$5	$2.50	--	$20.00
VACS Article 6701d, Uniform Act Regulating Traffic										
- sec. 104, overtaking and passing a school bus	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
- sec. 166, speeding	$1	$1	$0.50	$5	$5	--	$5	$2.50	--	$20.00
- other	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
- parking and pedestrian										
VACS Article 6701h, Failure To Maintain Financial Responsibility										
- first convictions	$1	$1	$0.50	$5	$5	$75	--	$2.50	--	$90.00
- subsequent convictions	$1	$1	$0.50	$15	$10	$75	--	$2.50	--	$105.00
All Other Misdemeanors										
- punishable by a fine of $500 or less	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$15.00
- punishable by a fine of more than $500	$1	$1	$0.50	$15	$10	--	--	$2.50	--	$30.00

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **PEACE OFFICER FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts

Charts, Costs and Fees

- September 1, 2003 through December 31, 2003
- September 1, 2001 through August 31, 2003
- August 31, 1999 through August 31, 2001
- September 1, 1997 through August 30, 1999
- September 1, 1995 through August 31, 1997
- August 30, 1993 through August 31, 1995
- September 1, 1991 through August 29, 1993

County and District Courts
Court Costs and Fees for Offenses
Committed
September 1, 2003 Through December 31, 2003

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	CMI	DNA	STF	TOTAL
Education Code									
Sec. 25.093, Parent contributing to nonattendance	$2	$15	$17	$5	$0.50	$0.50	--	--	$40.00
Sec. 25.094, Failure to attend school	$2	$15	$17	$5	$0.50	$0.50	--	--	$40.00
Transportation Code, Title 7, Subtitle C (Rules of the Road)									
- parking & pedestrian	--	--	--	--	--	--	--	$30	$30.00
- Sec. 545.066, overtaking and passing school bus	$2	$35	$17	$5	$0.50	$0.50	--	$30	$90.00
Other Class C misdemeanors punishable by fine of $500 or less	$2	$15	$17	$5	$0.50	$0.50	--	$30	$70.00
Class A/B misdemeanors	$2	$35	$40	$5	$0.50	$0.50	--	$30	$113.00
Felonies	$2	$45	$80	$5	$0.50	$0.50	--	$30	$163.00
Penal Code, Chapter 49									
Sec. 21.07 – Public lewdness	$2	$35	$40	$5	$0.50	$0.50	$50	--	$133.00
Sec. 21.08 – Indecent Exposure	$2	$35	$40	$5	$0.50	$0.50	$50	--	$133.00
Sec. 20.04(a)(4) – Aggravated kidnapping	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
Sec. 21.11 – Indecency with a child	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
Sec. 22.011- Sexual Assault	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
Sec. 22.021- Aggravated sexual assault	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
Sec. 25.02- Prohibited Sexual Conduct	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
Sec. 30.02(d) – Burglary	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
Sec. 43.05- Compelling prostitution	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
Sec. 43.25- Sexual performance by a child	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
Sec. 43.26- Possession or promotion of child pornography	$2	$45	$80	$5	$0.50	$0.50	$250	--	$383.00
All other Misdemeanors									
- Class C misdemeanors punishable by fine $500 or less	$2	$15	$17	$5	$0.50	$0.50		--	$40.00
- Class C misdemeanors punishable by fine of more than $500	$2	$35	$17	$5	$0.50	$0.50		--	$60.00
- Class A/B misdemeanors	$2	$35	$40	$5	$0.50	$0.50		--	$83.00
Felonies	$2	$45	$80	$5	$0.50	$0.50		--	$133.00

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form except for:
DNA Testing Fee (DNA),
State Traffic Fine (STF)

Add the following mandatory fees, when applicable:

- **BAIL BOND FEE: Effective 9-1-03**, $15.00 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 surety per incident. Not required on the posting of a personal or cash bond.
- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **PEACE OFFICERS FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **JUDICIAL FUND:** $15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court, IF the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) (If the Statutory County Court is NOT participating in the program, the $15 court cost shall be assessed in the Statutory County Court but is retained locally.
- **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 the fee.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state.

Note: County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.
- Substance Abuse Felony Program Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses
Committed
September 1, 2001 Through August 31, 2003

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	CMI	DNA	TOTAL*
V.T.C.A., Education Code, §25.093 - Parent Contributing to Truancy and §25.094 - Failure to Attend School	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)								
- parking and pedestrian								
- §545.066 overtaking and passing a school bus	$2	$35	$17	$5	$0.50	$0.50	--	$60.00
- other class c misdemeanors punishable by a fine of $500 or less	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
- other class a/b misdemeanors	$2	$35	$40	$5	$0.50	$0.50	--	$83.00
Penal Code, Chapter 49								
Sec. 21.07 – Public lewdness	$2	$35	$40	$5	$0.50	$0.50	$50	$133.00
Sec. 21.08 – Indecent Exposure	$2	$35	$40	$5	$0.50	$0.50	$50	$133.00
Sec. 20.04(a)(4) – Aggravated kidnapping	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Sec. 21.11 – Indecency with a child	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Sec. 22.011- Sexual Assault	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Sec. 22.021- Aggravated sexual assault	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Sec. 25.02- Prohibited Sexual Conduct	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Sec. 30.02(d) – Burglary	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Sec. 43.05- Compelling prostitution	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Sec. 43.25- Sexual performance by a child	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Sec. 43.26- Possession or promotion of child pornography	$2	$45	$80	$5	$0.50	$0.50	$250	$383.00
Other Misdemeanors								
- class c misdemeanors punishable by a fine of $500 or less	$2	$15	$17	$5	$0.50	$0.50	--	$40.00
- class c misdemeanors punishable by a fine of more than $500	$2	$35	$17	$5	$0.50	$0.50	--	$60.00
- class a/b misdemeanors	$2	$35	$40	$5	$0.50	$0.50	--	$83.00
Felonies	$2	$45	$80	$5	$0.50	$0.50	--	$133.00

Note: Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR OR PAY (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add $30.00 on each violation when a person fails to appear for a complaint or citation, or, $30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on the quarterly report form.

- **PEACE OFFICERS FEES:** Reported on the quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.
- **JUDICIAL FUND:** $15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court, IF the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on the quarterly report form.
- **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 the fee. Reported on the quarterly report form.
- **TIME PAYMENT FEE:** $25.00 from a person who pays any part of a fine, court costs, or restitution on or after the 31st day after judgment is entered. One-half ($12.50) sent to the state. Reported on the quarterly report form.

Note: County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: Effective 9-1-01, a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form #40-138.
- Excess Motor Carrier Fines, for qualifying counties, **effective 9-1-01**, per Transportation Code, Sec. 644.102. Reported on Form #40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on the quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.
- Substance Abuse Felony Program Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses
Committed
August 31, 1999* Through August 31, 2001

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	TOTAL
V.T.C.A., Education Code, §25.093 - Thwarting Compulsory Attendance and §25.094 - Failure to Attend School	$2	$15	$17	$5	$0.25	$39.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)						
- parking and pedestrian						
- §545.066 overtaking and passing a school bus	$2	$35	$17	$5	$0.25	$59.25
- other class C misdemeanors punishable by a fine of $500 or less	$2	$15	$17	$5	$0.25	$39.25
- other class A/B misdemeanors	$2	$35	$40	$5	$0.25	$82.25
All Other Misdemeanors						
- class C misdemeanors punishable by a fine of $500 or less	$2	$15	$17	$5	$0.25	$39.25
- class C misdemeanors punishable by a fine of more than $500	$2	$35	$17	$5	$0.25	$59.25
- class A/B misdemeanors	$2	$35	$40	$5	$0.25	$82.25
Felonies	$2	$45	$80	$5	$0.25	$132.25

The rate for Judicial and Court Personnel Training Fund (JCPT) was increased effective August 31, 1999.

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR (FTA):** $30.00 on each specific violation when a person fails to appear for a complaint or citation, if the county has contracted with the DPS to deny renewal of driver's licenses. Two-thirds ($20.00) shall be sent to the state and one-third ($10.00) shall be retained locally. (V.T.C.A. Transportation Code, § 706.006). Reported on the quarterly report form.
- **JUVENILE PROBATION DIVERSION FUND:** $20.00 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. (Family Code, Sec. 54.0411). Reported on the quarterly report form.
- **JUDICIAL FUND COURT COST:** $10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.) Reported on the quarterly report form.
- **PEACE OFFICERS FEES:** Reported on the quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($10.00) is sent to the state.

- **TIME PAYMENT FEE (TP):** $25.00 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) sent to the state. Four-tenths ($10.00) retained locally with no restrictions. One-tenth ($2.50) retained locally for judicial efficiency. (Government Code, Sec. 51.921) Reported on the quarterly report form.

Note: County and District Courts may also be responsible for remitting the following:

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on the quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.
- Substance Abuse Felony Program, **effective 9-1-99**, Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses
Committed
September 1, 1997 Through August 30, 1999

OFFENSE/DESCRIPTION	JCPT	CVC	CCC	FA	JCD	TOTAL
V.T.C.A., Education Code, §25.093 - Thwarting Compulsory Attendance and §25.094 - Failure to Attend School	$1	$15	$17	$5	$0.25	$38.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road)						
- parking and pedestrian						
- §545.066 overtaking and passing a school bus	$1	$35	$17	$5	$0.25	$58.25
- other class c misdemeanors punishable by a fine of $500 or less	$1	$15	$17	$5	$0.25	$38.25
- other class a/b misdemeanors	$1	$35	$40	$5	$0.25	$81.25
All Other Misdemeanors						
- class c misdemeanors punishable by a fine of $500 or less	$1	$15	$17	$5	$0.25	$38.25
- class c misdemeanors punishable by a fine of more than $500	$1	$35	$17	$5	$0.25	$58.25
- class a/b misdemeanors	$1	$35	$40	$5	$0.25	$81.25
Felonies	$1	$45	$80	$5	$0.25	$131.25

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **FAILURE TO APPEAR (FTA):** $30.00 on each specific violation when a person fails to appear for a complaint or citation, if the county has contracted with the DPS to deny renewal of driver's licenses. Two-thirds ($20.00) shall be sent to the state and one-third ($10.00) shall be retained locally. (V.T.C.A. Transportation Code, § 706.006). Reported on the quarterly report form.
- **JUVENILE PROBATION DIVERSION FUND:** $20.00 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. (Family Code, Sec. 54.0411). Reported on the quarterly report form.
- **JUDICIAL FUND COURT COST:** $10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.) Reported on the quarterly report form.
- **PEACE OFFICERS FEES:** Reported on the quarterly report form.
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.
- **TIME PAYMENT FEE (TP): Effective 9-1-97**, $25.00 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) sent to the state. Four-tenths ($10.00) retained locally with no restrictions. One-tenth ($2.50) retained locally for judicial efficiency. (Government Code, Sec. 51.921) Reported on the quarterly report form.

Note: County and District Courts may also be responsible for remitting the following:

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on the quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses Committed
September 1, 1995 Through August 31, 1997

OFFENSE/ DESCRIPTION	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	MGR	CS	BAT	TOTAL
V.T.C.A., Education Code §25.093, Thwarting Compulsory Attendance	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	--	$27.00
V.T.C.A., Transportation Code, Chapter 522, Texas Commercial Driver's License Act	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	$30	$57.00
V.T.C.A., Transportation Code §661.003, Motorcycle Protective Headgear	$1	$1	$2	$0.50	$15	$5	--	$5	$2.50	--	--	$32.00
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road												
Parking & pedestrian												n/a
Punishable by fine only	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	--	--	$52.00
Punishment can include suspension of driver's license	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	$2	--	$54.00
Sections 545.351, 545.352, 545.364 speed restrictions	$1	$1	$2	$0.50	$15	$5	--	$5	$2.50	--	--	$32.00
Other Class C misdemeanors	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	--	$27.00
Other Class A/B misdemeanors	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	$2	--	$54.00
V.T.C.A., Transportation Code §601.192, Failure to Maintain Financial Responsibility												
First conviction	$1	$1	$2	$0.50	$15	$5	$75	--	$2.50	--	--	$102.00
Subsequent conviction												
- punishable by fine only	$1	$1	$2	$0.50	$35	$10	$75	--	$2.50	--	--	$127.00
- punishment can include impoundment of vehicle	$1	$1	$2	$0.50	$35	$10	$75	--	$2.50	$2	--	$129.00
V.T.C.A., Penal Code, Chapter 49 - Intoxication and Alcoholic Beverage Offenses												
Class A/B misdemeanors	$1	$1	$2	$0.50	$35	$10	--	$25	$2.50	$2	$30	$109.00
Felonies	$1	$1	$2	$0.50	$45	$20	--	$25	--	$2	$30	$126.50

OFFENSE/ DESCRIPTION	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	MGR	CS	BAT	TOTAL
Other Class C Misdemeanors												
Punishable by fine of $500 or less	$1	$1	$2	$0.50	$15	$5	--	--	$2.50	--	--	$27.00
Punishable by fine of more than $500	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	--	--	$52.00
Other Class A/B Misdemeanors	$1	$1	$2	$0.50	$35	$10	--	--	$2.50	$2	na	$54.00
Other Felonies	$1	$1	$2	$0.50	$45	$20	--	--	$2.50	$2	na	$71.50

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **ABUSED CHILDREN'S COUNSELING ACCOUNT FEE:** A fee applicable to certain sections of the Penal Code. Fee must not exceed $500 for certain misdemeanor convictions, and must not exceed $1,000 for certain felony convictions. Court shall consider ability of the defendant to make the payment and the financial hardship on the defendant in setting the amount of the fee. (Code of Criminal Procedure, Art. 37.072).
- **FAILURE TO APPEAR (FTA): Effective 9-1-95**, $30.00 on each specific violation when a person fails to appear for a complaint or citation, if the county has contracted with the DPS to deny renewal of driver's licenses. Two-thirds ($20.00) shall be sent to the state and one-third ($10.00) shall be retained locally. (V.T.C.A. Transportation Code, § 706.006).
- **JUVENILE PROBATION DIVERSION FUND:** $20.00 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. (Family Code, Sec. 54.0411).
- **JUDICIAL FUND COURT COST:** $10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.)
- **PEACE OFFICERS FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

Note: County and District Courts may also be responsible for remitting the following:

- Motor Carrier Weight Violations, **effective 9-1-95**, per Transportation Code, Sec. 621.506.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses
Committed
August 30, 1993* Through August 31, 1995

OFFENSE/ DESCRIPTION	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	MGR	CS	BAT	TOTAL
Education Code, Section 4.25, Thwarting Compulsory Attendance	$1	$1	$0.50	$15	$5	--	--	$2.50	--	--	$25.00
VACS Article 6687b-2, Texas Commercial Driver's License Act	$1	$1	$0.50	$15	$5	--	--	$2.50	--	$30	$55.00
VACS Article 6701c-3, Motorcycle Protective Headgear	$1	$1	$0.50	$15	$5	--	$5	$2.50	--	--	$30.00
VACS Article 6701d, Uniform Act Regulating Traffic											
Parking and pedestrian											
Sec. 104, overtaking and passing a school bus											
- punishable by fine only	$1	$1	$0.50	$35	$10	--	--	$2.50	--	--	$50.00
- punishment can include suspension of driver's license	$1	$1	$0.50	$35	$10	--	--	$2.50	$2	--	$52.00
Sec. 166, maximum speed of vehicles	$1	$1	$0.50	$15	$5	--	$5	$2.50		--	$30.00
Other Class C misdemeanors	$1	$1	$0.50	$15	$5	--		$2.50	--	--	$25.00
Other Class A/B misdemeanors	$1	$1	$0.50	$35	$10	--	--	$2.50	$2	--	$52.00
VACS Article 6701h, Failure to Maintain Financial Responsibility											
first convictions	$1	$1	$0.50	$15	$5	$75	--	$2.50	--	--	$100.00
Subsequent convictions											
- punishable by fine only	$1	$1	$0.50	$35	$10	$75	--	$2.50	--	--	$125.00
- punishment can include impoundment of vehicle	$1	$1	$0.50	$35	$10	$75	--	$2.50	$2	--	$127.00
VACS Article 6701l-1, Intoxicated Driver, Penalty											
- misdemeanor	$1	$1	$0.50	$35	$10	--	$25	$2.50	$2	$30	$107.00
- felony	$1	$1	$0.50	$45	$20	---	$25	--	$2	$30	$124.50
Parks and Wildlife Code, Section 31.097, Operation of Vessel While Intoxicated	$1	$1	$0.50	$35	$10	---	--	$2.50	$2	$30	$82.00
Penal Code, Section 19.05(a)(2), Involuntary Manslaughter	$1	$1	$0.50	$45	$20	--	--	--	$2	$30	$99.00

OFFENSE/ DESCRIPTION	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	MGR	CS	BAT	TOTAL
Other Class C Misdemeanors											
Punishable by a fine of $500 or less	$1	$1	$0.50	$15	$5	--	--	$2.50	--	--	$25.00
Punishable by a fine of more than $500	$1	$1	$0.50	$35	$10	--	--	$2.50	--	--	$50.00
Other Class A/B Misdemeanors	$1	$1	$0.50	$35	$10	--	--	$2.50	$2	--	$52.00
Other Felonies	$1	$1	$0.50	$45	$20	--	--	--	$2	--	$69.50

The rate for Compensation to Victims of Crime (CVC) was increased on August 30, 1993.

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **ABUSED CHILDREN'S COUNSELING ACCOUNT FEE:** A fee applicable to certain sections of the Penal Code. Fee must not exceed $500 for certain misdemeanor convictions, and mst not exceed $1,000 for certain felony convictions. Court shall consider ability of the defendant to make the payment and the financial hardship on the defendant in setting the amount of the fee. (Code of Criminal Procedure, Art. 37.072).
- **JUVENILE PROBATION DIVERSION FUND:** $20.00 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. (Family Code, Sec. 54.0411).
- **JUDICIAL FUND COURT COST:** $10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.)
- **PEACE OFFICERS FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

Note: County and District Courts may also be responsible for remitting the following:

- Compensation to Victims of Crime Auxiliary Fund
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund **effective 8-30-93**. Reported on Form #40-139.

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

County and District Courts
Court Costs and Fees for Offenses
Committed
September 1, 1991 Through August 29, 1993

OFFENSE/ DESCRIPTION	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	MGR	CS	BAT	TOTAL
Education Code, Section 4.25, Thwarting Compulsory Attendance	$1	$1	$0.50	$5	$5	--	--	$2.50	--	--	$15.00
VACS Article 6687b-2, Texas Commercial Driver's License Act	$1	$1	$0.50	$5	$5	--	--	$2.50	--	$30	$45.00
VACS Article 6701c-3, Motorcycle Protective Headgear	$1	$1	$0.50	$5	$5	--	$5	$2.50	--	--	$20.00
VACS Article 6701d, Uniform Act Regulating Traffic											
parking and pedestrian											
sec. 104, overtaking and passing a school bus	$1	$1	$0.50	$5	$5	--	--	$2.50	--	--	$15.00
sec. 166, speeding	$1	$1	$0.50	$5	$5	--	$5	$2.50	--	--	$20.00
other	$1	$1	$0.50	$5	$5	--	--	$2.50	--	--	$15.00
VACS Article 6701h, Failure To Maintain Financial Responsibility											
first convictions	$1	$1	$0.50	$5	$5	$75	--	$2.50	--	--	$90.00
subsequent convictions	$1	$1	$0.50	$15	$10	$75	--	$2.50	--	--	$105.00
VACS Article 67011-1, Intoxicated Driver	$1	$1	$0.50	$15	$10	--	$25	$2.50	$2	$30	$87.00
All Other Misdemeanors											
punishable by a fine of $500 or less	$1	$1	$0.50	$5	$5	--	--	$2.50	--	--	$15.00
punishable by a fine of more than $500	$1	$1	$0.50	$15	$10	--	--	$2.50	--	--	$30.00
Other Class A/B Misdemeanors	$1	$1	$0.50	$15	$10	--	--	$2.50	$2	--	$32.00
Felonies	$1	$1	$0.50	$20	$20	--	--		$2	--	$44.50

Note: Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **ABUSED CHILDREN'S COUNSELING ACCOUNT FEE:** A fee applicable to certain sections of the Penal Code. Fee must not exceed $500 for certain misdemeanor convictions, and must not exceed $1,000 for certain felony convictions. Court shall consider ability of the defendant to make the payment and the financial hardship on the defendant in setting the amount of the fee. (Code of Criminal Procedure, Art. 37.072)

- **JUVENILE PROBATION DIVERSION FUND:** $20.00 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. (Family Code, Sec. 54.0411).
- **JUDICIAL FUND COURT COST: Effective 7-1-92,** $10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.) **Effective 07-01-92**.
- **PEACE OFFICERS FEES:**
  1. **ARREST FEE:** $5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% ($1.00) is sent to the state.
  2. **WARRANT FEE:** $35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% ($7.00) is sent to the state.

Note: County and District Courts may also be responsible for remitting the following:

- Compensation to Victims of Crime Auxiliary Fund Reported on Form #40-142.
- Excess Funds from Sale of Property Forfeited

IMPORTANT: LOCAL COURT COSTS AND FEES may also apply. See Table of Local Costs and Fees later in this chapter.

Table of Local Costs And Fees Municipal, Justice, County and District Courts

(See descriptions later in this chapter and in chapters 3 and 4.)
Not intended to be an all-inclusive listing of all possible local costs and fees.

Abbreviations of Court:

M – Municipal
J – Justice Court
C – County Court
D – District Court

Abbreviations of Statute:

AB – Alcoholic Beverage Code
CCP – Code of Criminal Procedure
FC – Family Code
GC – Government Code
H&S – Health & Safety Code
HR – Human Resources Code
LGC – Local Government Code
P&W – Parks & Wildlife Code
TC – Transportation Code

Table – Local Costs and Fees

Court	Fee	Statute	9-1-91 through 8-31-93	9-1-93 through 8-31-95	9-1-95 through 8-31-97	9-1-97 through 8-31-99	9-1-99 through 8-31-01	9-1-01 through 8-31-03	9-1-03 through 12-31-03
M, J, C, D	Admin. Fee – Expired Registration	TC 502.407(b)			$10	$10	$10	$10	$10
M, J, C, D	Admin. Fee – Expired Driver's License	TC 521.026			$10	$10	$10	$10	$10
M, J, C, D	Admin. Fee – Expired Inspection	TC 548.605			$10	$10	$10	$10	$10
C, D	Animal Cruelty	H&S 821.023(e)							X
M	Appellate Court Docket Fee (City of El Paso only)	GC 30.00147	$25	$25	$25	$25	$25	$25	$25
C, D	Bail Fees	CCP 17.42, 17.43, 17.441	X	X	X	X	X	X	X
J, C, D	Certified Copy Fee	CCP 102.005(d)			X	X	X	X	X
M, J, C, D	Child Safety Fund	CCP 102.014 (d) only	X 7-1-91	X	X	X	X	X	X
C, D	Clerk Fee	CCP 102.005(a)	$40	$40	$40	$40	$40	$40	$40

Court	Fee	Statute	9-1-91 through 8-31-93	9-1-93 through 8-31-95	9-1-95 through 8-31-97	9-1-97 through 8-31-99	9-1-99 through 8-31-01	9-1-01 through 8-31-03	9-1-03 through 12-31-03
M	Clerk's Record	GC 30.00014					$25	$25	$25
C, D	Community Supervision Fees	CCP 42.12	X	X	X	X	X	X	X
		GC 76.015				$25-$40	$25-$40	$25-$40	$25-$40
J, C, D	County Transaction Fee	CCP 102.072		Up to $2 5-23-95	Up to $2	Up to $2	Up to $2	Up to $2	Up to $2
C, D	Court Reporter Fee (Dallas, McLennan, and Tarrant Counties only)	GC 25.0593, 25.1572, 25.2223	$3	$3	$3	$3	$3	$3	$3
J	Courthouse Security Fund, Justice court only	CCP 102.017(b)				$3	$3	$3	$3
C, D	Courthouse Security Fund, misdemeanor	CCP 102.017(b)		$3 9-1-93	$3	$3	$3	$3	$3
D	Courthouse Security Fund, felony	CCP 102.017(a)		$5 9-1-93	$5	$5	$5	$5	$5
D	Crime Stopper's Fund reimbursement	CCP 37.073	X	X	X	X	X	X	X
J, C, D	Deferred Disposition Fee, misdemeanor	CCP 45.051(b)(7)	X	X	X	X	X	X	X
M, J, C, D	Delinquent Traffic Fine Fee	CCP 103.013						X	
C	Dishonored Check Fee	LGC 118.011(b)	$15-$25	$15-$25	$15-$25	$15-$25	$15-$25	$15-$25	$15-$30
M, J, C, D	Driving Safety Course, administrative fee	CCP 45.0511(f)(1)	$10	$10	$10	$10	$10	$10	$10
M, J, C, D	Driving Safety Court, administrative fee	CCP 45.0511(f)(2)	X	X	X	X	X	X	X
C, D	Evaluation Fee	CCP 102.018(b)		X 9-1-94	X	X	X	X	X
M, J, C, D	Expunction Fee	CCP 102.006	X	X	X	X	X	X	X
J, C, D	Failure to Appear or Pay	TC 502.185				X	X	X	X
M, J, C, D	Impound Fee	TC 601.263			$15 per day	$15 per day	$15 per day	$15 per day	$15 per day
J, C, D	Insufficient funds checks	CCP 102.007	X	X	X	X	X	X	X
C	Judicial Fund	GC 51.702 (l) and (m)							$15

Court	Fee	Statute	9-1-91 through 8-31-93	9-1-93 through 8-31-95	9-1-95 through 8-31-97	9-1-97 through 8-31-99	9-1-99 through 8-31-01	9-1-01 through 8-31-03	9-1-03 through 12-31-03
M, J	Jury Fee	CCP 102.004	$3	$3	$3	$3	$3	$3	$3
C, D	Jury Fee	CCP 102.004	$20	$20	$20	$20	$20	$20	$20
J	Justice Court Technology Fund	CCP 102.0173						$4	$4
C, D	Juvenile Delinquency Prevention Fund (Graffiti Eradication Fund),	CCP 102.0171				$5	$5	$5	$5
C, D	Juvenile Justice and Teen Court	FC 53.03, 54.032, 54.061	X	X	X	X	X	X	X
C	Juvenile Placement Fund (Comal County only)	HR 152.0522	$4	$4	$4	$4	$4	$4	$4
C, D	Juvenile Probation Fee	FC 54.061	$15 per month	$15 per month	$15 per month	$15 per month	$15 per month	$15 per month	$15 per month
C, D	Magistrate's Fee (Brazos County only)	GC 54.1116					X 6-14-01	X	X
J	Misdemeanor Fee	CCP 102.009	Up to $7	Up to $7	Up to $7	Up to $7	Up to $7	Up to $7	Up to $7
M	Municipal Court Building Security Fee	CCP 102.017(b)		$3 8-28-95	$3	$3	$3	$3	$3
M	Municipal Court Technology Fund	CCP 102.0172					Up to $4	Up to $4	Up to $4
M, J, C, D	Peace Officer fees (1965)	CCP 102.001, 102.011	X	X	X	X	X	X	X
C, D	Pre-trial Diversion Fee (El Paso County only)	GC 54.745	$100	$100	$100	$100	$100	$100	$100
C, D	Pretrial Intervention Program under Gov. Code Sec. 76.011 (6-18-90)	CCP 102.012	X	X	X	X	X	X	X
J, C, D	Prosecutor's Fee (misdemeanor or gambling)	CCP 102.008	$25	$25	$25	$25	$25	$25	$25
C	Records Archive Fee	LGC 118.011, 118.025	Not more than $5	Not more than $5	Not more than $5	Not more than $5	Not more than $5	Not more than $5	Not more than $5
C, D	Records Management and Preservation	CCP 102.005(f)	$10	$10	$10	$10	$20	$20	$20

Court	Fee	Statute	9-1-91 through 8-31-93	9-1-93 through 8-31-95	9-1-95 through 8-31-97	9-1-97 through 8-31-99	9-1-99 through 8-31-01	9-1-01 through 8-31-03	9-1-03 through 12-31-03
M, J, C, D	Special Expense Fee	CCP 45.051(c)	X	X	X	X	X	X	X
M, J	Teen Court	CCP 45.052	$10	$10	$20	$20	$20	$20	$20
M, J, C, D	Traffic Fee	TC 542.403	$3	$3	$3	$3	$3	$3	$3
C	Trial Fee	CCP 102.003	$10	$10					
C, D	Visual Recording Fee	CCP 102.018		$15 9-1-94	$15	$15	$15	$15	$15
M, J, C, D	Witness Fees	CCP 102.002	X	X	X	X	X	X	X

Where a block is grayed out, it means the fund was not effective for the time period indicated in the column heading. An X means that the fund was effective for that time period but the amount varies. A dollar amount means that the amount is specific.

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.

Description of Local Funds

(See chapters 3 and 4 for description of other local funds)

DELINQUENT TRAFFIC FINE FEE: Code of Criminal Procedure, Art. 103.013, effective 9-1-01, **repealed 9-1-03**

- Court may collect a fee related to the collection of a delinquent fine for a motor vehicle misdemeanor
- Fee is equal to the lesser of 20% of the amount of the fine, or $50.
- Fee does not apply to a delinquent fine for parking or stopping a motor vehicle in a municipality that employs the practice of immobilization of motor vehicles with a mechanical device.
- "Delinquent fine" means a fine that has been imposed by a judgment of a court and that has not been paid before the 31st day after the date the court ordered the fine was due and payable to the county.
- Fee only applied to offenses on/after 9-1-01 and before 9-1-03.

Historical background: This section was added by House Bill 2812, 77th Legislature (2001), effective 9-1-01. It was repealed by House Bill 3507, 78th Legislature (2003), effective 9-1-03.

TRIAL FEE: Code of Criminal Procedure, Art. 102.003, repealed 9-1-95.

- Applies to county court only
- Fee of $10 for requesting a trial
- Fee was repealed 9-1-95

Historical note: This fee repealed by Senate Bill 1060, 74th Session (1995).

Civil Fees

BIRTH CERTIFICATE FEE

Reporting prior to 1-1-04:
Prior to January 1, 2004, Birth Certificate Fees were reported on a separate report form, #40-131.

FILING FEE FOR LEGAL SERVICES FOR INDIGENTS

Reporting prior to 1-1-04:
This fund was created in Government Code, Section 51.941, on September 1, 1997. The rates were the same as those in effect currently, but were due to be remitted to the comptroller on the 10th day of each month following a calendar quarter. The fees were remitted to the Comptroller on a separate report form, #40-136.

JUDICIAL FUND FILING FEES

Reporting prior to and after 1-1-04:
Prior to January 1, 2004, the District Clerk Filing Fees were reported on a separate form, #40-116, and the Judicial Fund on form #40-129.

Prior to January 1, 2004: These fees were remitted monthly to the Comptroller**.**

- **District Court:**
  The $40 filing fee was known as the District Clerk Filing Fee, reported monthly beginning 9-22-86. The $40 was part of the $85 fee for each suit filed in District Court. **If the case was assigned or transferred to the statutory county court,** the $40 fee was allocated as follows:

	9-22-86 through 8-29-93	8-30-93 through 8-27-95	8-28-95 through 8-31-97	9-1-97 through 12-31-03
Cases assigned/transferred to statutory county court	$ -0-	$20	$30	$40
District Court	$40	$20	$10	$0

  If the case remained in District Court, this allocation was not made.

- **Constitutional County Court:** $40 filing fee on each civil case, beginning with the date the constitutional county court qualified on/after 6-19-99 (see Table II in Chapter 10).

- **Statutory County Court:** Begins with the date the statutory county court qualified on/after 7-1-92 (see Table II in Chapter 10).
  - » -7-1-92 through 8-27-95: $20 filing fee per civil case
  - » -8-28-95 through 8-31-97: $30 filing fee per civil case
  - » -9-1-97 forward: $40 filing fee per civil case

- **Statutory Probate Court:** $40 filing fee in each probate, guardianship, mental health, or other civil case filed in statutory probate court, if resolution was adopted by county. Begins with the date the statutory probate court qualified on/after 10-1-99 (see Table II in Chapter 10).

JUROR DONATION PROGRAM

Reporting prior to 1-1-04:

Prior to 1-1-04, the juror donations were included on the court cost report form, #40-127.

MARRIAGE LICENSE FEES

Rate: The full fee is shown in the table below, along with the amount to be remitted to the Comptroller.

Item	09-01-85 through 08-31-99	09-01-99 through 8-31-08
Marriage license fee	$25 (remit ½)	$30 (remit $15.50)
Declaration of informal marriage	$25 (remit ½)	$25 (remit ½)

Reporting prior to 1-1-04:

These fees were reported to the comptroller monthly on a separate report form, #40-117.

Report Forms for Cities and Counties

Cities

For all collections through December 31, 2003, the following forms were used:

- #40-126, State Court Cost and Arrest Fees, City quarterly Report
- #40-128, Excess Highway Fines, if applicable
- #40-130, Excess Motor Carrier Fines, if applicable
- #40-131, Birth Certificate Fees, for local registrars
- #40-132, Motor Carrier Weight Violations
- #40-135, Time Payment Fees
- #40-138, Child Safety Seat and Seat Belt Violations

Birth Certificate fees are now reported on the Civil Fees Report Form, LR-141.

Motor Carrier Weight Violations and Time Payment Fees are now reported on the City Quarterly Report, Form #40-144.

If a city needs to amend data for reports prior to December 31, 2003, they should file an amended return for the period(s), with "Amended" printed clearly at the top.

Counties

For all collections through December 31, 2003, the following forms were used:

- #40-127, State Court Cost and Arrest Fees, County Quarterly Report
- #40-116, District Clerk Filing Fees
- #40-117, Marriage License Fees
- #40-124, Compensation to Victims of Crime Auxiliary/ Sexual Assault Program
- #40-129, Judicial Fund
- #40-130, Excess Motor Carrier Fines, if applicable
- #40-131, Birth Certificate Fees
- #40-132, Motor Carrier Weight Violations
- #40-135, Time Payment Fees
- #40-136, Filing Fee for Legal Services for Indigents
- #40-137, Substance Abuse Program
- #40-138, Child Safety Seat and Seat Belt Violations

Marriage License fees and Birth Certificate fees are now reported on the Civil Fees Report Form, # 40-126.

Motor Carrier Weight Violations and Time Payment Fees are now reported on the City Quarterly Report, Form #40-144.

If the county has something to report for Excess Funds from the Sale of Property Forfeited under the Controlled Substances Act, they should contact Revenue Accounting, Miscellaneous Tax Section, to get instructions for reporting. This fund does not have a printed form and is handled manually by Revenue Accounting.

If a county needs to amend data for reports prior to December 31, 2003, they should file an amended return for the period(s), with "Amended" printed clearly at the top.