

Justice Court - Court Costs, Fines, & Reimbursement Fees on Conviction Chart

(ORIGINAL JURISDICTION) – 01/01/2020¹ (red denotes an addition or change)

for offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

COURT COSTS

For purposes of assessment of court costs, "conviction" includes deferred adjudication and deferred disposition – Local Gov't Code §§ 133.101 and 134.002(b).

1	<b style="color: red;">State Consolidated Court Cost – Local Gov't Code § 133.102(a)(3) – (Mandatory) - Assessed on conviction of a nonjailable misdemeanor offense, but not if the offense related to a pedestrian or the parking of a motor vehicle	\$62
2	<b style="color: red;">Local Consolidated Court Cost – Local Gov't Code § 134.103(a) – (Mandatory) <b style="color: red;">(NEW) - Assessed on conviction of a nonjailable misdemeanor offenses, including an offense related to a pedestrian, or the parking of a motor vehicle	\$14

MANDATORY FINES

The following mandatory fines are in addition to other fines and costs authorized or required by law, the consolidated court costs, and any applicable reimbursement fees.

3	Compliance Dismissals Fines - Transp. Code § 502.473(d) – Failure to Display of Registration Dismissal - Transp. Code § 502.475(c) – Wrong, Altered, or Obscured Registration Dismissal - Transp. Code § 504.943(d) – Failure to Display Two License Plates Dismissal - Transp. Code § 504.945(d) – Wrong, Altered or Obscured License Plate Dismissal - Transp. Code § 521.221(d) – Violation of Driver's License Restriction Dismissal - Transp. Code § 547.004(c) – Operating Unsafe Vehicle Dismissal - Parks & Wildlife Code § 31.127(f) – Operating a Vessel w/ an Expired Certificate of Number	Not to exceed \$10
4	Compliance Dismissals Fines - Transp. Code § 502.407(b) – Expired Registration Dismissal (optional) - Transp. Code § 521.054(d) – Failure to Change Address or Name Dismissal - Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal - Transp. Code § 681.013(b) – Displaying Expired Disabled Placard Dismissal	Not to exceed \$20
5	Local Traffic Fine – Transp. Code § 542.403 - Apply to Rules of the Road convictions under Subtitle C, Title 7, Transp. Code (i.e., Chapters 541-600) - "Conviction" includes deferred adjudication and deferred disposition	\$3
6	<b style="color: red;">State Traffic Fine – Transp. Code, § 542.4031 - <b style="color: red;">Increased fine is effective only for offenses committed on or after 09/01/19 - Apply to Rules of the Road offenses under Subtitle C, Title 7, Transp. Code (i.e., Chapters 541-600)	\$50 (up from \$30)

¹ The increase of the state traffic fine takes effect September 1, 2019, the effective date of HB 2048, 86th Legislature.

² The state traffic fine applies on conviction of, or on a plea of guilty or nolo contendere to, an offense committed on or after September 1, 2019.

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OPTIONAL FINES

The following optional fines are in addition to other fines and costs authorized or required by law, the consolidated court costs, and any applicable reimbursement fees.

7	Compliance Dismissal Fine - Transp. Code § 521.026(b) - Expired Driver's License Dismissal	Not to exceed \$20
8	Criminal Enforcement of a Toll – Trans. Code § 284.2031(a) - Assessed on convictions under Trans. Code § 284.070, 284.0701, or 284.203 if the action was brought by the county or district attorney - “Conviction” includes deferred adjudication and deferred disposition	\$1
9	Collection of a Toll (County w/ population of 3.3 million or more) – Trans. Code § 284.2032(a) - Assessed on nonpayment of a required toll or charge imposed under § 284.069	\$1 For each event of nonpayment of a required toll or charge imposed
10	Deferred Disposition Fine – Code Crim. Proc. art. 45.051(a) - Requires a plea of guilty or nolo contendere or a finding of guilt to an offense punishable by fine only - The court must defer further proceedings and place the defendant on probation for a period not to exceed a 180 days - Assessed on issuance of the order of deferral	Any amount that does not exceed the maximum fine for the offense
11	Driving Safety Course (Permissive DSC) – Code Crim. Proc. art. 45.0511(f)(2) - Assessed on request to take driving safety course if the court grants the request - Do not assess both this fine and the reimbursement fee under Article 45.0511(f)(1) – assess one or the other	An amount not to exceed the maximum amount of the fine for the offense committed.

MANDATORY REIMBURSEMENT FEES

The following reimbursement fees are used to reimburse services provided within the case and are in addition to other fines and costs authorized or required by law, the consolidated court costs, and any applicable fine

12	Administrative Fee (Failure to Appear) a/k/a Omni Fee – Transp. Code § 706.006(a) - Fee not permitted if judge finds that the defendant is indigent - Assessed if a person fails to appear in his or her criminal case if the court has jurisdiction of the case - The <u>County must have a contract with DPS</u> to provide DPS with information necessary to deny the renewal of a person's driver's license under certain circumstances - Assessed when: (1) the court enters judgment on the underlying offense reported; (2) the underlying offense is dismissed, other than a dismissal w/ prejudice for lack of evidence; or (3) a bond or other security is posted to reinstate the case - <u>Do not assess the fee if:</u> (1) the defendant was acquitted of the underlying offense; (2) the underlying offense was dismissed with prejudice on the state's motion; (3) if the County provided information to DPS in error; or (4) the underlying case is closed and the failure to appear report has been destroyed in accordance with the County's records retention policy	\$10 (down from \$30) For each complaint or citation reported to DPS <i>NOTE: The state's portion of the fee was repealed</i>
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MANDATORY REIMBURSEMENT FEES (continued)

13	<p>Administrative Fee (Failure to Pay Fine and Cost) a/k/a Omni Fee – Transp. Code § 706.006(b)</p> <ul style="list-style-type: none"> - Fee not permitted if judge finds that the defendant is indigent - Assess the fee if a person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the court - The County must have a contract with DPS to provide DPS with information necessary to deny the renewal of a person's driver's license under certain circumstances - DPS can deny renewal until the administrative fee is paid - (NEW) The state's portion of the fee was repealed 	<p>\$10 (down from \$30) For each complaint or citation reported to DPS</p>
14	<p>Cost for Impoundment – Transp. Code § 601.263</p> <ul style="list-style-type: none"> - Assessed upon impoundment and each day the vehicle remains impounded 	<p>\$15 for each day of impoundment</p>
15	<p>Deferred Disposition Fee: Alcohol Awareness Program Fee – Code Crim. Proc. art. 45.051(g)</p> <ul style="list-style-type: none"> - Assessed if the court orders the defendant to participate in an alcohol or drug abuse treatment program as a condition of a deferral - Do not assess this fee if the court finds that the defendant is indigent and unable to pay it 	<p>Actual cost of attending the program</p>
16	<p>Deferred Disposition Fee: Reimbursement for Examination – Code Crim. Proc. art. 45.051(b-2)</p> <ul style="list-style-type: none"> - A DPS examination must be required and performed under art. 45.051(b-1)(3) 	<p>\$10 for the examination</p>
17	<p>Expunction Filing Fee (<i>Alcohol- Minor</i>) – Alco. Bev. Code § 106.12(e)</p> <ul style="list-style-type: none"> - Assessed on filing of written application or petition 	<p>\$30 per application or petition for expungement</p>
18	<p>Expunction Filing Fee (Certain Convictions- Minor) – Code Crim. Proc. art. 45.0216(i)</p> <ul style="list-style-type: none"> - Assessed on filing of written request for an expunction 	<p>\$30 per application or petition for expungement</p>
19	<p>Expunction Filing Fee (<i>Tobacco- Minor</i>) – Health & Safety Code § 161.255(b)</p> <ul style="list-style-type: none"> - Apply to offenses under Section 161.252 (Possession, Purchase, Consumption, Or Receipt Of Cigarettes, E-Cigarettes, Or Tobacco Products By Minors Prohibited) - Assessed on filing of written application or petition 	<p>\$30 per application or petition for expungement</p>
20	<p>Peace Officers³: Attaching a Witness on Order of Court Outside County – Code Crim. Proc. art. 102.011(c)</p> <ul style="list-style-type: none"> - The officer must submit a sworn statement detailing the expenses, and the judge issuing the attachment must approve the expenses - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	<p>\$10/per day or part of a day plus actual necessary expenses for travel by the most practical public conveyance</p>
21	<p>Peace Officers: Commitment to or Release from Jail – Code Crim. Proc. art. 102.011(a)(6)</p> <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	<p>\$ 5</p>
22	<p>Peace Officers: Executing or Processing an Issued Arrest Warrant, Capias, or Capias Pro Fine – Code Crim. Proc. arts. 102.011(a)(2), 102.011(e)</p> <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence, even if the defendant is arrested at the same time for another offense - Assess on each arrest made, even if the arrests arise out of the same criminal episode or transaction 	<p>\$50/per arrest</p>

³ For a list of "Peace Officers" see Code of Criminal Procedure Art. 2.12.

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MANDATORY REIMBURSEMENT FEES (continued)

23	Peace Officers: Issuing a Written Notice to Appear in Court or For Making an Arrest w/o Warrant – Code Crim. Proc. arts. 102.011(a)(1), 102.011(e) - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence, even if the defendant is arrested at the same time for another offense - Assess on each arrest made, even if the arrests arise out of the same criminal episode or transaction	\$ 5/per notice or warrantless arrest
24	Peace Officers: Meals, Lodging, and Mileage Fee for Performing Certain Conveyances and Travel – Code Crim. Proc. art. 102.011(b) - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence	\$0.29/mile to and from performing the service plus all necessary and reasonable expenses for meals and lodging
25	Peace Officers: Overtime Pay for PO Testifying at Trial or for Traveling To & From Testifying at Trial – Code Crim. Proc. art. 102.011(i) - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence	Actual cost of overtime paid
26	Peace Officers: Serve Writ – Code Crim. Proc. art. 102.011(a)(4) - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence	\$35
27	Peace Officers: Summon Jury, if a jury is summoned – Code Crim. Proc. art. 102.011(a)(7) - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence	\$ 5
28	Peace Officers: Summon Witness – Code Crim. Proc. art. 102.011(a)(3) - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence	\$ 5 per witness each time summoned
29	Peace Officers: Take and Approve a Bond – Code Crim. Proc. art. 102.011(a)(5) - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence	\$10
30	Time Payment Reimbursement Fee – Code Crim. Proc. art. 102.030 (formerly, Local Gov't Code §133.103) - Assess only if the convicted defendant pays all or part of a fine, court cost, restitution, or other reimbursement fee on or after the 31 st day the judgment entered assessing the same - “Conviction” no longer includes deferred adjudications or deferred dispositions - (NEW) The state's portion of the fee has been repealed	\$15 (formerly, \$25)

OPTIONAL REIMBURSEMENT FEES

31	County Scofflaw Fees (<i>Failure To Appear or To Pay</i>) – Transp. Code § 702.003(e-1) - <u>The County must have a contract</u> with the Texas Department of Motor Vehicles (DMV) to provide information necessary to allow the DMV to refuse a person's vehicle registration under certain circumstances - Assessed on providing information to TDMV regarding a person's failure to pay or to appear in court when required	\$20
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OPTIONAL REIMBURSEMENT FEES (continued)

32	Deferred Disposition Fee: Testing & Assessment Fees in Deferred Disposition Cases – Code Crim. Proc. art. 45.051(b)(7) - Assessed on testing on testing, assessment or attending a qualified program	Actual cost of any diagnostic testing, psychological assessment, or participation in a treatment or education program
33	Driving Record Fee – Code Crim. Proc. art. 45.0511(c-1) - Assessed only if the court requests the defendant's driving record through the state electronic Internet portal	\$12.00
34	Driving Safety Course (Mandatory DSC) – Code Crim. Proc. art. 45.0511(f)(1) - Assessed if the court grants the request to take the course - <u>Do not assess both</u> this fee and the fine under Article 45.0511(f)(2) – assess one or the other	An amount not to exceed \$10
35	Drug Court (Program Fee) – Gov't Code § 123.004(a)(1) - Apply to the types of drug court programs listed in Gov't Code § 123.002 - Assessed only on participation in a drug court program established in the county	A reasonable program fee not to exceed \$1000,
36	Drug Court (Reimbursement Fee) – Gov't Code § 123.004(a)(2) - Apply to the types of drug court programs listed in Gov't Code § 123.002 - Assessed only on participants in a county drug court program if alcohol or controlled substance testing, counseling, or treatment is performed or provided by or for the drug court program	Actual cost of any alcohol or controlled substance testing, counseling, and treatment (the judge may limit to a reasonable amount)
37	Failure To Appear for Jury Trial Fee – Code Crim. Proc. art. 45.026(a) - Assessed when a person does not waive a jury trial and fails to appear for the trial	Cost incurred for impaneling the jury
38	Fee for Processing Certain Payments – Local Gov't Code §§ 132.002, 132.003 - The county commissioners court must authorize it - <u>Do not assess</u> this fee if the defendant pays cash - Assessed on the processing of certain payments	<u>For processing payments by credit card:</u> The commissioners court sets the amount, but it cannot exceed 5% of the amount being paid, plus any transaction fee charged by a vendor providing services in connection with the payment <u>For processing payments by other electronic means:</u> The commissioners court sets the amount: (1) at a flat rate not to exceed \$5 per transaction, or (2) at a rate reasonably related to the expense incurred and that does not exceed 5% of the amount being paid
39	Teen Court Administration Fee – Code Crim. Proc. art. 45.052(e), Family Code § 54.032(g) - Assessed on request to attend a teen court program if the request is granted - The court sets the exact amount of the fee, unless the court is located in the Texas-Louisiana border region	Not to Exceed \$10, unless the court is located in the Texas-Louisiana border region, then \$20
40	Teen Court Duties Fee – Code Crim. Proc. art. 45.052(g), Family Code § 54.032(g) - Assessed if request to attend a teen court program is granted	\$10, unless court is located in the Texas-Louisiana border region, then \$20
41	Transaction Fee – Code Crim. Proc. art. 102.072 - Assessed on each financial transaction to collect a fine, fee, restitution, or other cost imposed by a court, if the transaction is with the district attorney, county attorney, district clerk, county clerk, sheriff, constable, justice of the peace, or community supervision and corrections department.	Not to exceed \$2 per transaction

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OPTIONAL REIMBURSEMENT FEES (continued)

42	Affirmative Defense Dismissal Fee: Driving Commercial Motor Vehicle w/o License or Permit - Transp. Code § 522.011(f) - Assessed only if: (1) the offense was an offense under Transp. Code § 522.011 (Driving w/o a Commercial Driver's License Or Permit; and (2) the case was dismissed because the person produced the relevant driver's license or permit in court	Not to Exceed \$10
FEES REPEALED BY SB 346 (86TH Legislature Session)		
-	Comal County Juvenile Placement Fee – Human Resources Code § 152.0522 <i>REPEALED</i>	No longer assessed.
-	Dishonored Check Fee – Code Crim. Proc. Art. 102.0071 <i>REPEALED</i>	No longer assessed.
-	Disposition of Confiscated Game Court Cost – Parks & Wild. Code § 12.110(b) <i>REPEALED</i>	No longer assessed.
-	El Paso Motion to Waive Speedy Trial Fee – Gov't Code § 54.745(b), (c) <i>REPEALED BY AMENDING</i>	No longer assessed.
-	Indigent Defense Fee – Local Gov't Code, § 133.107 <i>REPEALED</i>	No longer assessed.
-	Judicial Support Fee – Local Gov't Code, § 133.105(a) <i>REPEALED</i>	No longer assessed.
-	Juror Reimbursement Fee – Code Crim. Proc. art. 102.0045 <i>REPEALED</i>	No longer assessed.
-	Jury Fee – Code Crim. Proc. art. 102.004 <i>REPEALED</i>	No longer assessed.
-	Justice Court Building Security Fee – Code Crim. Proc. art. 102.017(b) <i>REPEALED BY AMENDING</i>	No longer assessed.
-	Justice Court Technology Fee – Code Crim. Proc. art. 102.0173 <i>REPEALED BY AMENDING</i>	No longer assessed.
-	Juvenile Case Manager Fee – Code Crim. Proc. art. 102.0174 <i>REPEALED</i>	No longer assessed.
-	Moving Violation Fee (aka TCOLE Court Cost) – Code Crim. Proc. art. 102.022 <i>REPEALED⁴</i>	No longer assessed.
-	Restitution Installment Fee – Code Crim. Proc. art. 42.037(g) <i>REPEALED BY AMENDING</i>	No longer assessed.
-	Truancy Prevention & Diversion Court Cost – Code Crim. Proc. art 102.015(b) <i>REPEALED BY REDESIGNATING AND AMENDING⁵</i>	No longer assessed.

⁴ HB 2048, which passed the same year as SB 346, does not impact the repeal of the moving violation fee by the 86th Legislature.

⁵ The article was redesignated and transferred to the Local Government Code as § 133.125 and amended to repeal the cost.

Court Cost and Fee Destinations

- (1) **State Consolidated Court Cost** - Local Gov't Code § 133.102(a)(3)
90% goes to the State and 10% stays with the County as a collection fee, if the County timely remits the State's portion to the comptroller (See Local Gov't Code §133.058(a)).⁶ The collecting officer must deposit the money in the county treasury (See Local Gov't Code §133.052). The State's portion is allocated to 19 different accounts and funds as follows: (1) Crime Stoppers Assistance Account [0.2427%]; (2) Breath Alcohol Testing Account [0.3900%]; (3) Bill Blackwood Law Enforcement Management Institute Account [1.4741%]; (4) Texas Commission on Law Enforcement Account [3.4418%]; (5) Law Enforcement And Custodial Officer Supplement Retirement Trust Fund [7.2674%]; (6) Criminal Justice Planning Account [8.5748%]; (7) Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University [0.8540%]; (8) Compensation to Victims of Crime Account [24.6704%]; (9) Emergency Radio Infrastructure Account [3.6913%]; (10) Judicial And Court Personnel Training Account [3.3224%]; (11) Correctional Management Institute of Texas and Criminal Justice Center Account [0.8522%]; (12) Fair Defense Account [17.8857%]; (13) Judicial Fund [12.2667%]; (14) DNA Testing Account [0.1394%]; (15) Specialty Court Account [1.0377%]; (16) Statewide Electronic Filing System Account [0.5485%]; (17) Jury Service Fund [6.4090%]; (18) Truancy Prevention and Diversion Account [2.5956%]; and (19) Transportation Administrative Fee Account [4.3363%].
- (2) **Local Consolidated Court Cost** – Local Gov't Code § 134.103(a)
100% stays with the County and should be deposited in the county treasury. The county treasurer shall allocate the money received under this section to 4 destinations as follows: (1) Courthouse Security Fund [35%]; (2) Local Truancy Prevention & Diversion Fund [35.7143]; (3) Justice Court Technology Fund [28.5714%]; and (4) County Jury Fund [0.7143%]. The county treasurer shall maintain the various funds in the county treasury. Money deposited in the Courthouse Security Fund may be used only for security personnel, services, and items related to buildings that house the operations of justice courts. This includes: (1) the purchase or repair of X-ray machines and conveying systems; (2) handheld metal detectors; (3) walkthrough metal detectors; (4) identification cards and systems; (5) electronic locking and surveillance equipment; (6) video teleconferencing systems; (7) bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services; (8) signage; (9) confiscated weapon inventory and tracking systems; (10) locks, chains, alarms, or similar security devices; (11) the purchase or repair of bullet-proof glass; (12) continuing education on security issues for court personnel and security personnel; and (13) warrant officers and related equipment. Money deposited in the Local Truancy Prevention & Diversion Fund may be used to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses related to the position of a juvenile case manager, who may be able to use, under certain circumstances, any remaining money in the fund for programs directly related to the juvenile case manager's duties. Money in the Truancy Fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager. Money deposited in the Justice Court Technology Fund may be used only to finance: (1) the cost of continuing education and training for justice court judges and clerks regarding technological enhancements for justice courts; (2) the purchase and maintenance of technological enhancements for a justice court, including computer systems, computer networks, computer hardware, computer software, imaging systems, electronic kiosks, electronic ticket writers, and docket management systems. Money deposited in the County Jury Fund may be used only to fund juror reimbursements and otherwise to finance jury services. *NOTE:* The statute does not indicate what to do with the money if the County does not have a juvenile case manager.
- (3) **Compliance Dismissals Fines** - (\$10)
100% of the fine stays with the County and should be deposited in the county treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 547.004(c) – Operating Unsafe Vehicle Dismissal – are subject to § 542.402(a) and must be used: (1) to construct and maintain roads, bridges, and culverts in the County; and (2) to enforce laws regulating the use of highways by motor vehicles.
- (4) **Compliance Dismissals Fines** – (\$20)
100% of the fine stays with the County and should be deposited in the county treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal – are subject to § 542.402(a) and must be used to: (1) construct and maintain roads, bridges, and culverts in the County; and (2) enforce laws regulating the use of highways by motor vehicles.
- (5) **Local Traffic Fine** – Transp. Code § 542.403
100% of the fine stays with the County and should be deposited in the county treasury. Transportation Code § 542.402(a) (Disposition of Fines) controls the disposition of traffic fines. Consequently, now, fines collected under § 542.403 must be used: (1) to construct and maintain roads, bridges, and culverts in the county or county; and (2) to enforce laws regulating the use of highways by motor vehicles; and (3) defray the expense of county traffic officers.

⁶ A county or county that maintains a certified breath alcohol testing program but does not use the services of a certified technical supervisor employed by the department may, to defray the costs of maintaining and supporting a certified breath alcohol testing program, retain \$22.50 of the state consolidated court cost collected on conviction of an offense under Chapter 49, Penal Code, other than an offense that is a Class C misdemeanor. (See Code of Criminal Procedure art. 102.016(b)).

- (6) **State Traffic Fine** – Transp. Code, § 542.4031
4% to the County as a service fee for collection and 96% is directed to the State as follows: (1) 70% to the credit of the undedicated portion of the General Revenue Fund; and (2) 30% to the credit of the designated trauma and emergency medical services account under Section 780.003, Health & Safety Code. *Note: The Legislature reduced the percentage amount that a County may retain as a service fee for the collection of the fine and changed the allocation of the state traffic fine to the General Revenue Fund and the designated trauma and emergency medical services account. If deposits to the General Revenue Fund from collections of the fine exceed \$250 million in any given year, any remaining deposits for that year shall be to the Texas Mobility Fund.*
- (7) **Compliance Dismissals Fine** – Transp. Code § 521.026(b)
100% of the fine stays with the County and should be deposited in the county treasury. *Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal – are subject to § 542.402(a) and must be used to: (1) construct and maintain roads, bridges, and culverts in the County; and (2) enforce laws regulating the use of highways by motor vehicles.*
- (8) **Criminal Enforcement of a Toll** – Trans. Code. § 284.2031(a)
100% of the fine stays with the County. *In a county with a population of 3.3 million or more, the money must be deposited in the county treasury in a special fund to be administered by the county attorney or district attorney, who at his or her sole discretion, must use the money only to defray the salaries and expenses of the prosecutor's office. However, the county or district attorney may not use the money to supplement his or her own salary. In a county with a population of less than 3.3 million, the money must be deposited in the general fund of the county.*
- (9) **Collection of a Toll (County w/ population >3.3 million)** - Trans. Code. § 284.2032(a)
100% of the money stays with the County. The money must be deposited in the county treasury in a special fund to be administered by the county attorney. Expenditures from the fund are at the sole discretion of the county attorney and may be used only to defray the salaries and expenses of the county attorney's office, but in no event may the county attorney supplement his or her own salary from the fund.
- (10) **Deferred Disposition Fine** – Code Crim. Proc. art. 45.051(a)
100% of the money stays with the County and should be deposited in the county treasury.
- (11) **Driving Safety Course (Permissive DSC)** – Code Crim. Proc. art. 45.0511(f)(2)
100% of the money stays with the County and should be deposited in the county treasury.
- (12) **Administrative Fee (Failure to Appear) a/k/a Omni Fee** – Transp. Code § 706.006(a)
(NEW) 100% of the money stays with the County. Several portions of Transportation Code § 706.007 (i.e., subsections b, c, and e) have been repealed. As a result, the fee is reduced to \$10 (down from \$30). The state will no longer receive a portion of the fee, and the County no longer has to provide annual reports regarding the fee. The officer collecting the fee must remit it to the county treasurer, who must deposit it to the credit of the county's general fund and use it to compensate private vendors hired by DPS to perform services under the contract. See Transportation Code 706.008.
- (13) **Administrative Fee (Failure to Pay Fine and Cost) a/k/a Omni Fee** – Transp. Code § 706.006(b)
(NEW) 100% of the money stays with the County. Several portions of Transportation Code § 706.007 (i.e., subsections b, c, and e) have been repealed. As a result, the fee is \$10 (down from \$30). The state will no longer receive a portion of the fee, and the County no longer has to provide annual reports regarding the fee. The officer collecting the fee must remit it to the county treasurer, who must deposit it to the credit of the county's general fund and use it to compensate private vendors hired by DPS to perform services under the contract. See Transportation Code 706.008.
- (14) **Cost for Impoundment** – Transp. Code § 601.263
100% of the fee money remains with the County to reimburse the cost of impoundment.
- (15) **Deferred Disposition Fee: Alcohol Awareness Program Fee** – Code Crim. Proc. art. 45.051(g)
100% of the money should be directed to the program to reimburse for the cost.
- (16) **Deferred Disposition Fee: Reimbursement for Examination** – Code Crim. Proc. art. 45.051(b-2)

100% of the money to the state to be deposited to the credit of a special account in the general revenue fund and may be used only by the Department of Public Safety to administer Chapter 521, Transportation Code (Driver's Licenses and Certificates).

- (17) **Expunction Filing Fee (Alcohol- Minor)** – Alco. Bev. Code § 106.12(e)
100% of the money stays with the County and is used to defray the cost of notifying state agencies of the order of expunction.
- (18) **Expunction Filing Fee (Certain Convictions- Minor)** – Code Crim. Proc. art. 45.0216(i)
100% of the money stays with the County and is used to defray the cost of notifying state agencies of the order of expunction.
- (19) **Expunction Filing Fee (Tobacco- Minor)** – Health & Safety Code § 161.255(b)
100% of the money stays with the County and is used to defray the cost of notifying state agencies of the order of expunction.
- (20) **Peace Officers: Attaching a Witness on Order of Court Outside County** – Code Crim. Proc. art. 102.011(c)
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the services of the peace officer performing the service.
- (21) **Peace Officers: Commitment to or Release from Jail** – Code Crim. Proc. art. 102.011(a)(6)
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the services of the peace officer performing the service.
- (22) **Peace Officers: Executing or Processing an Issued Arrest Warrant, Capias, or Capias Pro Fine** – Code Crim. Proc. arts. 102.011(a)(2), 102.011(e)
100% of the money stays with the County to reimburse for the services of the peace officer performing the service, unless the officer performing the service is employed by the State, in which event only 80% of the money stays with the County and the remaining 20% goes to the State. *See Local Gov't Code § 133.104.*
- (23) **Peace Officers: Issuing a Written Notice to Appear in Court or For Making an Arrest w/o Warrant** – Code Crim. Proc. arts. 102.011(a)(1), 102.011(e)
100% of the money stays with the County to reimburse for the services of the peace officer performing the service, unless the officer performing the service is employed by the State, in which event only 80% of the money stays with the County and the remaining 20% goes to the State. *See Local Gov't Code § 133.104.*
- (24) **Peace Officers: Meals, Lodging, and Mileage Fee for Performing Certain Conveyances and Travel** – Code Crim. Proc. art. 102.011(b)
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the services of the peace officer performing the service.
- (25) **Peace Officers: Overtime Pay for PO Testifying at Trial or for Travelling To & From Testifying at Trial** – Code Crim. Proc. art. 102.011(i)
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the services of the peace officer performing the service.
- (26) **Peace Officers: Serving a Writ – Code Crim. Proc. art. 102.011(a)(4)**
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the services of the peace officer performing the service.
- (27) **Peace Officers: Summoning a Jury, if a jury is summoned** – Code Crim. Proc. art. 102.011(a)(7)
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the services of the peace officer performing the service.
- (28) **Peace Officers: Summoning a Witness** – Code Crim. Proc. art. 102.011(a)(3)
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the services of the peace officer performing the service.
- (29) **Peace Officers: Taking and Approving a Bond** – Code Crim. Proc. art. 102.011(a)(5)
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the services of the peace officer performing the service.
- (30) **Time Payment Reimbursement Fee** – Code Crim. Proc. art. 102.030 (formerly, Local Gov't Code §133.103)
100% of the money stays with the County. The collecting officer shall deposit the fee in the county treasury. The county treasurer will credit a separate account in the County's general fund that is used for the purpose of improving the collection of outstanding court costs, fines, reimbursement fees, or restitution or improving the efficiency of the administration of justice in the County. The County must prioritize the needs of the collecting officer when making expenditures from the account. **The fee has been reduced to \$15 (down from \$25). The state will no longer receive a portion of the fee.**

- (31) **County Scofflaw Fees (Failure To Appear or To Pay)** – Transp. Code § 702.003(e-1)
100% of the fee money remains with the County and may be used only to reimburse the Texas Department of Motor Vehicles or the county assessor-collector for expenses incurred for services performed under the contract, or by another county department for expenses related to services under the contract.
- (32) **Deferred Disposition Fee: Testing & Assessment Fees in Deferred Disposition Cases** – Code Crim. Proc. art. 45.051(b)(7)
100% of the money is used to reimburse the person or entity that performed the required service, i.e., diagnostic testing or psychosocial assessment, or to reimburse the facility or organization that provided the treatment or education program. The court may order the person to pay the reimbursement fee directly to whom it is due or to the court as a reimbursement fee.
- (33) **Driving Record Fee** – Code Crim. Proc. art. 45.0511(c-1)
100% of the money to the state to be deposited for use only by the Texas Department of Public Safety to reimburse DPS for the cost of providing the driving record. The electronic internet portal fee is used to support the “State Electronic Internet Portal” project. *See Transp. Code § 521.048 and Gov’t Code, § 2054.2591.*
- (34) **Driving Safety Course (Mandatory DSC) Fee** – Code Crim. Proc. art. 45.0511(f)(1)
100% of the money stays with the County and should be deposited in the county treasury. The fee is to cover the cost of administering Art. 45.0511.
- (35) **Drug Court Program Fees** – Gov’t Code § 123.004
100% of the money goes to the drug court program and can be collected by the program.
- (36) **Drug Court (Reimbursement Fee)** – Gov’t Code § 123.004(a)(2)
100% goes to the program or provider of the services and must be used only to reimburse the costs of any alcohol or controlled substance testing, counseling, or treatment performed or provided under the program.
- (37) **Failure To Appear (Jury Trial) Fee** – Code Crim. Proc. art. 45.026(a)
100% of the money stays with the County and is used to reimburse for the cost of impaneling the jury.
- (38) **Fee for Processing Certain Payments** – Local Gov’t Code §§ 132.002, 132.003
100% of the money stays with the County and is deposited in the county treasury to reimburse for the costs of processing the payments.
- (39) **Teen Court Administration Fee** – Code Crim. Proc. art. 45.052(e), Family Code § 54.032(e)
100% of the fee goes to the County to cover the cost of administering the article. Fees collected shall be deposited in the county treasury.
- (40) **Teen Court Duties Fee** – Code Crim. Proc. art. 45.052(g), Family Code § 54.032(g)
100% of the fee goes to the Teen Court Program. The fee is to cover the cost to the teen court for performing its duties under this article. The teen court program must account to the court for the receipt and disbursement of the fee.
- (41) **Transaction Fee** – Code Crim. Proc. Art. 102.072
100% of the money stays with the County and should be deposited in the county treasury.
- (42) **Affirmative Defense Dismissal Fee: Driving Commercial Motor Vehicle w/o License or Permit** – Transp. Code § 522.011(f)
100% of the money stays with the County and should be deposited in the county treasury to reimburse for the expense of the program.



Justice Court – Court Costs, Fines, & Reimbursement Fees on Conviction Chart (ORIGINAL JURISDICTION) – 01/01/2020¹

For offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

		A	B	C	D	E	F	G	H	I	J
MANDATORY COURT COSTS											
<i>For court costs purposes, "conviction" includes deferred adjudication and deferred disposition</i>											
1	State Consolidated Court Cost - LGC § 133.102(a)(3)	62	62	62	62	62	N/A	N/A	62		
2	Local Consolidated Court Cost - LGC § 134.103(a)	14	14	14	14	14	14	14	14		
MANDATORY FINES											
<i>Mandatory fines are in addition to the general fine for the offense</i>											
3	Compliance Dismissal Fine (\$10) ³	*	*	*	*	*	*	*	*		
4	Compliance Dismissal Fine (\$20) ⁴	*	*	*	*	*	*	*	*		
5	Local Traffic Fine – TC § 542.403	3	N/A	N/A	N/A	N/A	3	N/A	N/A		
6	State Traffic Fine - TC § 542.4031	50	N/A	N/A	N/A	N/A	50	N/A	N/A		
	TOTAL COSTS⁵	≥ 129	≥ 76	≥ 76	≥ 76	≥ 76	≥ 67	≥ 14	≥ 76		
OPTIONAL FINES											
7	Compliance Dismissal Fine - TC § 521.026(b)	N/A	N/A	N/A	≤ 20	N/A	N/A	N/A	N/A		
8	Criminal Enforcement of a Toll – TC, § 284.2031(a)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	* ⁶		
9	Collection of a Toll (County w/ population of 3.3 million or more) – TC, § 284.2032(a)										
10	Deferred Disposition Fine – CCP, art. 45.051(a)	X	X	X	X	X	X	X	X		
11	Driving Safety Course (Permissive) - CCP Art. 45.0511(f)(2)	X	N/A	X	X	N/A	N/A	N/A	N/A		
MANDATORY REIMBURSEMENT FEES											
12	Admin Fee (FTA) - TC § 706.006(a)	10	10	10	10	10	10	10	10		
13	Admin Fee (FTP) - TC § 706.006(b)	10	10	10	10	10	10	10	10		
14	Impoundment Fee - TC § 601.263	15	15	15	15	15	15	15	15		
15	Deferred Disposition Fee (Alcohol/Drug Program) - CCP Art. 45.051(g)	X	X	X	X	X	X	X	X		
16	Deferred Disposition Fee (DPS Examination) - CCP Art. 45.051(b-2)	*	N/A	*	*	N/A	N/A	N/A	N/A		
17	Expunction Filing Fee (Alcohol (Minor)) – Alco. Bev. Code § 106.12(e)	N/A	N/A	N/A	30	N/A	N/A	N/A	N/A		
18	Expunction Filing Fee (Certain Conv (Minor) – CCP Art. 45.0216(i)	30	30	30	30	30	30	30	30		

¹ The increase of the state traffic fine takes effect September 1, 2019, the effective date of HB 2048, 86th Legislature.

² The state traffic fine applies on conviction of, or on a plea of guilty or nolo contendere to an offense committed on or after September 1, 2019.

³ Transp. Code §§ 502.473(d), 502.475(c), 504.943(d), 504.945(d), 521.221(d), & 547.004(c); Parks & Wildlife § 31.127(f)

⁴ Transp. Code §§ 502.407(b), 521.054(d), 548.605(e), & 681.013(b)

⁵ This may not be the final total cost, depending on whether: (1) other fines or reimbursement fees apply; or (2) the judge waives or reduces any amount cost, fine or fee.

⁶ The amount of the fine depends on the offense (1) Nonpayment of Toll (Transp. Code, § 284.070) ≥ \$100; (2) Failure to Pay a Toll after Notice (Transp. Code, § 284.0701) ≥ \$250; or Operating a Vehicle on a Toll in Violation of an Order (Transp. Code, §284.203) ≥ \$500



Justice Court Convictions Court Cost Chart – 01/01/2020

A B C D E F G H I J

19	Expunction Filing Fee (Tobacco (Minor)) – HSC § 161.255(b)	N/A	N/A	N/A	30	N/A	N/A	N/A	N/A		
20	Peace Officer: Attach Witness – CCP Art. 102.011(c)	10	10	10	10	10	10	10	10		
21	Peace Officer: Commit or Release from Jail - CCP Art. 102.011(a)(6)	5	5	5	5	5	5	5	5		
22	Peace Officer: Execute or Process AW, Capias or Capias Pro Fine - CCP Art. 102.011(a)(2), 102.011(e) ⁷	50	50	50	50	50	50	50	50		
23	Peace Officer: Issue NTA or Arrest W/O Warrant - CCP Art. 102.011(a)(1), 102.011(e) ⁸	5	5	5	5	5	5	5	5		
24	Peace Officer: Meals, Lodging, and Mileage - CCP Art. 102.011(b)	X	X	X	X	X	X	X	X		
25	Peace Officer: Testifying at Trial or Travel to/from Trial - CCP Art. 102.011(i)	X	X	X	X	X	X	X	X		
26	Peace Officer: Serve Writ - CCP Art. 102.011(a)(4)	35	35	35	35	35	35	35	35		
27	Peace Officer: Summon Jury - CCP Art. 102.011(a)(7)	5	5	5	5	5	5	5	5		
28	Peace Officer: Summon Witness - CCP Art. 102.011(a)(3)	5	5	5	5	5	5	5	5		
29	Peace Officer: Take & Approve Bond - CCP Art. 102.011(a)(5)	10	10	10	10	10	10	10	10		
30	Time Payment Fee - CCP Art. 102.030 (formerly LGC § 133.103)	15	15	15	15	15	15	15	15		
OPTIONAL REIMBURSEMENT FEES											
31	County Scofflaw Fee: Failure to Appear or Pay – TC § 702.003 (e-1)	20	N/A	20	*	N/A	20	20	20		
32	Deferred Disposition Fee – Testing & Assessment – CCP Art. 45.051(b)(7)	X	X	X	X	X	X	X	X		
33	Driving Record Fee – CCP Art. 45.0511(c-1)	12	N/A	12	12	N/A	N/A	N/A	N/A		
34	Driving Safety Course (Mandatory) – CCP Art. 45.0511(f)(1)	≤ 10	N/A	≤ 10	≤ 10	N/A	N/A	N/A	N/A		
35	Drug Court (Program Fee) – GC § 123.004(a)(1)	*	*	*	*	*	*	*	*		
36	Drug Court (Reimbursement Fee) – GC § 123.004(a)(2)	X	X	X	X	X	X	X	X		
37	Failure to Appear (Jury Trial) – CCP Art. 45.026(a)	X	X	X	X	X	X	X	X		
38	Fee for Processing Certain Payments – LGC §§ 132.002 & 132.003	X	X	X	X	X	X	X	X		
39	Teen Court (Admin Fee) – CCP Art. 45.052(e), FC, §54.032(g) ⁹	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10		
40	Teen Court (Duties Fee) – CCP Art. 45.052(g), FC, §54.032(g) ¹⁰	10	10	10	10	10	10	10	10		
41	Transaction Fee – CCP, art. 102.072	10	10	10	10	10	10	10	10		
42	Affirmative Defense Dismissal Fee – TC 522.011(f)	N/A	N/A	N/A	≤ 10	N/A	N/A	N/A	N/A		

⁷ Assess on each arrest made, even if the arrests arise out of the same criminal episode or transaction.

⁸ Assess on each arrest made, even if the arrests arise out of the same criminal episode or transaction.

⁹ If the court is located in the Texas-Louisiana border region, the fee is \$20.

¹⁰ If the court is located in the Texas-Louisiana border region, the fee is \$20.

Detailed Description of Offenses in each Misdemeanor Category

- A Rules of the Road Offense¹¹ (other than a State Parking or Pedestrian Offense)
- B Parent Contributing to Non-attendance Offense (Education Code, § 25.093)
- C Disobeying Warning Signs or Driving Around a Barricade (Transportation Code § 472.022)
- D General fine-only misdemeanor offense¹²
- E (1) Issuance of Bad Check (Penal Code, § 32.41);
(2) Theft (Penal Code, § 31.03); or
(3) Theft of Service (Penal Code, § 31.04) where theft was accomplished by issuing or passing a bad check
- F State Parking or Pedestrian Offense that is a Rules of the Road Offense
- G State Parking Offense of State Pedestrian Offense that is not a Rules of the Road Offense
- H (1) Nonpayment of Toll (Transp. Code, § 284.070);
(2) Failure to Pay a Toll after Notice (Transp. Code, § 284.0701); or
(3) Operating a Vehicle on a Toll in Violation of an Order (Transp. Code, §284.203)

NOTES:

1. This chart is provided for guidance purposes only. For legal advice consult with your legal representative, or you may wish to contact the Comptroller's Office.
2. "X" means the amount has to be calculated according to the applicable statute.
3. "*" means the judge will determine: (1) the exact amount; (2) if the fine or fee applies; or (3) both.
4. "N/A" means the fine or fee is not usually charged for this type of offense. But, the clerk should charge it if the court assesses it.
5. "≤" means less than or equal to the amount indicated.
6. "≥" means greater than or equal to the amount indicated.
7. Contact Margie Johnson, Assistant General Counsel, OCA, if you have any questions or concerns ((512) 463-1625 or Margie.Johnson@txcourts.gov).

¹¹ A rules-of-the-road offense is any offense found in Transportation Code, Chapters 541 – 600.

¹² A general fine-only misdemeanor offense is any fine-only misdemeanor offense not listed in Categories A – C or E-G.

Court Cost and Fee Destinations

- (1) **State Consolidated Court Cost** - Local Gov't Code § 133.102(a)(3)
90% goes to the State and 10% stays with the County as a collection fee, if the County timely remits the State's portion to the comptroller (See Local Gov't Code §133.058(a)).¹³ The collecting officer must deposit the money in the County treasury (See Local Gov't Code §133.052). The State's portion is allocated to 19 different accounts and funds as follows: (1) Crime Stoppers Assistance Account [0.2427%]; (2) Breath Alcohol Testing Account [0.3900%]; (3) Bill Blackwood Law Enforcement Management Institute Account [1.4741%]; (4) Texas Commission on Law Enforcement Account [3.4418%]; (5) Law Enforcement And Custodial Officer Supplement Retirement Trust Fund [7.2674%]; (6) Criminal Justice Planning Account [8.5748%]; (7) Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University [0.8540%]; (8) Compensation to Victims of Crime Account [24.6704%]; (9) Emergency Radio Infrastructure Account [3.6913%]; (10) Judicial And Court Personnel Training Account [3.3224%]; (11) Correctional Management Institute of Texas and Criminal Justice Center Account [0.8522%]; (12) Fair Defense Account [17.8857%]; (13) Judicial Fund [12.2667%]; (14) DNA Testing Account [0.1394%]; (15) Specialty Court Account [1.0377%]; (16) Statewide Electronic Filing System Account [0.5485%]; (17) Jury Service Fund [6.4090%]; (18) Truancy Prevention and Diversion Account [2.5956%]; and (19) Transportation Administrative Fee Account [4.3363%].
- (2) **Local Consolidated Court Cost** – Local Gov't Code § 134.103(a)
100% stays with the County and should be deposited in the County treasury. The County treasurer shall allocate the money received under this section to 4 destinations as follows: (1) Municipal Court Building Security Fund [35%]; (2) Local Truancy Prevention & Diversion Fund [35.7143]; (3) Municipal Court Technology Fund [28.5714%]; and (4) Municipal Jury Fund [0.7143%]. The municipal treasurer shall maintain the various funds in the municipal treasury. Money deposited in the Municipal Court Building Security Fund may be used only for security personnel, services, and items related to buildings that house the operations of municipal courts. This includes: (1) the purchase or repair of X-ray machines and conveying systems; (2) handheld metal detectors; (3) walkthrough metal detectors; (4) identification cards and systems; (5) electronic locking and surveillance equipment; (6) video teleconferencing systems; (7) bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services; (8) signage; (9) confiscated weapon inventory and tracking systems; (10) locks, chains, alarms, or similar security devices; (11) the purchase or repair of bullet-proof glass; (12) continuing education on security issues for court personnel and security personnel; and (13) warrant officers and related equipment. Money deposited in the Local Truancy Prevention & Diversion Fund may be used to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses related to the position of a juvenile case manager, who may be able to use, under certain circumstances, any remaining money in the fund for programs directly related to the juvenile case manager's duties. Money in the Truancy Fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager. Money deposited in the Municipal Court Technology Fund may be used only to finance the purchase of or to maintain technological enhancements for a municipal court or municipal court of record, including: (1) computer systems; (2) computer networks; (3) computer hardware; (4) computer software; (5) imaging systems; (6) electronic kiosks; (7) electronic ticket writers; and (8) docket management systems. Money deposited in the Municipal Jury Fund may be used only to fund juror reimbursements and otherwise to finance jury services. *NOTE: The statute does not indicate what to do with the money if the County does not have a juvenile case manager.*
- (3) **Compliance Dismissals Fines** - (\$10)
100% of the fine stays with the County and should be deposited in the County treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 547.004(c) – Operating Unsafe Vehicle Dismissal – are subject to § 542.402(a) and must be used: (1) to construct and maintain roads, bridges, and culverts in the County; and (2) to enforce laws regulating the use of highways by motor vehicles.
- (4) **Compliance Dismissals Fines** – (\$20)
100% of the fine stays with the County and should be deposited in the County treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal – are subject to § 542.402(a) and must be used to: (1) construct and maintain roads, bridges, and culverts in the County; and (2) enforce laws regulating the use of highways by motor vehicles.
- (5) **Local Traffic Fine** – Transp. Code § 542.403
100% of the fine stays with the County and should be deposited in the County treasury. Transportation Code § 542.402(a) (Disposition of Fines) controls the disposition of traffic fines. Consequently, now, fines collected under § 542.403 must be used: (1) to construct and maintain roads, bridges, and culverts in the municipality or County; and (2) to enforce laws regulating the use of highways by motor vehicles; and (3) defray the expense of County traffic officers.
- (6) **State Traffic Fine** – Transp. Code, § 542.4031
4% to the County as a service fee for collection and 96% is directed to the State as follows: (1) 70% to the credit of the undedicated portion of the General Revenue Fund; and (2) 30% to the credit of the designated trauma and emergency medical services account under Section 780.003, Health & Safety Code. Note: The Legislature reduced the percentage amount that a County may retain as a service fee for the collection of the fine and changed the allocation of the state traffic fine to the General Revenue Fund and the designated trauma and emergency medical services account. If deposits to the General Revenue Fund from collections of the fine exceed \$250 million in any given year, any remaining deposits for that year shall be to the Texas Mobility Fund.
- (7) **Compliance Dismissals Fine** – Transp. Code § 521.026(b)
100% of the fine stays with the County and should be deposited in the County treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/

¹³ A County or County that maintains a certified breath alcohol testing program but does not use the services of a certified technical supervisor employed by the department may, to defray the costs of maintaining and supporting a certified breath alcohol testing program, retain \$22.50 of the state consolidated court cost collected on conviction of an offense under Chapter 49, Penal Code, other than an offense that is a Class C misdemeanor. (See Code of Criminal Procedure art. 102.016(b)).

Inspection Requirements as Certified Dismissal – are subject to § 542.402(a) and must be used to: (1) construct and maintain roads, bridges, and culverts in the County; and (2) enforce laws regulating the use of highways by motor vehicles.

- (8) **Criminal Enforcement of a Toll** – Trans. Code. § 284.2031(a)
100% of the fine stays with the County. In a County with a population of 3.3 million or more, the money must be deposited in the County treasury in a special fund to be administered by the County attorney or district attorney, who at his or her sole discretion, must use the money only to defray the salaries and expenses of the prosecutor's office. However, the County or district attorney may not use the money to supplement his or her own salary. In a County with a population of less than 3.3 million, the money must be deposited in the general fund of the County.
- (9) **Collection of a Toll (County w/ population >3.3 million)** - Trans. Code. § 284.2032(a)
100% of the money stays with the County. The money must be deposited in the County treasury in a special fund to be administered by the County attorney. Expenditures from the fund are at the sole discretion of the County attorney and may be used only to defray the salaries and expenses of the County attorney's office, but in no event may the County attorney supplement his or her own salary from the fund.
- (10) **Deferred Disposition Fine** – Code Crim. Proc. art. 45.051(a)
100% of the money stays with the County and should be deposited in the County treasury.
- (11) **Driving Safety Course (Permissive DSC)** – Code Crim. Proc. art. 45.0511(f)(2)
100% of the money stays with the County and should be deposited in the County treasury.
- (12) **Administrative Fee (Failure to Appear) a/k/a Omni Fee** – Transp. Code § 706.006(a)
(NEW) 100% of the money stays with the County. Several portions of Transportation Code § 706.007 (i.e., subsections b, c, and e) have been repealed. As a result, the fee is reduced to \$10 (down from \$30). The state will no longer receive a portion of the fee, and the County no longer has to provide annual reports regarding the fee. The officer collecting the fee must remit it to the County treasurer, who must deposit it to the credit of the County's general fund and use it to compensate private vendors hired by DPS to perform services under the contract. *See Transportation Code 706.008.*
- (13) **Administrative Fee (Failure to Pay Fine and Cost) a/k/a Omni Fee** – Transp. Code § 706.006(b)
(NEW) 100% of the money stays with the County. Several portions of Transportation Code § 706.007 (i.e., subsections b, c, and e) have been repealed. As a result, the fee is \$10 (down from \$30). The state will no longer receive a portion of the fee, and the County no longer has to provide annual reports regarding the fee. The officer collecting the fee must remit it to the County treasurer, who must deposit it to the credit of the County's general fund and use it to compensate private vendors hired by DPS to perform services under the contract. *See Transportation Code 706.008.*
- (14) **Cost for Impoundment** – Transp. Code § 601.263
100% of the fee money remains with the County to reimburse the cost of impoundment.
- (15) **Deferred Disposition Fee: Alcohol Awareness Program Fee** – Code Crim. Proc. art. 45.051(g)
100% of the money should be directed to the program to reimburse for the cost.
- (16) **Deferred Disposition Fee: Reimbursement for Examination** – Code Crim. Proc. art. 45.051(b-2)
100% of the money to the state to be deposited to the credit of a special account in the general revenue fund and may be used only by the Department of Public Safety to administer Chapter 521, Transportation Code (Driver's Licenses and Certificates).
- (17) **Expunction Filing Fee (Alcohol- Minor)** – Alco. Bev. Code § 106.12(e)
100% of the money stays with the County and is used to defray the cost of notifying state agencies of the order of expunction.
- (18) **Expunction Filing Fee (Certain Convictions- Minor)** – Code Crim. Proc. art. 45.0216(i)
100% of the money stays with the County and is used to defray the cost of notifying state agencies of the order of expunction.
- (19) **Expunction Filing Fee (Tobacco- Minor)** – Health & Safety Code § 161.255(b)
100% of the money stays with the County and is used to defray the cost of notifying state agencies of the order of expunction.
- (20) **Peace Officers: Attaching a Witness on Order of Court Outside County** – Code Crim. Proc. art. 102.011(c)
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the services of the peace officer performing the service.
- (21) **Peace Officers: Commitment to or Release from Jail** – Code Crim. Proc. art. 102.011(a)(6)
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the services of the peace officer performing the service.
- (22) **Peace Officers: Executing or Processing an Issued Arrest Warrant, Capias, or Capias Pro Fine** – Code Crim. Proc. arts. 102.011(a)(2), 102.011(e)
100% of the money stays with the County to reimburse for the services of the peace officer performing the service, unless the officer performing the service is employed by the State, in which event only 80% of the money stays with the County and the remaining 20% goes to the State. *See Local Gov't Code § 133.104.*

- (23) **Peace Officers: Issuing a Written Notice to Appear in Court or For Making an Arrest w/o Warrant** – Code Crim. Proc. arts. 102.011(a)(1), 102.011(e)
100% of the money stays with the County to reimburse for the services of the peace officer performing the service, unless the officer performing the service is employed by the State, in which event only 80% of the money stays with the County and the remaining 20% goes to the State. *See Local Gov't Code § 133.104.*
- (24) **Peace Officers: Meals, Lodging, and Mileage Fee for Performing Certain Conveyances and Travel** – Code Crim. Proc. art. 102.011(b)
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the services of the peace officer performing the service.
- (25) **Peace Officers: Overtime Pay for PO Testifying at Trial or for Travelling To & From Testifying at Trial** – Code Crim. Proc. art. 102.011(i)
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the services of the peace officer performing the service.
- (26) **Peace Officers: Serving a Writ – Code Crim. Proc. art. 102.011(a)(4)**
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the services of the peace officer performing the service.
- (27) **Peace Officers: Summoning a Jury, if a jury is summoned** – Code Crim. Proc. art. 102.011(a)(7)
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the services of the peace officer performing the service.
- (28) **Peace Officers: Summoning a Witness** – Code Crim. Proc. art. 102.011(a)(3)
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the services of the peace officer performing the service.
- (29) **Peace Officers: Taking and Approving a Bond** – Code Crim. Proc. art. 102.011(a)(5)
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the services of the peace officer performing the service.
- (30) **Time Payment Reimbursement Fee** – Code Crim. Proc. art. 102.030 (formerly, Local Gov't Code §133.103)
100% of the money stays with the County. The collecting officer shall deposit the fee in the County treasury. The County treasurer will credit a separate account in the County's general fund that is used for the purpose of improving the collection of outstanding court costs, fines, reimbursement fees, or restitution or improving the efficiency of the administration of justice in the County. The County must prioritize the needs of the collecting officer when making expenditures from the account. *The fee has been reduced to \$15 (down from \$25). The state will no longer receive a portion of the fee.*
- (31) **County Scofflaw Fees (Failure To Appear or To Pay)** – Transp. Code § 702.003(e-1)
100% of the fee money remains with the County and may be used only to reimburse the Texas Department of Motor Vehicles or the County assessor-collector for expenses incurred for services performed under the contract, or by another County department for expenses related to services under the contract.
- (32) **Deferred Disposition Fee: Testing & Assessment Fees in Deferred Disposition Cases** – Code Crim. Proc. art. 45.051(b)(7)
100% of the money is used to reimburse the person or entity that performed the required service, i.e., diagnostic testing or psychosocial assessment, or to reimburse the facility or organization that provided the treatment or education program. The court may order the person to pay the reimbursement fee directly to whom it is due or to the court as a reimbursement fee.
- (33) **Driving Record Fee** – Code Crim. Proc. art. 45.0511(c-1)
100% of the money to the state to be deposited for use only by the Texas Department of Public Safety to reimburse DPS for the cost of providing the driving record. The electronic internet portal fee is used to support the "State Electronic Internet Portal" project. *See Transp. Code § 521.048 and Gov't Code, § 2054.2591.*
- (34) **Driving Safety Course (Mandatory DSC) Fee** – Code Crim. Proc. art. 45.0511(f)(1)
100% of the money stays with the County and should be deposited in the County treasury. The fee is to cover the cost of administering Art. 45.0511.
- (35) **Drug Court Program Fees** – Gov't Code § 123.004
100% of the money goes to the drug court program and can be collected by the program.
- (36) **Drug Court (Reimbursement Fee)** – Gov't Code § 123.004(a)(2)
100% goes to the program or provider of the services and must be used only to reimburse the costs of any alcohol or controlled substance testing, counseling, or treatment performed or provided under the program.
- (37) **Failure To Appear (Jury Trial) Fee** – Code Crim. Proc. art. 45.026(a)
100% of the money stays with the County and is used to reimburse for the cost of impaneling the jury.
- (38) **Fee for Processing Certain Payments** – Local Gov't Code §§ 132.002, 132.003
100% of the money stays with the County and is deposited in the County treasury to reimburse for the costs of processing the payments.
- (39) **Teen Court Administration Fee** – Code Crim. Proc. art. 45.052(e), Family Code § 54.032(e)
100% of the fee goes to the County to cover the cost of administering the article. Fees collected shall be deposited in the County treasury.

- (40) **Teen Court Duties Fee** – Code Crim. Proc. art. 45.052(g), Family Code § 54.032(g)
100% of the fee goes to the Teen Court Program. The fee is to cover the cost to the teen court for performing its duties under this article. The teen court program must account to the court for the receipt and disbursement of the fee.
- (41) **Transaction Fee** – Code Crim. Proc. Art. 102.072
100% of the money stays with the County and should be deposited in the County treasury.
- (42) **Affirmative Defense Dismissal Fee: Driving Commercial Motor Vehicle w/o License or Permit** – Transp. Code § 522.011(f)
100% of the money stays with the County and should be deposited in the County treasury to reimburse for the expense of the program.