

County Clerks' Misdemeanor Conviction Court Cost

Applicable Codes

CCP, 102.004

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section. **REPEALED**

Art. 102.004. JURY FEE.

(a) A defendant convicted by a jury in a trial before a justice or municipal court shall pay a jury fee of \$3. A defendant in a justice or municipal court 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. A defendant convicted by a jury in a county court, a county court at law, or a district court shall pay a jury fee of \$40.

(b) If two or more defendants are tried jointly in a justice or municipal court, only one jury fee of \$3 may be imposed under this article. If the defendants sever and are tried separately, each defendant convicted shall pay a jury fee.

(c) In this article, "conviction" has the meaning assigned by Section 133.101, Local Government Code.

CCP, 102.0045

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section. **REPEALED**

Art. 102.0045. FEE FOR JURY REIMBURSEMENT TO COUNTIES.

(a) A person convicted of any offense, other than an offense relating to a pedestrian or the parking of a motor vehicle, shall pay as a court cost, in addition to all other costs, a fee of \$4 to be used to reimburse counties for the cost of juror services as provided by Section 61.0015, Government Code.

(b) The clerk of the court shall remit the fees collected under this article to the comptroller in the manner provided by Subchapter B, Chapter 133, Local Government Code. The comptroller shall deposit the fees in the jury service fund.

(c) The jury service fund is created in the state treasury. If, at any time, the unexpended balance of the jury service fund exceeds \$10 million, the comptroller shall transfer the amount in excess of \$10 million to the fair defense account.

(d) Fees deposited in the jury service fund under this article are exempt from the application of Section 403.095, Government Code.

CCP, 102.005(a); CCP, 102.005(f)

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section. **REPEALED**

Art. 102.005. FEES TO CLERKS.

(a) A defendant convicted of an offense in a county court, a county court at law, or a district court shall pay for the services of the clerk of the court a fee of \$40.

(f) A defendant convicted of an offense in a county court, a county court at law, or a district court shall pay a fee of \$25 for records management and preservation services performed by the county as required by Chapter 203, Local Government Code. The fee shall be collected and distributed by the clerk of the court to the county treasurer, or to an official who discharges the duties commonly delegated to the county treasurer, for deposit as follows:

- (1) \$22.50 to the county records management and preservation fund for records management and preservation, including automation, in various county offices; and
- (2) \$2.50 to the records management and preservation fund of the clerk of the court for records management and preservation services performed by the clerk of the court.

CCP, 102.008(a)

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section. **REPEALED**

Art. 102.008. FEES FOR SERVICES OF PROSECUTORS.

(a) Except as provided by Subsection (b), a defendant convicted of a misdemeanor or a gambling offense shall pay a 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.

**CCP,102.011(a)(1); CCP,102.011(a)(2); CCP, 102.011(a)(3); CCP, 102.011(a)(4);
CCP, 102.011(a)(5); CCP, 102.011(a)(6); CCP, 102.011(a)(7); CCP, 102.011(b);
CCP, 102.011(c); CCP,102.011(i)**

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Art. 102.011. **REIMBURSEMENT** FEES FOR SERVICES OF PEACE OFFICERS.

(a) A defendant convicted of a felony or a misdemeanor shall pay the following **reimbursement** fees for services performed in the case by a peace officer:

(1) \$5 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law of this state, or for making an arrest without a warrant;

(2) \$50 for executing or processing an issued arrest warrant, *capias*, or *capias pro fine* with the fee imposed for the services of:

(A) the law enforcement agency that executed the arrest warrant or *capias*, if the agency requests of the court, not later than the 15th day after the date of the execution of the arrest warrant or *capias*, the imposition of the fee on conviction; or

(B) the law enforcement agency that processed the arrest warrant or *capias*, if:

(i) the arrest warrant or *capias* was not executed; or

(ii) the executing law enforcement agency failed to request the fee within the period required by Paragraph (A) of this subdivision; *"of this subdivision" removed*

(3) \$5 for summoning a witness;

(4) \$35 for serving a writ not otherwise listed in this article;

(5) \$10 for taking and approving a bond and, if necessary, returning the bond to the courthouse;

(6) \$5 for commitment or release;

(7) \$5 for summoning a jury, if a jury is summoned; and

(b) In addition to **the reimbursement** fees provided by Subsection (a) of this article, *"of this article" removed* a defendant required to pay **reimbursement** fees under this article shall also pay 29 cents per mile for mileage required of an officer to perform a service listed in this subsection and to return from performing that service. If the service provided is the execution of a writ and the writ is directed to two or more persons or the officer executes more than one writ in a case, the defendant is required to pay only mileage actually and necessarily traveled. In calculating mileage, the officer must use the railroad or the most practical route by private conveyance. The defendant shall also pay all necessary and reasonable expenses for meals and lodging incurred by the officer in the performance of services under this subsection, to the extent such expenses meet the requirements of Section 611.001, Government Code. This subsection applies to:

(1) conveying a prisoner after conviction to the county jail;

(2) conveying a prisoner arrested on a warrant or *capias* issued in another county to the court or jail of the county; and

(3) traveling to execute criminal process, to summon or attach a witness, and to execute process not otherwise described by this article.

(c) If an officer attaches a witness on the order of a court outside the county, the defendant shall pay a reimbursement fee of \$10 per day or part of a day spent by the officer conveying the witness and actual necessary expenses for travel by the most practical public conveyance. In order to receive expenses under this subsection, the officer must make a sworn statement of the expenses and the judge issuing the attachment must approve the statement.

(i) In addition to reimbursement fees provided by Subsections (a) through (e) (g), of this article, *“(g), of this article,” removed* a defendant required to pay reimbursement fees under this article shall also pay the costs of overtime paid to a peace officer for time spent testifying in the trial of the case or for traveling to or from testifying in the trial of the case.

CCP, 102.0169

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Art. 102.0169. COURT COSTS; *“COURT COSTS;” removed* COUNTY AND DISTRICT COURT TECHNOLOGY FUND.

(a) 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 as a cost of court. *Section (a) removed in full*

(b) In this article, a person is considered convicted if: *Section (b) removed in full*

- (1) a sentence is imposed on the person;
- (2) the person receives community supervision, including deferred adjudication; or
- (3) the court defers final disposition of the person's case.

(c) The clerks of the courts described by Subsection (a) shall collect the costs and pay them to the county treasurer or to any other official who discharges the duties commonly delegated to the county treasurer, as appropriate, for deposit in a fund to be known as the *“clerks of the courts described by Subsection (a) shall collect the costs and pay them to the county treasurer or to any other official who discharges the duties commonly delegated to the county treasurer, as appropriate, for deposit in a fund to be known as the” removed* county and district court technology fund is a fund in the county treasury. The fund consists of money allocated to the fund under Sections 134.101 and 134.102, Local Government Code. *Section (c) changed to (a)*

(d) A fund designated by this article *“A fund designated by this article” removed* Money in the county and district court technology fund may be used only to finance: *Section (d) changed to (b)*

- (1) 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
- (2) the purchase and maintenance of technological enhancements for a county court, statutory county court, or district court, including:

- (A) computer systems;
- (B) computer networks;
- (C) computer hardware;
- (D) computer software;
- (E) imaging systems;
- (F) electronic kiosks; and
- (G) docket management systems.

(e) The county and district court technology fund shall be administered by or under the direction of the commissioners' court of the county. *Section (e) changed to (c)*

CCP, 102.017(b)

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Art. 102.017. COURT COSTS; *"COURT COSTS;" removed* COURTHOUSE SECURITY FUND; MUNICIPAL COURT BUILDING SECURITY FUND; JUSTICE COURT BUILDING SECURITY FUND.

(a) A defendant convicted of a felony offense in a district court shall pay a \$5 security fee as a cost of court. *Section (a) removed in full*

(b) A defendant convicted of a misdemeanor offense in a county court, county court at law, or district court shall pay a \$3 security fee as a cost of court. A defendant convicted of a misdemeanor offense in a justice court shall pay a \$4 security fee as a cost of court. The governing body of a municipality by ordinance may create a municipal court building security fund and may require a defendant convicted of a misdemeanor offense in a municipal court to pay a \$3 security fee as a cost of court. *Section (b) removed in full*

Sections replaced as:

(a) The courthouse security fund is a fund in the county treasury, and the municipal court building security fund is a fund in the municipal treasury. The funds consist of money allocated to the funds under Sections 134.101, 134.102, and 134.103, Local Government Code

(b) Money deposited in a courthouse security fund may be used only for security personnel, services, and items related to buildings that house the operations of district, county, or justice courts, and money deposited in a 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. For purposes of this subsection, operations of a district, county, or justice court include the activities of associate judges, masters, magistrates, referees, hearing officers, criminal law magistrate court judges, and masters in chancery appointed under:

- (1) Section 61.311, Alcoholic Beverage Code;

(2) Section 51.04(g) or Chapter 201, Family Code;

(3) Section 574.0085, Health and Safety Code;

(4) Section 33.71, Tax Code;

(5) Chapter 54A, Government Code; or

(6) Rule 171, Texas Rules of Civil Procedure.

(c) For purposes of this article, the term "security personnel, services, and items" 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 conferencing 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.

(d) This subsection applies only to a justice court located in a county in which one or more justice courts are located in a building that is not the county courthouse. The county treasurer shall deposit one-fourth of the money allocated to the courthouse security fund under Section 134.103, Local Government Code, in a fund to be known as the justice court building security fund. A fund designated by this subsection may be used only for the purpose of providing security personnel, services, and items for a justice court located in a building that is not the county courthouse.

(e) The courthouse security fund and the justice court building security fund shall be administered by or under the direction of the commissioners court. The municipal court building security fund shall be administered by or under the direction of the governing body of the municipality.

(f) The sheriff, constable, or other law enforcement agency or entity that provides security for a court shall provide to the Office of Court Administration of the Texas Judicial System a written report regarding any security incident involving court security that occurs in or around a building housing a

court for which the sheriff, constable, agency, or entity provides security not later than the third business day after the date the incident occurred. A copy of the report must be provided to the presiding judge of the court in which the incident occurred. The report is confidential and exempt from disclosure under Chapter 552, Government Code.

CCP, 102.0171(a)

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Art. 102.0171. FINES COURT COSTS: *"COURT COSTS" removed* JUVENILE DELINQUENCY PREVENTION FUNDS.

(a) A defendant convicted of an offense under Section 28.08, Penal Code, in a county court, county court at law, or district court shall pay a fine of \$50 for juvenile delinquency prevention and graffiti eradication fee as a cost of court. *"fee as a cost of court" removed*

CCP, 102.0178

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346 and HB2481, 86th Legislature, Regular Session, for amendments affecting the following section. REPEALED

Art. 102.0178. COSTS ATTENDANT TO CERTAIN INTOXICATION AND DRUG CONVICTIONS.

(a) In addition to other costs on conviction imposed by this chapter, a person shall pay \$60 as a court cost on conviction of an offense punishable as a Class B misdemeanor or any higher category of offense under:

- (1) Chapter 49, Penal Code; or
- (2) Chapter 481, Health and Safety Code.

(b) For purposes of this article, a person is considered to have been convicted if:

- (1) a sentence is imposed; or
- (2) the defendant receives community supervision or deferred adjudication.

(c) Court costs under this article are collected in the same manner as other fines or costs. An officer collecting the costs shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county treasury, as appropriate.

(d) The custodian of a county treasury shall:

- (1) keep records of the amount of funds on deposit collected under this article; and
- (2) except as provided by Subsection (e), send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(e) A county is entitled to:

(1) if the custodian of the county treasury complies with Subsection (d), retain 10 percent of the funds collected under this article by an officer of the county during the calendar quarter as a service fee; and

(2) if the county has established a drug court program or establishes a drug court program before the expiration of the calendar quarter, retain in addition to the 10 percent authorized by Subdivision (1) another 50 percent of the funds collected under this article by an officer of the county during the calendar quarter to be used exclusively for the development and maintenance of drug court programs operated within the county.

(f) If no funds due as costs under this article are deposited in a county treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(g) The comptroller shall deposit the funds received under this article to the credit of the drug court account in the general revenue fund to help fund drug court programs established under Chapter 122, 123, 124, 125, or 129, Government Code, or former law. The legislature shall appropriate money from the account solely to the criminal justice division of the governor's office for distribution to drug court programs that apply for the money.

(h) Funds collected under this article are subject to audit by the comptroller.

CCP, 102.018(a); CCP, 102.018(b)

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Art. 102.018. **REIMBURSEMENT FEES AND EXPENSES** COSTS *"COSTS" removed* ATTENDANT TO INTOXICATION CONVICTIONS.

(a) Except as provided by Subsection (d) of this article, *"of this article," removed* on conviction of an offense relating to the driving or operating of a motor vehicle under Section 49.04, Penal Code, the court shall impose a **reimbursement fee** cost *"cost" removed* of \$15 on a defendant if, subsequent to the arrest of the defendant, a law enforcement agency visually recorded the defendant with an electronic device. **Reimbursement fees** Costs *"Costs" removed* imposed under this subsection are in addition to other court costs **or fees** and are due whether or not the defendant is granted probation in the case. The court shall collect the **reimbursement fees** costs *"costs" removed* in the same manner as other **fees** costs *"costs" removed* are collected in the case.

(b) Except as provided by Subsection (d), on conviction of an offense relating to the driving or operating of a motor vehicle punishable under Section 49.04(b), Penal Code, the court shall impose as a **reimbursement fee** cost of court *"cost of court" removed* on the defendant an amount that is equal to the **reimbursement fee** cost *"cost" removed* of an evaluation of the defendant performed under Article 42A.402(a). **Reimbursement fees** Costs *"Costs" removed* imposed under this subsection are in addition to other court costs and are due whether or not the defendant is granted

community supervision in the case, except that if the court determines that the defendant is indigent and unable to pay the fee cost *“cost” removed*, the court may waive the imposition of the fee cost *“cost” removed*.

CCP, 102.0185

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Art. 102.0185. **FINE FOR ADDITIONAL COSTS ATTENDANT TO *“ADDITIONAL COSTS ATTENDANT TO” removed* INTOXICATION CONVICTIONS: EMERGENCY MEDICAL SERVICES, TRAUMA FACILITIES, AND TRAUMA CARE SYSTEMS.**

(a) In addition to the reimbursement fee costs on conviction *“costs on conviction” removed* imposed by Article Articles 102.016 and *“Articles 102.016 and” removed* 102.018, a person convicted of an offense under Chapter 49, Penal Code, except for Sections 49.02 and 49.031 of that code, shall pay a fine of \$100 on conviction of the offense.

(b) Fines Costs *“Costs” removed* imposed under this article are imposed without regard to whether the defendant is placed on community supervision after being convicted of the offense or receives deferred disposition or deferred adjudication for the offense.

(c) Fines Costs *“Costs” removed* imposed under this article are collected in the manner provided for the collection of court costs by Subchapter B, Chapter 133, Local Government Code.

(d) The officer collecting the fines costs *“costs” removed* under this article shall keep separate records of the money collected and shall pay the money to the custodian of the municipal or county treasury.

(e) The custodian of the municipal or county treasury shall:

(1) keep records of the amount of money collected under this article that is deposited with the treasury under this article; and

(2) not later than the last day of the first month following each calendar quarter:

(A) pay the money collected under this article during the preceding calendar quarter to the comptroller; or

(B) if, in the calendar quarter, the custodian of the municipal or county treasury did not receive any money attributable to fines costs *“costs” removed* paid under this article, file a report with the comptroller stating that fact.

(f) The comptroller shall deposit the funds received under this article to the credit of the account established under Section 773.006, Health and Safety Code.

CCP, 102.020(a)(2)

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346 and H.B. 1399, 86th Legislature, Regular Session, for amendments affecting the following section. . REPEALED

Art. 102.020. COSTS RELATED TO DNA TESTING.

(a) A person shall pay as a cost of court:

(2) \$50 on conviction of an offense described by Section 411.1471(a)(3), Government Code

CCP, 102.022

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346 and H.B. 2048, 86th Legislature, Regular Session, for amendments affecting the following section. . REPEALED

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE.

(a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the 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.

(i) Funds collected under this article are subject to audit by the comptroller.

CCP, 102.072

Art. 102.072. ADMINISTRATIVE FEE. An officer listed in Article 103.003 or a community supervision and corrections department may assess an administrative fee for each transaction made by the officer or department relating to the collection of fines, fees, restitution, or other costs imposed by a court. The fee may not exceed \$2 for each transaction. This article does not apply to a transaction relating to the collection of child support.

CCP, 42.037(g)

The following article was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346 and H.B. 4173, 86th Legislature, Regular Session, for amendments affecting the following section. See below for changes

Art. 42.037. RESTITUTION.

(g)(1) The court may require a defendant to make restitution under this article within a specified period or in specified installments. If the court requires the defendant to make restitution in specified installments, in addition to the installment payments, the court may require the defendant to pay a one-time restitution fee of \$12, \$6 of which the court shall retain for costs incurred in collecting the specified installments and \$6 of which the court shall order to be paid to the compensation to victims of crime fund.

(2) The end of the period or the last installment may not be later than:

(A) the end of the period of probation, if probation is ordered;

(B) five years after the end of the term of imprisonment imposed, if the court does not order probation; or

(C) five years after the date of sentencing in any other case.

(3) If the court does not provide otherwise, the defendant shall make restitution immediately.

(4) Except as provided by Subsection (n), the order of restitution must require the defendant to: (i) make restitution directly to the person or agency that will accept and forward restitution payments to the victim or other person eligible for restitution under this article, including the compensation to victims of crime fund; (ii) make restitution directly to the victim or other person eligible for restitution under this article, including the compensation to victims of crime fund; or (iii) deliver the

amount or property due as restitution to a community supervision and corrections department for transfer to the victim or person.

CCP 42.037 is amended by amending Subsection (g) and adding Subsections (g-1) and (g-2) to read as follows:

(g) The court may require a defendant to make restitution under this article within a specified period or in specified installments. The end of the period or the last installment may not be later than:

- (1) the end of the period of probation, if probation is ordered;
- (2) five years after the end of the term of imprisonment imposed, if the court does not order probation; or
- (3) five years after the date of sentencing in any other case.

(g-1) If the court does not provide otherwise, the defendant shall make restitution immediately.

(g-2) Except as provided by Subsection (n), the order of restitution must require the defendant to:

- (1) make restitution directly to the person or agency that will accept and forward restitution payments to the victim or other person eligible for restitution under this article, including the compensation to victims of crime fund;
- (2) make restitution directly to the victim or other person eligible for restitution under this article, including the compensation to victims of crime fund; or
- (3) deliver the amount or property due as restitution to a community supervision and corrections department for transfer to the victim or person.

Government Code, § 411.072

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see H.B. 3582, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 411.072. PROCEDURE FOR DEFERRED ADJUDICATION COMMUNITY SUPERVISION; CERTAIN NONVIOLENT MISDEMEANORS.

(a) This section applies only to a person who:

- (1) was placed on deferred adjudication community supervision under Subchapter C, Chapter 42A, Code of Criminal Procedure, for a misdemeanor other than a misdemeanor:
 - (A) under Chapter 20, 21, 22, 25, 42, 43, 46, or 71, Penal Code; or
 - (B) with respect to which an affirmative finding under Article 42A.105(f), Code of Criminal Procedure, or former Section 5(k), Article 42.12, Code of Criminal Procedure, was filed in the papers of the case; and
- (2) has never been previously convicted of or placed on deferred adjudication community supervision for another offense other than a traffic offense that is punishable by fine only.

(b) Notwithstanding any other provision of this subchapter or Subchapter F, if a person described by Subsection (a) receives a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, and satisfies the requirements of Section 411.074, the court that placed the person on deferred adjudication community supervision shall issue an order of nondisclosure of criminal history record information under this subchapter prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense giving rise to the deferred adjudication community supervision. The court shall determine whether the person satisfies the requirements of Section 411.074, and if the court makes a finding that the requirements of that section are satisfied, the court shall issue the order of nondisclosure of criminal history record information:

(1) at the time the court discharges and dismisses the proceedings against the person, if the discharge and dismissal occurs on or after the 180th day after the date the court placed the person on deferred adjudication community supervision; or

(2) as soon as practicable on or after the 180th day after the date the court placed the person on deferred adjudication community supervision, if the discharge and dismissal occurred before that date.

(c) The person shall present to the court any evidence necessary to establish that the person is eligible to receive an order of nondisclosure of criminal history record information under this section. The person must pay a \$28 fee to the clerk of the court before the court issues the order.

(d) A person who is not eligible to receive an order of nondisclosure of criminal history record information under this section solely because an affirmative finding under Article 42A.105(f), Code of Criminal Procedure, or former Section 5(k), Article 42.12, Code of Criminal Procedure, was filed in the papers of the case may file a petition for an order of nondisclosure of criminal history record information under Section 411.0725 if the person otherwise satisfies the requirements of that section.

Government Code, § 51.702,51.703

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 51.702. ADDITIONAL FEES AND COSTS *“AND COSTS” removed* IN STATUTORY COUNTY COURTS.

(a) The clerk of a statutory county court shall collect a \$40 filing fee in each civil case filed in the court to be used for court-related purposes for the support of the judiciary.

(b) In addition to other court costs, a person shall pay \$15 as a court cost on conviction of any criminal offense in a statutory county court, including cases in which probation or deferred adjudication is granted. A conviction that arises under Chapter 521, Transportation Code, or a conviction under Subtitle C, Title 7, Transportation Code, is included, except that a conviction arising under any law that regulates pedestrians or the parking of motor vehicles is not included.

(c) *Fees* Court costs and fees *“Court costs and fees” removed* due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) The clerk shall deposit the fees and costs *"and costs" removed* collected under this section to be sent to the comptroller as provided by Subchapter B, Chapter 133, Local Government Code. The comptroller shall deposit the fees in the judicial fund.

(e) Section 51.320 applies to a fee or cost *"or cost" removed* collected under this section.

Sec. 51.703. ADDITIONAL FEES AND COSTS *"AND COSTS" removed* IN CERTAIN COUNTY COURTS.

(a) In addition to all other fees authorized or required by other law, the clerk of a county court with a judge who is entitled to an annual salary supplement from the state under Section 26.006 shall collect a \$40 filing fee in each civil case filed in the court to be used for court-related purposes for the support of the judiciary.

(b) In addition to other court costs, a person shall pay \$15 as a court cost on conviction of any criminal offense in a county court, including cases in which probation or deferred adjudication is granted. A conviction that arises under Chapter 521, Transportation Code, or a conviction under Subtitle C, Title 7, Transportation Code, is included, except that a conviction arising under any law that regulates pedestrians or the parking of motor vehicles is not included.

(c) Fees Court costs and fees *"Court costs and fees" removed* due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) The clerk shall deposit the fees and costs *"and costs" removed* collected under this section to be sent to the comptroller as provided by Subchapter B, Chapter 133, Local Government Code. The comptroller shall deposit the fees in the judicial fund.

(e) Section 51.320 applies to a fee or cost *"or cost" removed* collected under this section.

(f) A clerk may not collect a fee under this section and under Section 51.702(a).

Government Code, § 51.851(d)

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section. **REPEALED**

Sec. 51.851. ELECTRONIC FILING FEE.

(a) In this section, "conviction" has the meaning assigned by Section 133.101, Local Government Code.

(b) In addition to other fees authorized or required by law, the clerk of the supreme court, a court of appeals, a district court, a county court, a statutory county court, or a statutory probate court shall collect a \$30 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 to be used as provided by Section 51.852.

(c) In addition to other fees authorized or required by law, the clerk of a justice court shall collect a \$10 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 to be used as provided by Section 51.852.

(d) In addition to other court costs, a person shall pay \$5 as a court cost on conviction of any criminal offense in a district court, county court, or statutory county court.

(e) A court may waive payment of a court cost or “*court cost or*” *removed* fee due under this section for an individual the court determines is indigent.

(f) **Fees** Court costs and fees “*Court costs and fees*” *removed* due under this section shall be collected in the same manner as other fees, fines, or costs in the case.

(g) The clerk of a district court, a county court, a statutory county court, a statutory probate court, or a justice court shall deposit the court costs and “*court costs and*” *removed* fees collected under this section in the appropriate local treasury and remit the court costs and “*court costs and*” *removed* fees to the comptroller in the manner provided by Subchapter B, Chapter 133, Local Government Code.

(h) The clerk of the supreme court or of a court of appeals shall remit the fees collected under this section to the comptroller.

(i) The comptroller shall deposit the court costs and “*court costs and*” *removed* fees received under this section to the credit of the statewide electronic filing system fund established under Section 51.852.

(j) The comptroller may audit the records of a county related to costs and “*costs and*” *removed* fees collected under this section.

(k) Money spent from costs and “*costs and*” *removed* fees collected under this section is subject to audit by the state auditor.

Local Gov’t Code, § 133.102(a)

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 133.102. CONSOLIDATED FEES ON CONVICTION.

(a) A person convicted of an offense shall pay as a court cost, in addition to all other costs:

(1) ~~\$185~~ \$133 “~~\$133~~” *removed* on conviction of a felony;

(2) ~~\$147~~ \$83 “~~\$83~~” *removed* on conviction of a Class A or Class B misdemeanor; or

(3) ~~\$62~~ \$40 “~~\$40~~” *removed* on conviction of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance, other than a conviction of an offense relating to a pedestrian or the parking of a motor vehicle.

Local Gov’t Code, § 133.103

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346 and S.B. 891, 86th Legislature, Regular Session, for amendments affecting the following section. See below

Sec. 133.103. TIME PAYMENT FEE.

(a) A person convicted of an offense shall pay, in addition to all other costs, a fee of \$25 if the person:

(1) has been convicted of a felony or misdemeanor; and

(2) pays any part of a fine, court costs, or restitution on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs, or restitution.

(b) Except as provided by Subsection (c-1), the treasurer shall send 50 percent of the fees collected under this section to the comptroller. The comptroller shall deposit the fees received to the credit of the general revenue fund.

(c) Except as provided by Subsection (c-1), the treasurer shall deposit 10 percent of the fees collected under this section in the general fund of the county or municipality for the purpose of improving the efficiency of the administration of justice in the county or municipality. The county or municipality shall prioritize the needs of the judicial officer who collected the fees when making expenditures under this subsection and use the money deposited to provide for those needs.

(c-1) The treasurer shall send to the comptroller 100 percent of the fees collected under this section if, during an audit under Article 103.0033(j), Code of Criminal Procedure, the Office of Court Administration of the Texas Judicial System determines that the municipality or county is not in compliance with Article 103.0033, Code of Criminal Procedure, and is unable to reestablish compliance on or before the 180th day after the date the municipality or county receives written notice of noncompliance from the office. After any period in which the treasurer is required under this subsection to send 100 percent of the fees collected under this section to the comptroller, the municipality or county shall begin once more to dispose of fees as otherwise provided by this section on receipt of a written confirmation from the office that the municipality or county is in compliance with Article 103.0033, Code of Criminal Procedure.

(d) The treasurer shall deposit the remainder of the fees collected under this section in the general revenue account of the county or municipality.

Section 133.103, Local Government Code, is transferred to Subchapter A, Chapter 102, Code of Criminal Procedure, redesignated as Article 102.030, Code of Criminal Procedure, and amended to read as follows:

Art. 102.030 TIME PAYMENT REIMBURSEMENT FEE.

(a) person convicted of an offense shall pay a reimbursement fee of \$15 if the person:

(1) has been convicted of a felony or misdemeanor; and

(2) pays any part of a fine, court costs, or restitution, or another reimbursement fee, on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs, restitution, or other reimbursement fee.

(b) The treasurer shall deposit the reimbursement fees collected under this section in a separate account in the general fund of the county or municipality to be 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 or municipality. The county or municipality shall prioritize the needs of the judicial officer who collected the fees when making expenditures under this subsection and use the money deposited to provide for those needs.

Local Gov't Code, § 133.105(a)

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section. **REPEALED**

Sec. 133.105. FEE FOR SUPPORT OF COURT-RELATED PURPOSES.

(a) A person convicted of any offense, other than an offense relating to a pedestrian or the parking of a motor vehicle, shall pay as a court cost, in addition to all other costs, a fee of \$6 to be used for court-related purposes for the support of the judiciary.

Local Gov't Code, § 133.107

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section. **REPEALED**

Sec. 133.107. FEE FOR SUPPORT OF INDIGENT DEFENSE REPRESENTATION.

(a) A person convicted of any offense, other than an offense relating to a pedestrian or the parking of a motor vehicle, shall pay as a court cost, in addition to other costs, a fee of \$2 to be used to fund indigent defense representation through the fair defense account established under Section 79.031, Government Code.

(b) The treasurer shall remit a fee collected under this section to the comptroller in the manner provided by Subchapter B. The comptroller shall credit the remitted fees to the credit of the fair defense account established under Section 79.031, Government Code.

Transportation Code, § 542.403

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 542.403. **FINES** COURT COSTS *"COURT COSTS" removed.*

(a) In addition to other costs, **the court shall order** a person convicted of a misdemeanor under this subtitle **to shall** *“shall” removed* pay a fine of \$3 as a cost of court *“as a cost of court” removed*.

(b) The officer who collects a fine cost *“cost” removed* under this section shall:

(1) deposit in the municipal treasury a fine cost *“cost” removed* collected in a municipal court case; and

(2) deposit in the county treasury a fine cost *“cost” removed* collected in a justice court case or in a county court case, including a case appealed from a justice or municipal court.

(c) In this section, "conviction" has the meaning assigned by Section 133.101, Local Government Code.

Transportation Code, § 542.4031

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see H.B. 2048, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 542.4031. STATE TRAFFIC FINE.

(a) In addition to the fine prescribed by Section 542.401 or another section of this subtitle, as applicable, a person who enters a plea of guilty or nolo contendere to or is convicted of an offense under this subtitle shall pay \$30 as a state traffic fine. The person shall pay the state traffic fine when the person enters the person's plea of guilty or nolo contendere, or on the date of conviction, whichever is earlier. The state traffic fine shall be paid regardless of whether:

(1) a sentence is imposed on the person;

(2) the court defers final disposition of the person's case; or

(3) the person is placed on community supervision, including deferred adjudication community supervision.

(b) An officer collecting a state traffic fine under this section in a case in municipal court shall keep separate records of the money collected and shall deposit the money in the municipal treasury.

(c) An officer collecting a state traffic fine under this section in a justice, county, or district court shall keep separate records of the money collected and shall deposit the money in the county treasury.

(d) Each calendar quarter, an officer collecting a state traffic fine under this section shall submit a report to the comptroller. The report must comply with Articles 103.005(c) and (d), Code of Criminal Procedure.

(e) The custodian of money in a municipal or county treasury may deposit money collected under this section in an interest-bearing account. The custodian shall:

(1) keep records of the amount of money collected under this section that is on deposit in the treasury; and

(2) not later than the last day of the month following each calendar quarter, remit to the comptroller money collected under this section during the preceding quarter, as required by the comptroller.

(f) A municipality or county may retain five percent of the money collected under this section as a service fee for the collection if the municipality or county remits the funds to the comptroller within the period prescribed in Subsection (e). The municipality or county may retain any interest accrued on the money if the custodian of the money deposited in the treasury keeps records of the amount of money collected under this section that is on deposit in the treasury and remits the funds to the comptroller within the period prescribed in Subsection (e).

(g) Of the money received by the comptroller under this section, the comptroller shall deposit:

(1) 67 percent to the credit of the undedicated portion of the general revenue fund; and

(2) 33 percent to the credit of the designated trauma facility and emergency medical services account under Section 780.003, Health and Safety Code.

(h) Notwithstanding Subsection (g)(1), in any state fiscal year the comptroller shall deposit 67 percent of the money received under Subsection (e)(2) to the credit of the general revenue fund only until the total amount of the money deposited to the credit of the general revenue fund under Subsection (g)(1) and Section 780.002(b), Health and Safety Code, equals \$250 million for that year. If in any state fiscal year, the amount received by the comptroller under those laws for deposit to the credit of the general revenue fund exceeds \$250 million, the comptroller shall deposit the additional amount to the credit of the Texas mobility fund.

(i) Money collected under this section is subject to audit by the comptroller. Money spent is subject to audit by the state auditor.

Transportation Code, § 706.006(b)

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see S.B. 346, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 706.006. PAYMENT OF REIMBURSEMENT ADMINISTRATIVE *“ADMINISTRATIVE” removed* FEE.

(a) Except as provided by Subsection (d), a person who fails to appear for a complaint or citation for an offense described by Section 706.002(a) shall be required to pay a reimbursement an administrative *“an administrative” removed* fee of \$10 \$30 *“\$30” removed* for each complaint or citation reported to the department under this chapter, unless:

(1) the person is acquitted of the charges for which the person failed to appear;

(2) the charges on which the person failed to appear were dismissed with prejudice by motion of the appropriate prosecuting attorney for lack of evidence;

(3) the failure to appear report was sent to the department in error; or

(4) the case regarding the complaint or citation is closed and the failure to appear report has been destroyed in accordance with the applicable political subdivision's records retention policy.

(a-1) A person who is required to pay a **reimbursement** fee under Subsection (a) shall pay the fee when:

(1) the court enters judgment on the underlying offense reported to the department;

(2) the underlying offense is dismissed, other than a dismissal described by Subsection (a)(2);
or

(3) bond or other security is posted to reinstate the charge for which the warrant was issued.

(b) Except as provided by Subsection (d), a person who fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner the court orders shall be required to pay a **reimbursement** an administrative *"an administrative" removed* fee of ~~\$10~~ \$30 *"\$30" removed*.

(c) The department may deny renewal of the driver's license of a person who does not pay a **reimbursement** fee due under this section until the fee is paid. The fee required by this section is in addition to any other fee required by law.

(d) If the court having jurisdiction over the underlying offense makes a finding that the person is indigent, the person may not be required to pay a **reimbursement** an administrative *"an administrative" removed* fee under this section. For purposes of this subsection, a person is presumed to be indigent if the person:

(1) is required to attend school full time under Section 25.085, Education Code;

(2) is a member of a household with a total annual income that is below 125 percent of the applicable income level established by the federal poverty guidelines; or

(3) receives assistance from:

(A) the financial assistance program established under Chapter 31, Human Resources Code;

(B) the medical assistance program under Chapter 32, Human Resources Code;

(C) the supplemental nutrition assistance program established under Chapter 33, Human Resources Code;

(D) the federal special supplemental nutrition program for women, infants, and children authorized by 42 U.S.C. Section 1786; or

(E) the child health plan program under Chapter 62, Health and Safety Code.