

By: Rose

H.B. No. 1035

A BILL TO BE ENTITLED

AN ACT

relating to certain fees and costs that may be collected from a surety.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 17.19, Code of Criminal Procedure, is amended by adding Subsections (f) and (g) to read as follows:

(f) A surety filing an affidavit in a county court, county court at law, or district court or in any magistrate court of a county shall pay the following fees:

(1) for filing the affidavit with the clerk of the court, \$15;

(2) for issuance of the warrant by the clerk, \$15;

(3) for issuance of the precept by the clerk, \$15; and

(4) for a warrant executed or processed by a peace officer, an amount set by the commissioners court of the county that is reasonable and necessary to recover the costs of executing or processing the warrant.

(g) The fees described by Subsection (f) shall be collected and distributed by the clerk of the court in the same manner as fees are collected and distributed under Section 51.317, Government Code.

SECTION 2. Section 103.022, Government Code, is amended to read as follows:

Sec. 103.022. MISCELLANEOUS FEES AND COSTS. The following

1 fees and costs shall be paid or collected as follows:

2 (1) fee for use of an interpreter in civil cases (Sec.
3 21.051, Civil Practice and Remedies Code) . . . \$3;

4 (2) fee for custodian of a record compelled by a court
5 to produce or certify the record (Sec. 22.004, Civil Practice and
6 Remedies Code) . . . \$1;

7 (3) cost for use of certified copy of the record of
8 names of all trustees appointed by any state organization of a
9 religious congregation in this state (Sec. 126.012, Civil Practice
10 and Remedies Code) . . . \$1.50;

11 (4) filing of a restitution lien (Art. 42.22, Code of
12 Criminal Procedure) . . . \$5;

13 (5) issuance and service of a warrant of arrest for
14 certain offenses if prescribed by the municipality (Art. 45.203,
15 Code of Criminal Procedure) . . . not to exceed \$25;

16 (6) filing a certified copy of a judicial finding of
17 fact and conclusion of law if charged by the secretary of state
18 (Sec. 51.905, Government Code) . . . \$15;

19 (7) costs of determining and sending information
20 concerning the identity of the court with continuing, exclusive
21 jurisdiction if charged by the bureau of vital statistics (Sec.
22 108.006, Family Code) . . . reasonable fee;

23 (8) initial operations fee paid to domestic relations
24 office on filing of a suit affecting the parent-child relationship,
25 if authorized by the administering entity (Sec. 203.005, Family
26 Code) . . . not to exceed \$15;

27 (9) initial child support service fee paid to domestic

1 relations office in certain counties on filing of a suit affecting
2 the parent-child relationship, if authorized by the administering
3 entity (Sec. 203.005, Family Code) . . . not to exceed \$36;

4 (10) service fee for services of a domestic relations
5 office, if authorized by the administering entity (Sec. 203.005,
6 Family Code) . . . not to exceed \$3 per month;

7 (11) fee from a Title IV-D agency for each item of
8 process to each individual on whom service is required, including
9 service by certified or registered mail (Sec. 231.202, Family Code)
10 . . . the amount that a sheriff or constable may charge for serving
11 process under Section 118.131, Local Government Code;

12 (12) a copy of records of spousal or child support and
13 fees administered in Dallas County if authorized by the local
14 administrative judge (Sec. 152.0634, Human Resources Code) . . .
15 not to exceed \$2 per page;

16 (13) collecting, disbursing, or monitoring spousal or
17 child support payments in Dallas County (Sec. 152.0635, Human
18 Resources Code) . . . not to exceed \$3 per month;

19 (14) fee for adoption, family, and home study
20 investigations in an adoption in Dallas County (Sec. 152.0635,
21 Human Resources Code) . . . not to exceed \$250;

22 (15) certain transactions with respect to a suit for
23 spousal support or a suit affecting the parent-child relationship
24 in Harris County, if authorized by the county commissioners court
25 (Sec. 152.1074, Human Resources Code) . . . not to exceed \$2 per
26 transaction;

27 (16) child support service fee in Nueces County, if

1 authorized by the county commissioners court (Sec. 152.1844, Human
2 Resources Code) . . . not to exceed \$5 per month;

3 (17) services by the offices of the sheriff and
4 constables (Sec. 118.131, Local Government Code) . . . amount set
5 by county commissioners court;

6 (18) cost paid by each surety posting the bail bond for
7 an offense other than a misdemeanor punishable by fine only under
8 Chapter 17, Code of Criminal Procedure, for the felony prosecutor
9 supplement fund and the fair defense account (Sec. 41.258,
10 Government Code) . . . \$15, provided the cost does not exceed \$30
11 for all bail bonds posted at that time for an individual and the
12 cost is not required on the posting of a personal or cash bond;

13 (19) appraiser's fee as court costs for determining
14 the fair value of ownership interests of owners who have perfected
15 their rights (Sec. 10.365, Business Organizations Code) . . . a
16 reasonable fee; ~~and~~

17 (20) to participate in a court proceeding in this
18 state, a nonresident attorney fee for civil legal services to the
19 indigent (Sec. 82.0361, Government Code) . . . \$250 except as
20 waived or reduced under supreme court rules for representing an
21 indigent person;

22 (21) fee paid by each surety filing an affidavit to
23 obtain a warrant (Art. 17.19, Code of Criminal Procedure)
24 . . . \$15;

25 (22) fee paid by each surety for issuance of a warrant
26 (Art. 17.19, Code of Criminal Procedure) . . . \$15;

27 (23) fee paid by each surety for issuance of a precept

1 (Art. 17.19, Code of Criminal Procedure) . . . \$15; and
2 (24) fee paid by each surety for a warrant executed or
3 processed by a peace officer (Art. 17.19, Code of Criminal
4 Procedure) . . . the amount set by the commissioners court of the
5 county that is reasonable and necessary to recover the costs of
6 executing or processing the warrant.
7 SECTION 3. This Act takes effect September 1, 2005.