

By: Springer

H.B. No. 2520

A BILL TO BE ENTITLED

AN ACT

relating to increasing the costs of court and juvenile probation fees imposed by a juvenile court.

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

SECTION 1. Section 54.0411(a), Family Code, is amended to read as follows:

(a) If a disposition hearing is held under Section 54.04 of this code, the juvenile court, after giving the child, parent, or other person responsible for the child's support a reasonable opportunity to be heard, shall order the child, parent, or other person, if financially able to do so, to pay a fee as costs of court of \$300 [~~\$20~~].

SECTION 2. Section 54.061(a), Family Code, is amended to read as follows:

(a) If a child is placed on probation under Section 54.04(d)(1) of this code, the juvenile court, after giving the child, parent, or other person responsible for the child's support a reasonable opportunity to be heard, shall order the child, parent, or other person, if financially able to do so, to pay to the court a fee of not more than \$60 [~~\$15~~] a month during the period that the child continues on probation.

SECTION 3. Section 103.0212, Government Code, is amended to read as follows:

Sec. 103.0212. ADDITIONAL FEES AND COSTS IN CRIMINAL OR

1 CIVIL CASES: FAMILY CODE. An accused or defendant, or a party to a  
2 civil suit, as applicable, shall pay the following fees and costs  
3 under the Family Code if ordered by the court or otherwise required:

4 (1) in family matters:

5 (A) issuing writ of withholding (Sec. 8.262,  
6 Family Code) . . . \$15;

7 (B) filing copy of writ of withholding to  
8 subsequent employer (Sec. 8.267, Family Code) . . . \$15;

9 (C) issuing and delivering modified writ of  
10 withholding or notice of termination (Sec. 8.302, Family Code)  
11 . . . \$15;

12 (D) issuing and delivering notice of termination  
13 of withholding (Sec. 8.303, Family Code) . . . \$15;

14 (E) issuance of change of name certificate (Sec.  
15 45.106, Family Code) . . . \$10;

16 (F) protective order fee (Sec. 81.003, Family  
17 Code) . . . \$16;

18 (G) filing suit requesting adoption of child  
19 (Sec. 108.006, Family Code) . . . \$15;

20 (H) filing fees for suits affecting parent-child  
21 relationship (Sec. 110.002, Family Code):

22 (i) suit or motion for modification (Sec.  
23 110.002, Family Code) . . . \$15;

24 (ii) motion for enforcement (Sec. 110.002,  
25 Family Code) . . . \$15;

26 (iii) notice of application for judicial  
27 writ of withholding (Sec. 110.002, Family Code) . . . \$15;

1 (iv) motion to transfer (Sec. 110.002,  
2 Family Code) . . . \$15;

3 (v) petition for license suspension (Sec.  
4 110.002, Family Code) . . . \$15;

5 (vi) motion to revoke a stay of license  
6 suspension (Sec. 110.002, Family Code) . . . \$15; and

7 (vii) motion for contempt (Sec. 110.002,  
8 Family Code) . . . \$15;

9 (I) order or writ of income withholding to be  
10 delivered to employer (Sec. 110.004, Family Code) . . . not to  
11 exceed \$15;

12 (J) filing fee for transferred case (Sec.  
13 110.005, Family Code) . . . \$45;

14 (K) filing a writ of withholding (Sec. 158.319,  
15 Family Code) . . . \$15;

16 (L) filing a request for modified writ of  
17 withholding or notice of termination (Sec. 158.403, Family Code)  
18 . . . not to exceed \$15;

19 (M) filing an administrative writ to employer  
20 (Sec. 158.503, Family Code) . . . not to exceed \$15; and

21 (N) genetic testing fees in relation to a child  
22 born to a gestational mother (Sec. 160.762, Family Code) . . . as  
23 assessed by the court; and

24 (2) in juvenile court:

25 (A) fee schedule for deferred prosecution  
26 services (Sec. 53.03, Family Code) . . . maximum fee of \$15 a month;

27 (B) a request fee for a teen court program (Sec.

1 54.032, Family Code) . . . \$20, if the court ordering the fee is  
2 located in the Texas-Louisiana border region, but otherwise not to  
3 exceed \$10;

4 (C) court costs for juvenile probation diversion  
5 fund (Sec. 54.0411, Family Code) . . . \$300 [~~\$20~~];

6 (D) a juvenile delinquency prevention fee (Sec.  
7 54.0461, Family Code) . . . \$50;

8 (E) a court fee for child's probationary period  
9 (Sec. 54.061, Family Code) . . . not to exceed \$60 [~~\$15~~] a month;

10 (F) a fee to cover costs of required duties of  
11 teen court (Sec. 54.032, Family Code) . . . \$20, if the court  
12 ordering the fee is located in the Texas-Louisiana border region,  
13 but otherwise not to exceed \$10;

14 (G) a fee for DNA testing on commitment to  
15 certain facilities (Sec. 54.0462, Family Code) . . . \$50; and

16 (H) a fee for DNA testing after placement on  
17 probation or as otherwise required by law (Sec. 54.0462, Family  
18 Code) . . . \$34.

19 SECTION 4. The changes in law made by this Act apply only to  
20 a fee or court cost imposed in a juvenile case for conduct violating  
21 a penal law that occurs on or after the effective date of this Act.  
22 Conduct violating a penal law occurs on or after the effective date  
23 of this Act if any element of the violation occurs on or after that  
24 date. Conduct that occurs before the effective date of this Act is  
25 governed by the law in effect at the time the conduct occurred, and  
26 that law is continued in effect for that purpose.

27 SECTION 5. Section 51.607, Government Code, does not apply

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1 to the change in the amount of fees made by Sections 1 and 2 of this  
2 Act.

3 SECTION 6. This Act takes effect September 1, 2013.