

By: Turner of Harris

H.B. No. 2890

A BILL TO BE ENTITLED

AN ACT

relating to the consolidation and allocation of state criminal court costs; increasing certain court costs.

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

SECTION 1. Section 133.102(a), Local Government Code, is amended to read as follows:

(a) Subject to Subsection (g), a ~~[A]~~ person convicted of an offense shall pay as a court cost, in addition to all other costs:

(1) \$185 ~~[\$133]~~ on conviction of a felony;

(2) \$160 ~~[\$83]~~ on conviction of a Class A or Class B misdemeanor; ~~[or]~~

(3) \$122 on conviction of a Class C misdemeanor,
except as provided by Subdivision (4); or

(4) \$30 ~~[\$40]~~ on conviction of ~~[a nonjailable misdemeanor offense, including]~~ a criminal violation of a municipal or county ordinance, including ~~[other than]~~ a conviction of an offense relating to a pedestrian or the parking of a motor vehicle.

SECTION 2. Section 133.102(e), Local Government Code, as effective September 1, 2013, is amended to read as follows:

(e) The comptroller shall allocate the court costs received under this section to the following accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the court costs for the accounts and funds had been

collected and reported separately, except that the account or fund may not receive less than the following percentages:

(1) general revenue fund [~~abused children's counseling~~] 12.2514 [~~0.0088~~] percent;

(1-a) general revenue fund (portion replacing the former state traffic fine) 16.4953 percent;

(2) crime stoppers assistance 0.1354 [~~0.2581~~] percent;

(3) breath alcohol testing 0.2875 [~~0.5507~~] percent;

(4) Bill Blackwood Law Enforcement Management Institute 1.1292 [~~2.1683~~] percent;

(5) law enforcement officers standards and education 2.6094 [~~5.0034~~] percent;

(6) comprehensive rehabilitation 5.0760 [~~9.8218~~] percent;

(7) law enforcement and custodial officer supplemental retirement fund 5.8154 [~~11.1426~~] percent;

(8) criminal justice planning 6.6130 [~~12.5537~~] percent;

(9) an account in the state treasury to be used only for the establishment and operation of the Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University 0.6255 [~~1.2090~~] percent;

(10) compensation to victims of crime fund 19.6314 [~~37.6338~~] percent;

(11) emergency radio infrastructure account 2.8571 [~~5.5904~~] percent;

(12) judicial and court personnel training fund 2.5137

1 ~~[4.8362]~~ percent;

2 (13) an account in the state treasury to be used for
3 the establishment and operation of the Correctional Management
4 Institute of Texas and Criminal Justice Center Account 0.6230
5 ~~[1.2090]~~ percent; ~~and~~

6 (14) fair defense account 6.4178 ~~[8.0143]~~ percent;
7 (15) state highway fund 0.0328 percent;
8 (16) judicial fund 7.6820 percent;
9 (17) EMS, trauma facilities, trauma care systems
10 account 1.0796 percent; and

11 (18) designated trauma facility and EMS 8.1245
12 percent.

13 SECTION 3. Section 133.102, Local Government Code, is
14 amended by adding Subsections (g) and (h) to read as follows:

15 (g) In this subsection, "consumer price index" means the
16 annual revised Consumer Price Index for All Urban Consumers
17 (CPI-U), U.S. City Average, seasonally adjusted, as published by
18 the federal Bureau of Labor Statistics of the United States
19 Department of Labor, or its successor in function. On January 1 of
20 each year, the Texas Judicial Council may increase each court cost
21 amount prescribed by this section that was in effect on December 31
22 of the previous year by a percentage equal to the inflation rate for
23 the preceding four-calendar-year period, and the resulting amount
24 is rounded to the nearest dollar, if:

25 (1) the inflation rate for that period, as determined
26 by the Texas Judicial Council using the consumer price index for
27 each of the preceding four calendar years, was at least three

1 percent; and

2 (2) the legislature did not increase the amount of the
3 court cost during that period.

4 (h) Not later than October 1 of each year:

5 (1) the Texas Judicial Council shall determine the
6 amounts of the court costs prescribed by this section that will be
7 in effect on January 1 of the following year as provided by
8 Subsections (a) and (g) and provide that information to the Office
9 of Court Administration of the Texas Judicial System; and

10 (2) the office of court administration shall publish
11 the court cost amounts that will be in effect on January 1 of the
12 following year on the office's Internet website and distribute the
13 court cost information electronically to court clerks in this
14 state.

15 SECTION 4. Article 42.037(g)(1), Code of Criminal
16 Procedure, is amended to read as follows:

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

26 SECTION 5. Articles 102.0178(a), (d), and (e), Code of
27 Criminal Procedure, are amended to read as follows:

1 (a) In addition to other costs on conviction imposed by this
2 chapter, a person shall pay \$30 [~~\$60~~] as a court cost on conviction
3 of an offense punishable as a Class B misdemeanor or any higher
4 category of offense under:

5 (1) Chapter 49, Penal Code; or

6 (2) Chapter 481, Health and Safety Code.

7 (d) The custodian of a county treasury shall~~+~~
8 [~~(1)~~] keep records of the amount of funds on deposit
9 collected under this article~~+, and~~

10 [~~(2) except as provided by Subsection (c), send to the~~
11 ~~comptroller before the last day of the first month following each~~
12 ~~calendar quarter the funds collected under this article during the~~
13 ~~preceding quarter]~~.

14 (e) A county that [~~is entitled to:~~

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

19 [~~(2) if the county]~~ has established a drug court program
20 or establishes a drug court program before the expiration of the
21 calendar quarter is entitled to~~[7]~~ retain [~~in addition to the 10~~
22 ~~percent authorized by Subdivision (1) another 50 percent of]~~ the
23 funds collected under this article by an officer of the county
24 during the calendar quarter to be used exclusively for the
25 development and maintenance of drug court programs operated within
26 the county.

27 SECTION 6. Section 61.002(a), Family Code, is amended to

1 read as follows:

2 (a) Except as provided by Subsection (b), this chapter
3 applies to a proceeding to enter a juvenile court order:

4 (1) for payment of probation fees under Section
5 54.061;

6 (2) for restitution under Sections 54.041(b) and
7 54.048;

8 (3) for payment of graffiti eradication fees under
9 Section 54.0461;

10 (4) for community service under Section 54.044(b);

11 (5) ~~[for payment of costs of court under Section~~
12 ~~54.0411 or other provisions of law,~~

13 ~~[(6)]~~ requiring the person to refrain from doing any
14 act injurious to the welfare of the child under Section
15 54.041(a)(1);

16 (6) ~~[(7)]~~ enjoining contact between the person and the
17 child who is the subject of a proceeding under Section
18 54.041(a)(2);

19 (7) ~~[(8)]~~ ordering a person living in the same
20 household with the child to participate in counseling under Section
21 54.041(a)(3);

22 (8) ~~[(9)]~~ requiring a parent or guardian of a child
23 found to be truant to participate in an available program
24 addressing truancy under Section 54.041(f);

25 (9) ~~[(10)]~~ requiring a parent or other eligible person
26 to pay reasonable attorney's fees for representing the child under
27 Section 51.10(e);

1 (10) [~~(11)~~] requiring the parent or other eligible
2 person to reimburse the county for payments the county has made to
3 an attorney appointed to represent the child under Section 51.10(k)
4 [~~51.10(j)~~];

5 (11) [~~(12)~~] requiring payment of deferred prosecution
6 supervision fees under Section 53.03(d);

7 (12) [~~(13)~~] requiring a parent or other eligible
8 person to attend a court hearing under Section 51.115;

9 (13) [~~(14)~~] requiring a parent or other eligible
10 person to act or refrain from acting to aid the child in complying
11 with conditions of release from detention under Section 54.01(r);

12 (14) [~~(15)~~] requiring a parent or other eligible
13 person to act or refrain from acting under any law imposing an
14 obligation of action or omission on a parent or other eligible
15 person because of the parent's or person's relation to the child who
16 is the subject of a proceeding under this title;

17 (15) [~~(16)~~] for payment of fees under Section 54.0462;
18 or

19 (16) [~~(17)~~] for payment of the cost of attending an
20 educational program under Section 54.0404.

21 SECTION 7. Sections 51.702(c) and (d), Government Code, are
22 amended to read as follows:

23 (c) Fees [~~Court costs and fees~~] due under this section shall
24 be collected in the same manner as other fees, fines, or costs are
25 collected in the case.

26 (d) The clerk shall deposit the fees [~~and costs~~] collected
27 under this section to be sent to the comptroller as provided by

1 Subchapter B, Chapter 133, Local Government Code. The comptroller
2 shall deposit the fees in the judicial fund.

3 SECTION 8. Sections 51.703(c), (d), and (e), Government
4 Code, are amended to read as follows:

5 (c) Fees [~~Court costs and fees~~] due under this section shall
6 be collected in the same manner as other fees, fines, or costs are
7 collected in the case.

8 (d) The clerk shall deposit the fees [~~and costs~~] collected
9 under this section to be sent to the comptroller as provided by
10 Subchapter B, Chapter 133, Local Government Code. The comptroller
11 shall deposit the fees in the judicial fund.

12 (e) Section 51.320 applies to a fee [~~or cost~~] collected
13 under this section.

14 SECTION 9. Section 61.0015(c), Government Code, is amended
15 to read as follows:

16 (c) The comptroller shall pay claims for reimbursement
17 under this section quarterly to the county treasury of each county
18 that filed a claim [~~from money collected under Article 102.0045,~~
19 ~~Code of Criminal Procedure, and deposited in the jury service~~
20 ~~fund~~].

21 SECTION 10. Section 102.021, Government Code, is amended to
22 read as follows:

23 Sec. 102.021. COURT COSTS ON CONVICTION: CODE OF CRIMINAL
24 PROCEDURE. A person convicted of an offense shall pay the following
25 under the Code of Criminal Procedure, in addition to all other
26 costs:

27 (1) [~~court cost on conviction of any offense, other~~

1 ~~than a conviction of an offense relating to a pedestrian or the~~
2 ~~parking of a motor vehicle (Art. 102.0045, Code of Criminal~~
3 ~~Procedure) . . . \$4;~~

4 ~~[(2)]~~ a fee for services of prosecutor (Art. 102.008,
5 Code of Criminal Procedure) . . . \$25;

6 (2) ~~[(3)]~~ fees for services of peace officer:

7 (A) issuing a written notice to appear in court
8 for certain violations (Art. 102.011, Code of Criminal Procedure)
9 . . . \$5;

10 (B) executing or processing an issued arrest
11 warrant, capias, or capias pro fine (Art. 102.011, Code of Criminal
12 Procedure) . . . \$50;

13 (C) summoning a witness (Art. 102.011, Code of
14 Criminal Procedure) . . . \$5;

15 (D) serving a writ not otherwise listed (Art.
16 102.011, Code of Criminal Procedure) . . . \$35;

17 (E) taking and approving a bond and, if
18 necessary, returning the bond to courthouse (Art. 102.011, Code of
19 Criminal Procedure) . . . \$10;

20 (F) commitment or release (Art. 102.011, Code of
21 Criminal Procedure) . . . \$5;

22 (G) summoning a jury (Art. 102.011, Code of
23 Criminal Procedure) . . . \$5;

24 (H) attendance of a prisoner in habeas corpus
25 case if prisoner has been remanded to custody or held to bail (Art.
26 102.011, Code of Criminal Procedure) . . . \$8 each day;

27 (I) mileage for certain services performed (Art.

102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

(J) services of a sheriff or constable who serves process and attends examining trial in certain cases (Art. 102.011, Code of Criminal Procedure) . . . not to exceed \$5;

(3) ~~[(4)]~~ services of a peace officer in conveying a witness outside the county (Art. 102.011, Code of Criminal Procedure) . . . \$10 per day or part of a day, plus actual necessary travel expenses;

(4) ~~[(5)]~~ overtime of peace officer for time spent testifying in the trial or traveling to or from testifying in the trial (Art. 102.011, Code of Criminal Procedure) . . . actual cost;

(5) ~~[(6)]~~ court costs on an offense relating to rules of the road, when offense occurs within a school crossing zone (Art. 102.014, Code of Criminal Procedure) . . . \$25;

(6) ~~[(7)]~~ court costs on an offense of passing a school bus (Art. 102.014, Code of Criminal Procedure) . . . \$25;

(7) ~~[(8)]~~ court costs on an offense of truancy or contributing to truancy (Art. 102.014, Code of Criminal Procedure) . . . \$20;

(8) ~~[(9)]~~ cost for visual recording of intoxication arrest before conviction (Art. 102.018, Code of Criminal Procedure) . . . \$15;

(9) ~~[(10)]~~ cost of certain evaluations (Art. 102.018, Code of Criminal Procedure) . . . actual cost;

(10) ~~[(11)] additional costs attendant to certain intoxication convictions under Chapter 49, Penal Code, for emergency medical services, trauma facilities, and trauma care~~

1 ~~systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100,~~

2 ~~[(12)]~~ additional costs attendant to certain child
3 sexual assault and related convictions, for child abuse prevention
4 programs (Art. 102.0186, Code of Criminal Procedure) . . . \$100;

5 (11) ~~[(13)] court cost for DNA testing for certain~~
6 ~~felonies (Art. 102.020(a)(1), Code of Criminal Procedure) . . .~~
7 ~~\$250,~~

8 ~~[(14)] court cost for DNA testing for the offense of~~
9 ~~public lewdness or indecent exposure (Art. 102.020(a)(2), Code of~~
10 ~~Criminal Procedure) . . . \$50,~~

11 ~~[(15)] court cost for DNA testing for certain felonies~~
12 ~~(Art. 102.020(a)(3), Code of Criminal Procedure) . . . \$34,~~

13 ~~[(16)]~~ if required by the court, a restitution fee for
14 costs incurred in collecting restitution installments and for the
15 compensation to victims of crime fund (Art. 42.037, Code of
16 Criminal Procedure) . . . \$6 ~~[\$12];~~

17 (12) ~~[(17)]~~ if directed by the justice of the peace or
18 municipal court judge hearing the case, court costs on conviction
19 in a criminal action (Art. 45.041, Code of Criminal Procedure)
20 . . . part or all of the costs as directed by the judge; and

21 (13) ~~[(18)]~~ costs attendant to convictions under
22 Chapter 49, Penal Code, and under Chapter 481, Health and Safety
23 Code, to help fund drug court programs established under Chapter
24 469, Health and Safety Code (Art. 102.0178, Code of Criminal
25 Procedure) . . . \$30 ~~[\$60].~~

26 SECTION 11. Section 102.0212, Government Code, is amended
27 to read as follows:

1 Sec. 102.0212. COURT COSTS ON CONVICTION: LOCAL GOVERNMENT
2 CODE. A person convicted of an offense shall pay the following
3 under the Local Government Code, in addition to all other costs:

4 (1) court costs on conviction of a felony (Sec.
5 133.102, Local Government Code) . . . \$185 [~~\$133~~];

6 (2) court costs on conviction of a Class A or Class B
7 misdemeanor (Sec. 133.102, Local Government Code) . . . \$160 [~~\$83~~];

8 (3) court costs on conviction of a Class C
9 misdemeanor, except as provided by Section 133.102(a)(4), Local
10 Government Code (Sec. 133.102, Local Government Code). . . \$122;

11 (3-a) court costs on conviction of [a nonjailable
12 misdemeanor offense, including] a criminal violation of a municipal
13 or county ordinance, including [other than] a conviction of an
14 offense relating to a pedestrian or the parking of a motor vehicle
15 (Sec. 133.102, Local Government Code) . . . \$30 [~~\$40~~]; and

16 (4) a time payment fee if convicted of a felony or
17 misdemeanor for paying any part of a fine, court costs, or
18 restitution on or after the 31st day after the date on which a
19 judgment is entered assessing the fine, court costs, or restitution
20 (Sec. 133.103, Local Government Code) . . . \$13 [~~\$25~~];

21 ~~[(5) a cost on conviction of any offense, other than an~~
22 ~~offense relating to a pedestrian or the parking of a motor vehicle~~
23 ~~(Sec. 133.105, Local Government Code) . . . \$6, and~~

24 ~~[(6) a cost on conviction of any offense, other than an~~
25 ~~offense relating to a pedestrian or the parking of a motor vehicle~~
26 ~~(Sec. 133.107, Local Government Code) . . . \$2].~~

27 SECTION 12. Section 102.061, Government Code, is amended to

1 read as follows:

2 Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN
3 STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a
4 statutory county court shall collect fees and costs under the Code
5 of Criminal Procedure on conviction of a defendant as follows:

6 (1) a jury fee (Art. 102.004, Code of Criminal
7 Procedure) . . . \$20;

8 (2) a fee for services of the clerk of the court (Art.
9 102.005, Code of Criminal Procedure) . . . \$40;

10 (3) a records management and preservation services fee
11 (Art. 102.005, Code of Criminal Procedure) . . . \$25;

12 (4) a county and district court technology fee (Art.
13 102.0169, Code of Criminal Procedure) . . . \$4;

14 (5) a security fee on a misdemeanor offense (Art.
15 102.017, Code of Criminal Procedure) . . . \$3;

16 (6) a juvenile delinquency prevention and graffiti
17 eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .
18 \$50; and

19 (7) a juvenile case manager fee (Art. 102.0174, Code
20 of Criminal Procedure) . . . not to exceed \$5 if the court employs a
21 juvenile case manager[, ~~and~~

22 ~~[(8) a civil justice fee (Art. 102.022, Code of~~
23 ~~Criminal Procedure) . . . \$0.10].~~

24 SECTION 13. Section 102.081, Government Code, is amended to
25 read as follows:

26 Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN
27 COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county

1 court shall collect fees and costs under the Code of Criminal
2 Procedure on conviction of a defendant as follows:

3 (1) a jury fee (Art. 102.004, Code of Criminal
4 Procedure) . . . \$20;

5 (2) a fee for clerk of the court services (Art.
6 102.005, Code of Criminal Procedure) . . . \$40;

7 (3) a records management and preservation services fee
8 (Art. 102.005, Code of Criminal Procedure) . . . \$25;

9 (4) a county and district court technology fee (Art.
10 102.0169, Code of Criminal Procedure) . . . \$4;

11 (5) a security fee on a misdemeanor offense (Art.
12 102.017, Code of Criminal Procedure) . . . \$3;

13 (6) a juvenile delinquency prevention and graffiti
14 eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .
15 \$50; and

16 (7) a juvenile case manager fee (Art. 102.0174, Code
17 of Criminal Procedure) . . . not to exceed \$5 if the court employs a
18 juvenile case manager[, ~~and~~

19 [~~(8) a civil justice fee (Art. 102.022, Code of~~
20 ~~Criminal Procedure) . . . \$0.10]~~.

21 SECTION 14. Section 102.101, Government Code, is amended to
22 read as follows:

23 Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN
24 JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice
25 court shall collect fees and costs under the Code of Criminal
26 Procedure on conviction of a defendant as follows:

27 (1) a jury fee (Art. 102.004, Code of Criminal

1 Procedure) . . . \$3;

2 (2) a fee for withdrawing request for jury less than 24
3 hours before time of trial (Art. 102.004, Code of Criminal
4 Procedure) . . . \$3;

5 (3) a jury fee for two or more defendants tried jointly
6 (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

7 (4) a security fee on a misdemeanor offense (Art.
8 102.017, Code of Criminal Procedure) . . . \$4;

9 (5) a fee for technology fund on a misdemeanor offense
10 (Art. 102.0173, Code of Criminal Procedure) . . . \$4;

11 (6) a juvenile case manager fee (Art. 102.0174, Code
12 of Criminal Procedure) . . . not to exceed \$5 if the court employs a
13 juvenile case manager;

14 (7) a fee on conviction of certain offenses involving
15 issuing or passing a subsequently dishonored check (Art. 102.0071,
16 Code of Criminal Procedure) . . . not to exceed \$30; and

17 (8) a court cost on conviction of a Class C misdemeanor
18 in a county with a population of 3.3 million or more, if authorized
19 by the county commissioners court (Art. 102.009, Code of Criminal
20 Procedure) . . . not to exceed \$7[~~, and~~

21 [~~(9) a civil justice fee (Art. 102.022, Code of~~
22 ~~Criminal Procedure) . . . \$0.10]~~.

23 SECTION 15. Section 102.121, Government Code, is amended to
24 read as follows:

25 Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN
26 MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a
27 municipal court shall collect fees and costs on conviction of a

1 defendant as follows:

2 (1) a jury fee (Art. 102.004, Code of Criminal
3 Procedure) . . . \$3;

4 (2) a fee for withdrawing request for jury less than 24
5 hours before time of trial (Art. 102.004, Code of Criminal
6 Procedure) . . . \$3;

7 (3) a jury fee for two or more defendants tried jointly
8 (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

9 (4) a security fee on a misdemeanor offense (Art.
10 102.017, Code of Criminal Procedure) . . . \$3;

11 (5) a fee for technology fund on a misdemeanor offense
12 (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4;
13 and

14 (6) a juvenile case manager fee (Art. 102.0174, Code
15 of Criminal Procedure) . . . not to exceed \$5 if the municipality
16 employs a juvenile case manager [~~and~~

17 [~~(7) a civil justice fee (Art. 102.022, Code of~~
18 ~~Criminal Procedure) . . . \$0.10]~~.

19 SECTION 16. Section 103.0212, Government Code, is amended
20 to read as follows:

21 Sec. 103.0212. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
22 CIVIL CASES: FAMILY CODE. An accused or defendant, or a party to a
23 civil suit, as applicable, shall pay the following fees and costs
24 under the Family Code if ordered by the court or otherwise required:

25 (1) in family matters:

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

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

3 (C) issuing and delivering modified writ of
4 withholding or notice of termination (Sec. 8.302, Family Code)
5 . . . \$15;

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

8 (E) issuance of change of name certificate (Sec.
9 45.106, Family Code) . . . \$10;

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

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

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

16 (i) suit or motion for modification (Sec.
17 110.002, Family Code) . . . \$15;

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

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

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

24 (v) petition for license suspension (Sec.
25 110.002, Family Code) . . . \$15;

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

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

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

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

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

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

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

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

(2) in juvenile court:

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

(B) a request fee for a teen court program (Sec. 54.032, Family Code) . . . \$20, if the court ordering the fee is located in the Texas-Louisiana border region, but otherwise not to exceed \$10;

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

~~[(D)]~~ a juvenile delinquency prevention fee

(Sec. 54.0461, Family Code) . . . \$50;

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

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

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

(G) [~~(H)~~] a fee for DNA testing after placement on probation or as otherwise required by law (Sec. 54.0462, Family Code) . . . \$34.

SECTION 17. Section 103.0213, Government Code, is amended to read as follows:

Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: TRANSPORTATION CODE. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs under the Transportation Code if ordered by the court or otherwise required:

(1) administrative fee on dismissal of charge of driving with an expired motor vehicle registration (Sec. 502.407, Transportation Code) . . . not to exceed \$20;

(2) administrative fee on dismissal of charge of driving with an expired driver's license (Sec. 521.026, Transportation Code) . . . not to exceed \$20;

(3) administrative fee on remediation of charge of driving with an expired inspection certificate (Sec. 548.605,

Transportation Code) . . . not to exceed \$20;

(4) administrative fee for failure to appear for a complaint or citation on certain offenses (Sec. 706.006, Transportation Code) . . . \$10 [~~\$30~~] for each violation; and

(5) administrative fee for failure to pay or satisfy certain judgments (Sec. 706.006, Transportation Code) . . . \$10 [~~\$30~~].

SECTION 18. Section 411.145(c), Government Code, is amended to read as follows:

(c) A fee collected under this section shall be deposited in the state treasury to the credit of the state highway fund, and money deposited to the state highway fund under this section and under Article [~~Articles~~] 42.12 [~~and 102.020(h)~~], Code of Criminal Procedure, may be used only to defray the cost of administering this subchapter and Section 411.0205.

SECTION 19. Section 469.006(c), Health and Safety Code, is amended to read as follows:

(c) Notwithstanding Subsection (a), a county is required to establish a drug court program under this section only if the county receives federal or state funding or [~~including~~] funding under Article 102.0178, Code of Criminal Procedure, specifically for that purpose.

SECTION 20. Section 773.006(b), Health and Safety Code, is amended to read as follows:

(b) The account is composed of money deposited to the account under Section 133.102(e), Local Government Code [~~Article 102.0185, Code of Criminal Procedure~~], and the earnings of the

1 account.

2 SECTION 21. Section 780.002(c), Health and Safety Code, is
3 amended to read as follows:

4 (c) Notwithstanding Subsection (b), in any state fiscal
5 year the comptroller shall deposit 49.5 percent of the surcharges
6 collected under Chapter 708, Transportation Code, to the credit of
7 the general revenue fund only until the total amount of the
8 surcharges deposited to the credit of the general revenue fund
9 under Subsection (b) and Section 133.102(e)(1-a), Local Government
10 ~~[, and the state traffic fines deposited to the credit of that fund~~
11 ~~under Section 542.4031(g)(1), Transportation]~~ Code, equals \$250
12 million for that year. If in any state fiscal year the amount
13 received by the comptroller under those laws for deposit to the
14 credit of the general revenue fund exceeds \$250 million, the
15 comptroller shall deposit the additional amount to the credit of
16 the Texas mobility fund.

17 SECTION 22. Section 133.003, Local Government Code, is
18 amended to read as follows:

19 Sec. 133.003. CRIMINAL FEES. This chapter applies to the
20 following criminal fees:

21 (1) the consolidated fee imposed under Section
22 133.102;

23 (2) the time payment fee imposed under Section
24 133.103; and

25 (3) ~~[fees for services of peace officers employed by~~
26 ~~the state imposed under Article 102.011, Code of Criminal~~
27 ~~Procedure, and forwarded to the comptroller as provided by Section~~

1 ~~133.104,~~

2 ~~[(4) costs on conviction imposed in certain statutory~~
3 ~~county courts under Section 51.702, Government Code, and deposited~~
4 ~~in the judicial fund,~~

5 ~~[(5) costs on conviction imposed in certain county~~
6 ~~courts under Section 51.703, Government Code, and deposited in the~~
7 ~~judicial fund,~~

8 ~~[(6) the administrative fee for failure to appear or~~
9 ~~failure to pay or satisfy a judgment imposed under Section 706.006,~~
10 ~~Transportation Code,~~

11 ~~[(7)]~~ fines on conviction imposed under Section
12 621.506(g), Transportation Code~~;~~

13 ~~[(8) the fee imposed under Article 102.0045, Code of~~
14 ~~Criminal Procedure,~~

15 ~~[(9) the cost on conviction imposed under Section~~
16 ~~133.105 and deposited in the judicial fund, and~~

17 ~~[(10) the cost on conviction imposed under Section~~
18 ~~133.107].~~

19 SECTION 23. Section 133.103(a), Local Government Code, is
20 amended to read as follows:

21 (a) A person convicted of an offense shall pay, in addition
22 to all other costs, a fee of \$13 ~~[\$25]~~ if the person:

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

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

SECTION 24. Sections 706.006(a) and (b), Transportation Code, are amended to read as follows:

(a) 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 an administrative fee of \$10 [~~\$30~~] for each complaint or citation reported to the department under this chapter, unless the person is acquitted of the charges for which the person failed to appear. The person shall pay the fee when:

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

(2) the underlying offense is dismissed; or

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

(b) 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 an administrative fee of \$10 [~~\$30~~].

SECTION 25. Sections 706.007(a) and (d), Transportation Code, are amended to read as follows:

(a) An officer collecting a fee under Section 706.006 shall remit the fee to the custodian of the municipal or county treasury [~~keep records and deposit the money as provided by Subchapter B, Chapter 133, Local Government Code~~].

(d) The [~~Of each fee collected under Section 706.006, the~~] custodian of a municipal or county treasury shall[~~+~~

[~~(1) send \$20 to the comptroller on or before the last day of each calendar quarter, and~~

[~~(2)~~] deposit a fee remitted under Subsection (a) [~~the~~

1 ~~remainder~~] to the credit of the general fund of the municipality or
2 county.

3 SECTION 26. The following provisions are repealed:

4 (1) Articles 102.0045, 102.0185, 102.020, and
5 102.022, Code of Criminal Procedure;

6 (2) Section 54.0411, Family Code;

7 (3) Sections 51.702(b) and 51.703(b), Government
8 Code;

9 (4) Sections 133.103(b), 133.104, 133.105, and
10 133.107, Local Government Code; and

11 (5) Sections 542.4031 and 706.007(b), (c), and (e),
12 Transportation Code.

13 SECTION 27. The changes in law made by this Act apply only
14 to an offense committed on or after the effective date of this Act.
15 An offense committed before the effective date of this Act is
16 governed by the law in effect on the date the offense was committed,
17 and the former law is continued in effect for that purpose. For
18 purposes of this section, an offense was committed before the
19 effective date of this Act if any element of the offense occurred
20 before that date.

21 SECTION 28. This Act takes effect September 1, 2013.