

By: Springer

H.B. No. 556

A BILL TO BE ENTITLED

AN ACT

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

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 and after a determination of financial ability to pay, may, at the court's discretion, [shall] order the child, parent, or other person [~~, if financially able to do so,~~] to pay a fee as costs of court of:

(1) \$20 for the child's first disposition hearing; or

(2) not more than \$300 for the child's second or subsequent disposition hearing.

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 and after a determination of financial ability to pay, may, at the court's discretion, [shall] order the child, parent, or other person [~~, if financially able to do~~

1 ~~so,~~ to pay to the court a fee of not more than:

2           (1) \$15 a month during the period that the child  
3 continues on probation for the child's first adjudication of  
4 delinquent conduct or conduct in need of supervision; or

5           (2) \$60 a month during the period that the child  
6 continues on probation for the child's second or subsequent  
7 adjudication of delinquent conduct or conduct in need of  
8 supervision.

9           SECTION 3. Section [103.0212](#), Government Code, is amended to  
10 read as follows:

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

15           (1) in family matters:

16                   (A) issuing writ of withholding (Sec. [8.262](#),  
17 Family Code) . . . \$15;

18                   (B) filing copy of writ of withholding to  
19 subsequent employer (Sec. [8.267](#), Family Code) . . . \$15;

20                   (C) issuing and delivering modified writ of  
21 withholding or notice of termination (Sec. [8.302](#), Family Code)  
22 . . . \$15;

23                   (D) issuing and delivering notice of termination  
24 of withholding (Sec. [8.303](#), Family Code) . . . \$15;

25                   (E) issuance of change of name certificate (Sec.  
26 [45.106](#), Family Code) . . . \$10;

27                   (F) protective order fee (Sec. [81.003](#), Family

1 Code) . . . \$16;

2 (G) filing suit requesting adoption of child

3 (Sec. 108.006, Family Code) . . . \$15;

4 (H) filing fees for suits affecting parent-child

5 relationship (Sec. 110.002, Family Code):

6 (i) suit or motion for modification (Sec.

7 110.002, Family Code) . . . \$15;

8 (ii) motion for enforcement (Sec. 110.002,

9 Family Code) . . . \$15;

10 (iii) notice of application for judicial

11 writ of withholding (Sec. 110.002, Family Code) . . . \$15;

12 (iv) motion to transfer (Sec. 110.002,

13 Family Code) . . . \$15;

14 (v) petition for license suspension (Sec.

15 110.002, Family Code) . . . \$15;

16 (vi) motion to revoke a stay of license

17 suspension (Sec. 110.002, Family Code) . . . \$15; and

18 (vii) motion for contempt (Sec. 110.002,

19 Family Code) . . . \$15;

20 (I) order or writ of income withholding to be

21 delivered to employer (Sec. 110.004, Family Code) . . . not to

22 exceed \$15;

23 (J) filing fee for transferred case (Sec.

24 110.005, Family Code) . . . \$45;

25 (K) filing a writ of withholding (Sec. 158.319,

26 Family Code) . . . \$15;

27 (L) filing a request for modified writ of

1 withholding or notice of termination (Sec. 158.403, Family Code)  
2 . . . not to exceed \$15;

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

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

8 (2) in juvenile court:

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

11 (B) a request fee for a teen court program (Sec.  
12 54.032, Family Code) . . . \$20, if the court ordering the fee is  
13 located in the Texas-Louisiana border region, but otherwise not to  
14 exceed \$10;

15 (C) court costs for juvenile probation diversion  
16 fund (Sec. 54.0411, Family Code) . . . \$20 for a child's first  
17 disposition hearing or not to exceed \$300 for a child's second or  
18 subsequent disposition hearing;

19 (D) a juvenile delinquency prevention fee (Sec.  
20 54.0461, Family Code) . . . \$50;

21 (E) a court fee for child's probationary period  
22 (Sec. 54.061, Family Code) . . . not to exceed \$15 a month for the  
23 first adjudication or not to exceed \$60 a month for the second or  
24 subsequent adjudication;

25 (F) a fee to cover costs of required duties of  
26 teen court (Sec. 54.032, Family Code) . . . \$20, if the court  
27 ordering the fee is located in the Texas-Louisiana border region,

1 but otherwise not to exceed \$10;

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

4 (H) a fee for DNA testing after placement on  
5 probation or as otherwise required by law (Sec. 54.0462, Family  
6 Code) . . . \$34;

7 (I) a program fee for a teen dating violence  
8 court program (Sec. 54.0325, Family Code) . . . \$10; and

9 (J) a fee to cover the cost to the court of  
10 administering a teen dating violence court program (Sec. 54.0325,  
11 Family Code) . . . not to exceed \$10.

12 SECTION 4. The changes in law made by this Act apply only to  
13 a fee or court cost imposed in a juvenile case for conduct violating  
14 a penal law that occurs on or after the effective date of this Act.  
15 Conduct that occurs before the effective date of this Act is  
16 governed by the law in effect on the date the conduct occurred, and  
17 the former law is continued in effect for that purpose. For purposes  
18 of this section, conduct violating a penal law occurred before the  
19 effective date of this Act if any element of the violation occurred  
20 before that date.

21 SECTION 5. Section 51.607, Government Code, does not apply  
22 to the change in the amount of fees or court costs made by this Act.

23 SECTION 6. This Act takes effect September 1, 2015.