86R2714 SRS-D

By:  Zaffirini S.B. No. 346

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1.  Section 133.102, Local Government Code, is amended by amending Subsections (a) and (e) and adding Subsections (g) and (h) 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.

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

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

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

(4)  Texas Commission on Law Enforcement 2.6094 [~~law enforcement officers standards and education 5.0034~~] percent;

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

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

(7)  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;

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

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

(10)  judicial and court personnel training fund 2.5137 [~~4.8362~~] percent;

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

(12)  fair defense account 11.4938 [~~17.8448~~] percent;

(13)  state highway fund 0.0328 percent;

(14)  judicial fund 7.6820 percent;

(15)  EMS, trauma facilities, and trauma care systems account 1.0796 percent;

(16)  designated trauma facility and EMS 8.1245 percent;

(17)  general revenue fund 12.2514 percent; and

(18)  general revenue fund (portion replacing the former state traffic fine) 16.4953 percent.

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

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

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

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

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

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

SECTION 2.  Article 42.037(g)(1), Code of Criminal Procedure, is amended to read as follows:

(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. The [~~of which the~~] court shall retain the fee 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~~].

SECTION 3.  Articles 102.0178(a), (d), and (e), Code of Criminal Procedure, are amended to read as follows:

(a)  In addition to other costs on conviction imposed by this chapter, a person shall pay $30 [~~$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.

(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 that [~~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 may use [~~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.

SECTION 4.  Section 61.002(a), Family Code, is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(14) [~~(15)~~]  for payment of fees under Section 54.0462; or

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

SECTION 5.  Section 26.007(a), Government Code, is amended to read as follows:

(a)  Beginning on the first day of the state fiscal year, the state shall annually compensate each county that collects the additional fees [~~and costs~~] under Section 51.703 in an amount equal to $5,000 if the county judge is entitled to an annual salary supplement from the state under Section 26.006.

SECTION 6.  Section 26.008(a), Government Code, is amended to read as follows:

(a)  At the end of each state fiscal year the comptroller shall determine the amounts deposited in the judicial fund under Section 51.703 and the amounts paid to the counties under Section 26.007. If the total amount paid under Section 51.703 by all counties that collect fees [~~and costs~~] under that section exceeds the total amount paid to the counties under Section 26.007, the state shall remit the excess to the counties that collect fees [~~and costs~~] under Section 51.703 proportionately based on the percentage of the total paid by each county.

SECTION 7.  The heading to Section 51.702, Government Code, is amended to read as follows:

Sec. 51.702.  ADDITIONAL FEES [~~AND COSTS~~] IN STATUTORY COUNTY COURTS.

SECTION 8.  Sections 51.702(c), (d), and (e), Government Code, are amended to read as follows:

(c)  Fees [~~Court costs and fees~~] 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~~] 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~~] collected under this section.

SECTION 9.  The heading to Section 51.703, Government Code, is amended to read as follows:

Sec. 51.703.  ADDITIONAL FEES [~~AND COSTS~~] IN CERTAIN COUNTY COURTS.

SECTION 10.  Sections 51.703(c), (d), and (e), Government Code, are amended to read as follows:

(c)  Fees [~~Court costs and fees~~] 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~~] 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~~] collected under this section.

SECTION 11.  Sections 61.0015(c) and (e), Government Code, are amended to read as follows:

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

(e)  If [~~a payment on a county's claim for reimbursement is reduced under Subsection (d), or if~~] a county fails to file the claim for reimbursement in a timely manner, the comptroller shall[~~:~~

[~~(1)  pay the balance owed to the county when sufficient money described by Subsection (c) is available; or~~

[~~(2)~~]  carry forward the balance owed to the county and pay the balance to the county when the next payment is required.

SECTION 12.  Section 102.021, Government Code, is amended to read as follows:

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

(1)  [~~court cost on conviction of any offense, other than a conviction of an offense relating to a pedestrian or the parking of a motor vehicle (Art. 102.0045, Code of Criminal Procedure) . . . $4;~~

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

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

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

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

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

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

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

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

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

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

(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 parent contributing to student nonattendance (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 systems (Art. 102.0185, Code of Criminal Procedure) . . . $100;~~

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

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

[~~(14)  court cost for DNA testing for certain misdemeanors and felonies (Art. 102.020(a)(2), Code of Criminal Procedure) . . . $50;~~

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

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

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

(13) [~~(18)~~]  costs attendant to convictions under Chapter 49, Penal Code, and under Chapter 481, Health and Safety Code, to help fund drug court programs established under Chapter 122, 123, 124, or 125, Government Code, or former law (Art. 102.0178, Code of Criminal Procedure) . . . $30 [~~$60~~].

SECTION 13.  Section 102.0212, Government Code, is amended to read as follows:

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

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

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

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

(3-a)  court costs 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 (Sec. 133.102, Local Government Code) . . . $30 [~~$40~~]; and

(4)  a time payment fee if convicted of a felony or misdemeanor for paying 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 (Sec. 133.103, Local Government Code) . . . $13 [~~$25;~~

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

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

SECTION 14.  Section 102.061, Government Code, is amended to read as follows:

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

(1)  a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $40;

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

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

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

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

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

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

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

SECTION 15.  Section 102.081, Government Code, is amended to read as follows:

Sec. 102.081.  ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT:  CODE OF CRIMINAL PROCEDURE.  The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1)  a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $40;

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

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

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

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

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

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

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

SECTION 16.  Section 102.101, Government Code, is amended to read as follows:

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

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

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

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

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

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

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

(7)  a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check or similar sight order (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed $30[~~; and~~

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

SECTION 17.  Section 102.121, Government Code, is amended to read as follows:

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

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

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

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

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

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

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

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

SECTION 18.  Section 103.0212, Government Code, is amended to read as follows:

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

(1)  in family matters:

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

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

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

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

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

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

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

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

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

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

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

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

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

(vi)  motion to revoke a stay of license 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;

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

(H) [~~(I)~~]  a program fee for a teen dating violence court program (Sec. 54.0325, Family Code) . . . $10; and

(I) [~~(J)~~]  a fee to cover the cost to the court of administering a teen dating violence court program (Sec. 54.0325, Family Code) . . . not to exceed $10.

SECTION 19.  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;

(2-a)  administrative fee on remediation of charge of operation of a vehicle without a registration insignia (Sec. 502.473, Transportation Code) . . . not to exceed $10;

(3)  administrative fee on remediation of charge of operating a vehicle without complying with inspection requirements as certified (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;

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

(6)  administrative fee on dismissal of charge of driving a commercial motor vehicle without a commercial driver's license or commercial learner's permit (Sec. 522.011, Transportation Code) . . . not to exceed $10.

SECTION 20.  Section 123.003(b), Government Code, is amended to read as follows:

(b)  For purposes of this chapter, each county or municipality that elects to establish a regional drug court program under this section is considered to have established the program and may use [~~is entitled to retain~~] fees under Article 102.0178, Code of Criminal Procedure, in the same manner as if the county or municipality had established a drug court program without participating in a regional program.

SECTION 21.  Section 123.006(c), Government 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:

(1)  the county receives federal or state funding[~~, including funding under Article 102.0178, Code of Criminal Procedure,~~] specifically for that purpose; and

(2)  the judge, magistrate, or coordinator receives the verification described by Section 121.002(c)(2).

SECTION 22.  Section 124.004(b), Government Code, is amended to read as follows:

(b)  For purposes of this chapter, each county that elects to establish a regional veterans treatment court program under this section is considered to have established the program and may use [~~is entitled to retain~~] fees under Article 102.0178, Code of Criminal Procedure, in the same manner as if the county had established a veterans treatment court program without participating in a regional program.

SECTION 23.  Section 129.005(b), Government Code, is amended to read as follows:

(b)  For purposes of this chapter, each county that elects to establish a regional public safety employees treatment court program under this section is considered to have established the program and may use [~~is entitled to retain~~] fees under Article 102.0178, Code of Criminal Procedure, in the same manner as if the county had established a public safety employees treatment court program without participating in a regional program.

SECTION 24.  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 Chapter 42A [~~and Article 102.020(h)~~], Code of Criminal Procedure, may be used only to defray the cost of administering this subchapter.

SECTION 25.  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~~].

SECTION 26.  Section 780.002(c), Health and Safety Code, is amended to read as follows:

(c)  Notwithstanding Subsection (b), in any state fiscal year the comptroller shall deposit 49.5 percent of the surcharges collected under Chapter 708, Transportation Code, to the credit of the general revenue fund only until the total amount of the surcharges deposited to the credit of the general revenue fund under Subsection (b) and Section 133.102(e)(18), Local Government [~~, and the state traffic fines deposited to the credit of that fund under Section 542.4031(g)(1), Transportation~~] 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.

SECTION 27.  Section 133.003, Local Government Code, is amended to read as follows:

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

(1)  the consolidated fee imposed under Section 133.102;

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

(3)  [~~fees for services of peace officers employed by the state imposed under Article 102.011, Code of Criminal Procedure, and forwarded to the comptroller as provided by Section 133.104;~~

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

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

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

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

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

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

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

SECTION 28.  Section 133.103(a), Local Government Code, is amended to read as follows:

(a)  A person convicted of an offense shall pay, in addition to all other costs, a fee of $13 [~~$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.

SECTION 29.  Sections 706.006(a) and (b), Transportation Code, are amended to read as follows:

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

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

SECTION 30.  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 remainder~~] to the credit of the general fund of the municipality or county.

SECTION 31.  The following provisions are repealed:

(1)  Articles 102.0045, 102.0178(f) and (g), 102.0185, 102.020, and 102.022, Code of Criminal Procedure;

(2)  Section 54.0411, Family Code;

(3)  Sections 51.702(b), 51.703(b), 61.0015(d), and 102.0211, Government Code;

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

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

SECTION 32.  The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 33.  This Act takes effect September 1, 2019.