

By: Zaffirini

S.B. No. 346

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the consolidation and allocation of state criminal
3 court costs; increasing the amounts of certain court costs and
4 reducing the amounts of certain other court costs.

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

6 SECTION 1. Section 133.102, Local Government Code, is
7 amended by amending Subsections (a) and (e) and adding Subsections
8 (g) and (h) to read as follows:

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

11 (1) \$185 [~~\$133~~] on conviction of a felony;

12 (2) \$160 [~~\$83~~] on conviction of a Class A or Class B
13 misdemeanor; [~~or~~]

14 (3) \$122 on conviction of a Class C misdemeanor,
15 except as provided by Subdivision (4); or

16 (4) \$30 [~~\$40~~] on conviction of [~~a nonjailable~~
17 ~~misdemeanor offense, including~~] a criminal violation of a municipal
18 or county ordinance, including [~~other than~~] a conviction of an
19 offense relating to a pedestrian or the parking of a motor vehicle.

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

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

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

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

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

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

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

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

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

18 (8) compensation to victims of crime fund 19.6314
19 [~~37.6338~~] percent;

20 (9) emergency radio infrastructure account 2.8571
21 [~~5.5904~~] percent;

22 (10) judicial and court personnel training fund 2.5137
23 [~~4.8362~~] percent;

24 (11) an account in the state treasury to be used for
25 the establishment and operation of the Correctional Management
26 Institute of Texas and Criminal Justice Center Account 0.6230
27 [~~1.2090~~] percent; [~~and~~]

- 1 (12) fair defense account 11.4938 [~~17.8448~~] percent;
2 (13) state highway fund 0.0328 percent;
3 (14) judicial fund 7.6820 percent;
4 (15) EMS, trauma facilities, and trauma care systems
5 account 1.0796 percent;
6 (16) designated trauma facility and EMS 8.1245
7 percent;
8 (17) general revenue fund 12.2514 percent; and
9 (18) general revenue fund (portion replacing the
10 former state traffic fine) 16.4953 percent.

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

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

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

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

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

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

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

13 (1) The court may require a defendant to make
14 restitution under this article within a specified period or in
15 specified installments. If the court requires the defendant to make
16 restitution in specified installments, in addition to the
17 installment payments, the court may require the defendant to pay a
18 one-time restitution fee of [~~\$127~~] \$6. The [~~of which the~~] court
19 shall retain the fee for costs incurred in collecting the specified
20 installments [~~and \$6 of which the court shall order to be paid to~~
21 ~~the compensation to victims of crime fund~~].

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

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

1 (1) Chapter 49, Penal Code; or

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

3 (d) The custodian of a county treasury shall~~+~~

4 ~~[(1)] keep records of the amount of funds on deposit~~
5 ~~collected under this article~~+~~ and~~

6 ~~[(2) except as provided by Subsection (e), send to the~~
7 ~~comptroller before the last day of the first month following each~~
8 ~~calendar quarter the funds collected under this article during the~~
9 ~~preceding quarter].~~

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

11 ~~[(1) if the custodian of the county treasury complies~~
12 ~~with Subsection (d), retain 10 percent of the funds collected under~~
13 ~~this article by an officer of the county during the calendar quarter~~
14 ~~as a service fee; and~~

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

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

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

27 (1) for payment of probation fees under Section

- 1 54.061;
- 2 (2) for restitution under Sections 54.041(b) and
- 3 54.048;
- 4 (3) for payment of graffiti eradication fees under
- 5 Section 54.0461;
- 6 (4) for community service under Section 54.044(b);
- 7 (5) [~~for payment of costs of court under Section~~
- 8 ~~54.0411 or other provisions of law,~~
- 9 [~~6~~] requiring the person to refrain from doing any
- 10 act injurious to the welfare of the child under Section
- 11 54.041(a)(1);
- 12 (6) [~~7~~] enjoining contact between the person and the
- 13 child who is the subject of a proceeding under Section
- 14 54.041(a)(2);
- 15 (7) [~~8~~] ordering a person living in the same
- 16 household with the child to participate in counseling under Section
- 17 54.041(a)(3);
- 18 (8) [~~9~~] requiring a parent or other eligible person
- 19 to pay reasonable attorney's fees for representing the child under
- 20 Section 51.10(e);
- 21 (9) [~~10~~] requiring the parent or other eligible
- 22 person to reimburse the county for payments the county has made to
- 23 an attorney appointed to represent the child under Section 51.10(k)
- 24 [~~51.10(j)~~];
- 25 (10) [~~11~~] requiring payment of deferred prosecution
- 26 supervision fees under Section 53.03(d);
- 27 (11) [~~12~~] requiring a parent or other eligible

1 person to attend a court hearing under Section 51.115;

2 (12) [~~(13)~~] requiring a parent or other eligible
3 person to act or refrain from acting to aid the child in complying
4 with conditions of release from detention under Section 54.01(r);

5 (13) [~~(14)~~] requiring a parent or other eligible
6 person to act or refrain from acting under any law imposing an
7 obligation of action or omission on a parent or other eligible
8 person because of the parent's or person's relation to the child who
9 is the subject of a proceeding under this title;

10 (14) [~~(15)~~] for payment of fees under Section 54.0462;
11 or

12 (15) [~~(16)~~] for payment of the cost of attending an
13 educational program under Section 54.0404.

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

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

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

23 (a) At the end of each state fiscal year the comptroller
24 shall determine the amounts deposited in the judicial fund under
25 Section 51.703 and the amounts paid to the counties under Section
26 26.007. If the total amount paid under Section 51.703 by all
27 counties that collect fees [~~and costs~~] under that section exceeds

1 the total amount paid to the counties under Section 26.007, the
2 state shall remit the excess to the counties that collect fees [~~and~~
3 ~~costs~~] under Section 51.703 proportionately based on the percentage
4 of the total paid by each county.

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

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

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

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

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

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

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

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

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

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

1 collected in the case.

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

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

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

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

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

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

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

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

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

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

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

7 (2) [~~(3)~~] fees for services of peace officer:

8 (A) issuing a written notice to appear in court
9 for certain violations (Art. 102.011, Code of Criminal Procedure) .
10 . . \$5;

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

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

16 (D) serving a writ not otherwise listed (Art.
17 102.011, Code of Criminal Procedure) . . . \$35;

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

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

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

25 (H) attendance of a prisoner in habeas corpus
26 case if prisoner has been remanded to custody or held to bail (Art.
27 102.011, Code of Criminal Procedure) . . . \$8 each day;

1 (I) mileage for certain services performed (Art.
2 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

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

6 (3) [~~(4)~~] services of a peace officer in conveying a
7 witness outside the county (Art. 102.011, Code of Criminal
8 Procedure) . . . \$10 per day or part of a day, plus actual necessary
9 travel expenses;

10 (4) [~~(5)~~] overtime of peace officer for time spent
11 testifying in the trial or traveling to or from testifying in the
12 trial (Art. 102.011, Code of Criminal Procedure) . . . actual cost;

13 (5) [~~(6)~~] court costs on an offense relating to rules
14 of the road, when offense occurs within a school crossing zone (Art.
15 102.014, Code of Criminal Procedure) . . . \$25;

16 (6) [~~(7)~~] court costs on an offense of passing a
17 school bus (Art. 102.014, Code of Criminal Procedure) . . . \$25;

18 (7) [~~(8)~~] court costs on an offense of parent
19 contributing to student nonattendance (Art. 102.014, Code of
20 Criminal Procedure) . . . \$20;

21 (8) [~~(9)~~] cost for visual recording of intoxication
22 arrest before conviction (Art. 102.018, Code of Criminal Procedure)
23 . . . \$15;

24 (9) [~~(10)~~] cost of certain evaluations (Art. 102.018,
25 Code of Criminal Procedure) . . . actual cost;

26 (10) [~~(11) additional costs attendant to certain~~
27 ~~intoxication convictions under Chapter 49, Penal Code, for~~

1 ~~emergency medical services, trauma facilities, and trauma care~~
2 ~~systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;~~

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

6 (11) ~~[(13)]~~ court cost for DNA testing for certain
7 felonies (Art. 102.020(a)(1), Code of Criminal Procedure) . . .
8 ~~\$250;~~

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

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

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

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

22 (13) ~~[(18)]~~ costs attendant to convictions under
23 Chapter 49, Penal Code, and under Chapter 481, Health and Safety
24 Code, to help fund drug court programs established under Chapter
25 122, 123, 124, or 125, Government Code, or former law (Art.
26 102.0178, Code of Criminal Procedure) . . . \$30 ~~[\$60].~~

27 SECTION 13. Section 102.0212, Government Code, is amended

1 to read as follows:

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

5 (1) court costs on conviction of a felony (Sec.
6 [133.102](#), Local Government Code) . . . \$185 [~~\$133~~];

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

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

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

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

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

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

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

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

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

9 (2) a fee for services of the clerk of the court (Art.
10 102.005, Code of Criminal Procedure) . . . \$40;

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

13 (4) a county and district court technology fee (Art.
14 102.0169, Code of Criminal Procedure) . . . \$4;

15 (5) a security fee on a misdemeanor offense (Art.
16 102.017, Code of Criminal Procedure) . . . \$3;

17 (6) a juvenile delinquency prevention and graffiti
18 eradication fee (Art. 102.0171, Code of Criminal Procedure) . . .
19 \$50; and

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

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

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

27 Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN

1 COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county
2 court shall collect fees and costs under the Code of Criminal
3 Procedure on conviction of a defendant as follows:

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

6 (2) a fee for clerk of the court services (Art.
7 102.005, Code of Criminal Procedure) . . . \$40;

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

10 (4) a county and district court technology fee (Art.
11 102.0169, Code of Criminal Procedure) . . . \$4;

12 (5) a security fee on a misdemeanor offense (Art.
13 102.017, Code of Criminal Procedure) . . . \$3;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN
24 MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a
25 municipal court shall collect fees and costs on conviction of a
26 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) . . . \$3;

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

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

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

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

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

23 (1) in family matters:

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

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

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

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

6 (E) issuance of change of name certificate (Sec.
7 45.106, Family Code) . . . \$10;

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

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

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

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

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

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

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

22 (v) petition for license suspension (Sec.
23 110.002, Family Code) . . . \$15;

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

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

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

4 (J) filing fee for transferred case (Sec.
5 110.005, Family Code) . . . \$45;

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

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

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

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

16 (2) in juvenile court:

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

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

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

25 [~~(D)~~] a juvenile delinquency prevention fee
26 (Sec. 54.0461, Family Code) . . . \$50;

27 (D) [~~(E)~~] a court fee for child's probationary

1 period (Sec. 54.061, Family Code) . . . not to exceed \$15 a month;

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

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

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

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

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

16 SECTION 19. Section 103.0213, Government Code, is amended
17 to read as follows:

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

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

26 (2) administrative fee on dismissal of charge of
27 driving with an expired driver's license (Sec. 521.026,

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

2 (2-a) administrative fee on remediation of charge of
3 operation of a vehicle without a registration insignia (Sec.
4 502.473, Transportation Code) . . . not to exceed \$10;

5 (3) administrative fee on remediation of charge of
6 operating a vehicle without complying with inspection requirements
7 as certified (Sec. 548.605, Transportation Code) . . . not to exceed
8 \$20;

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

12 (5) administrative fee for failure to pay or satisfy
13 certain judgments (Sec. 706.006, Transportation Code) . . . \$10
14 [~~\$30~~]; and

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

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

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

1 SECTION 21. Section 123.006(c), Government Code, is amended
2 to read as follows:

3 (c) Notwithstanding Subsection (a), a county is required to
4 establish a drug court program under this section only if:

5 (1) the county receives federal or state funding[~~7~~
6 ~~including funding under Article 102.0178, Code of Criminal~~
7 ~~Procedure,~~] specifically for that purpose; and

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

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

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

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

21 (b) For purposes of this chapter, each county that elects to
22 establish a regional public safety employees treatment court
23 program under this section is considered to have established the
24 program and may use [~~is entitled to retain~~] fees under Article
25 102.0178, Code of Criminal Procedure, in the same manner as if the
26 county had established a public safety employees treatment court
27 program without participating in a regional program.

1 SECTION 24. Section 411.145(c), Government Code, is amended
2 to read as follows:

3 (c) A fee collected under this section shall be deposited in
4 the state treasury to the credit of the state highway fund, and
5 money deposited to the state highway fund under this section and
6 under Chapter 42A [~~and Article 102.020(h)~~], Code of Criminal
7 Procedure, may be used only to defray the cost of administering this
8 subchapter.

9 SECTION 25. Section 773.006(b), Health and Safety Code, is
10 amended to read as follows:

11 (b) The account is composed of money deposited to the
12 account under Section 133.102(e), Local Government Code [~~Article~~
13 ~~102.0185, Code of Criminal Procedure~~].

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

16 (c) Notwithstanding Subsection (b), in any state fiscal
17 year the comptroller shall deposit 49.5 percent of the surcharges
18 collected under Chapter 708, Transportation Code, to the credit of
19 the general revenue fund only until the total amount of the
20 surcharges deposited to the credit of the general revenue fund
21 under Subsection (b) and Section 133.102(e)(18), Local Government
22 [~~and the state traffic fines deposited to the credit of that fund~~
23 ~~under Section 542.4031(g)(1), Transportation]~~ Code, equals \$250
24 million for that year. If in any state fiscal year the amount
25 received by the comptroller under those laws for deposit to the
26 credit of the general revenue fund exceeds \$250 million, the
27 comptroller shall deposit the additional amount to the credit of

1 the Texas mobility fund.

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

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

6 (1) the consolidated fee imposed under Section
7 133.102;

8 (2) the time payment fee imposed under Section
9 133.103; and

10 (3) [~~fees for services of peace officers employed by~~
11 ~~the state imposed under Article 102.011, Code of Criminal~~
12 ~~Procedure, and forwarded to the comptroller as provided by Section~~
13 ~~133.104,~~

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

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

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

23 [~~(7)] fines on conviction imposed under Section
24 621.506(g), Transportation Code[~~;~~~~

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

27 [~~(9) the cost on conviction imposed under Section~~

1 ~~133.105 and deposited in the judicial fund, and~~
2 ~~[(10) the cost on conviction imposed under Section~~
3 ~~133.107].~~

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

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

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

9 (2) pays any part of a fine, court costs, or
10 restitution on or after the 31st day after the date on which a
11 judgment is entered assessing the fine, court costs, or
12 restitution.

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

15 (a) Except as provided by Subsection (d), a person who fails
16 to appear for a complaint or citation for an offense described by
17 Section 706.002(a) shall be required to pay an administrative fee
18 of \$10 [~~\$30~~] for each complaint or citation reported to the
19 department under this chapter, unless:

20 (1) the person is acquitted of the charges for which
21 the person failed to appear;

22 (2) the charges on which the person failed to appear
23 were dismissed with prejudice by motion of the appropriate
24 prosecuting attorney for lack of evidence;

25 (3) the failure to appear report was sent to the
26 department in error; or

27 (4) the case regarding the complaint or citation is

1 closed and the failure to appear report has been destroyed in
2 accordance with the applicable political subdivision's records
3 retention policy.

4 (b) Except as provided by Subsection (d), a person who fails
5 to pay or satisfy a judgment ordering the payment of a fine and cost
6 in the manner the court orders shall be required to pay an
7 administrative fee of \$10 [~~\$30~~].

8 SECTION 30. Sections 706.007(a) and (d), Transportation
9 Code, are amended to read as follows:

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

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

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

18 [~~(2)~~] deposit a fee remitted under Subsection (a) [~~the~~
19 ~~remainder~~] to the credit of the general fund of the municipality or
20 county.

21 SECTION 31. The following provisions are repealed:

22 (1) Articles 102.0045, 102.0178(f) and (g), 102.0185,
23 102.020, and 102.022, Code of Criminal Procedure;

24 (2) Section 54.0411, Family Code;

25 (3) Sections 51.702(b), 51.703(b), 61.0015(d), and
26 102.0211, Government Code;

27 (4) Sections 133.103(b), 133.104, 133.105, and

1 133.107, Local Government Code; and

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

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

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