

COURT COSTS

For Conviction of Offenses Committed on or after September 28, 2011



OFFENSE/DESCRIPTION	State CF	Local TFC	Local CS	State STF	State SJRF	State IDF	State JSF*3	Total*2
MUNICIPAL ORDINANCES								
■ Parking (authorized by Sections 542.202-542.203, Transportation Code)	N/A	N/A	*1	N/A	N/A	N/A	N/A	*1
■ Pedestrian	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
■ Other Municipal Ordinances	40.00	N/A	N/A	N/A	4.00	2.00	6.00	52.00
STATE LAW								
■ Transportation Code, Subtitle C, Rules of the Road								
• Parking & Pedestrian (in school crossing zone)	N/A	3.00	25.00	30.00	N/A	N/A	N/A	58.00
• Parking & Pedestrian (outside school crossing zone)	N/A	3.00	N/A	30.00	N/A	N/A	N/A	33.00
• Overtaking & Passing a School Bus, Section 545.066	40.00	3.00	25.00	30.00	4.00	2.00	6.00	110.10*2
• Other (in school crossing zone)	40.00	3.00	25.00	30.00	4.00	2.00	6.00	110.00*2
• Other (outside school crossing zone)	40.00	3.00	N/A	30.00	4.00	2.00	6.00	85.00*2
■ Transportation Code, Section 601.192, Failure to Maintain Financial Responsibility	40.00	N/A	N/A	N/A	4.00	2.00	6.00	52.00
■ Parking and Pedestrian (Outside Subtitle C)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
■ Education Code								
• Parent Contributing to Nonattendance, Section 25.093	40.00	N/A	20.00	N/A	4.00	2.00	6.00	72.00
• Failure to Attend School, Section 25.094	40.00	N/A	20.00	N/A	4.00	2.00	6.00	72.00
■ All other fine only misdemeanors not mentioned above.	40.00	N/A	N/A	N/A	4.00	2.00	6.00	52.00*2

Add applicable fees and other costs whenever they apply. See next page of chart for additional costs and fees.

For the purpose of assessing, imposing, and collecting *most* court costs and fees, a person is considered to have been convicted if - pursuant to Section 133.101, L.G.C., or other specific statutes authorizing court costs - a judgment, a sentence or both a judgment and a sentence are imposed on the person; or the person receives DSC or some form of deferred disposition (see Articles 45.051-45.053, C.C.P.). This expanded definition of "conviction" does not appear in the statute establishing the Juror Reimbursement Fee.

*1 ■ \$2-5 court cost for cities with population greater than 850,000 that have adopted appropriate ordinance, regulation, or order (mandatory).

■ Up to \$5 court cost for cities with population less than 850,000 that have adopted appropriate ordinance, regulation, or order (optional).

*2 ■ **MVF: Add 10 cent court cost on all moving violations.** Article 102.022, Code of Criminal Procedure. **Moving violations are found in 37 TAC § 15.89(b).** Note that some moving violations are in codes other than the Transportation Code. Note: overtaking and passing a school bus is a moving violation; therefore, the 10 cents has already been calculated into the total.

*3 ■ **Judicial Support Fee:** Sixty cents of this fee stays with the city to promote efficient operation of the municipal court. See Sec. 133.105(6) L.G.C.

FEES (Add the following fees whenever they apply):

- **Administrative Fee:** A court may assess up to a \$10 fee when a defendant elects to take a driving safety course (DSC) on or before the answer date on the citation (Art. 45.0511(f)(1), C.C.P.). When the court elects to obtain the defendant's driving record, rather than have defendant obtain it, the court may require defendant to pay \$10 plus the amount of the state

electronic Internet portal fee for the certified Texas DL record from DPS. The court may order an administrative fee to be paid when the court grants DSC under Article 45.0511(d), C.C.P. – court’s discretionary authority. The fee may not exceed the maximum amount of the possible fine for the particular offense charged (Art. 45.0511(f)(2), C.C.P.).

■ **Applicable fees for services of peace officers under Article 102.011, C.C.P.:**

- **Arrest Fee:** \$5 for issuing a written notice to appear in court following the defendant’s violation of a traffic law, municipal ordinance, penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the State, 20% (\$1) is sent to the State.
- **Warrant Fee:** \$50 for executing or processing an issued arrest warrant, *capias*, or *capias pro fine*. When service is performed by a peace officer employed by the State, 20% (\$10) is sent to the State.
- **Summoning a Witness:** \$5 for serving a subpoena.
- **Summoning a Jury:** \$5 for summoning a jury.
- **Service of any other writ** (includes summons for a defendant or a child’s parents): \$35.
- **Other costs:** Costs for peace officer’s time testifying while off duty.

■ **Fees Created by City Ordinance:**

- **Juvenile Case Manager Fee:** Up to \$5 fee for every fine-only misdemeanor offense if governing body has passed required ordinance establishing a juvenile case manager fund and has hired a juvenile case manager. (Art. 102.0174, C.C.P.).
- **Municipal Court Building Security Fee:** \$3 on every conviction if governing body has passed required ordinance establishing building security fund (Art. 102.017, C.C.P.).
- **Municipal Court Technology Fee:** Up to \$4 on every conviction if governing body has passed required ordinance establishing the municipal court technology fund (Art. 102.0172, C.C.P.).

■ **Jury Fee:** \$3 fee collected upon conviction when case tried before a jury. \$3 fee collected upon conviction if defendant had requested a jury trial and then withdrew the request not earlier than 24 hours before the time of trial; fee to be paid even if case is deferred (Art. 102.004, C.C.P.).

■ **Restitution Fee:** \$12 optional fee for defendants paying restitution in installments (Art. 42.037, C.C.P.).

■ **Special Expense Fees:** 1) Under Article 45.051, C.C.P., the court may assess a special expense fee not to exceed the amount of fine that could be imposed. (Art. 45.051(c), C.C.P.); 2) An amount not to exceed \$25 that may be collected for execution of a warrant for *failure to appear* or *violate promise to appear*. City ordinance required to authorize collection (Art. 45.203, C.C.P.).

■ **Time Payment Fee:** The court shall collect a fee of \$25 from a person who has been convicted and pays any part of the fine, court costs, or restitution on or after the 31st day after the date on which the judgment is entered. One-half (\$12.50) is sent to the State. One-tenth (\$2.50) is retained locally for judicial efficiency. Four-tenths (\$10) are retained locally with no restrictions (Sec. 133.103, L.G.C.).

■ **Traffic Law Failure to Appear (FTA) (Omni Base):** \$30 for failure to appear or failure to pay or satisfy a judgment for violation of any fine-only offense **if city has contracted with the Department of Public Safety** to deny renewal of driver’s licenses. (Two-thirds (\$20) are sent to the State. One-third (\$10) is retained locally.) Applies to any violation that municipal court has jurisdiction of under Article 4.14, C.C.P. See Chapter 706, T.C.

■ **Traffic Law Failure to Appear (Scofflaw):** \$20 optional fee for failure to appear or satisfy a judgment for violation of a traffic law if the city has contracted with the county assessor-collector pursuant to Chapter 702 of the Transportation Code to deny the registration of vehicles. The optional fee goes to the county or TxDMV to reimburse expenses of the program. See Sec. 702.003 (e-1), T.C. This fee takes effect January 1, 2012.

Safety Belts & Child Safety Seat Systems: City must remit to the State 50 percent of the fines collected for failing to secure a child in a child passenger safety system or to secure a child in a safety belt (Secs. 545.412 & 545.413(b), T.C.). Remittitur must be done at the end of the city’s fiscal year.

Excess Fines: Cities with population less than 5,000 must remit all but one dollar of fines and special expenses under Article 45.051, C.C.P., for Title 7, T.C., offenses when the fines and special expenses for such offenses reach 30 percent of the city’s budget less any federal money (Section 542.402(b), T.C.).

Name of Cost/Fee	Legal Reference	Abbreviation
Consolidated Fee	Local Government Code, Section 133.102	CF
Traffic Fund	Transportation Code, Section 542.403	TFC
Child Safety Fund	Code of Criminal Procedure, Article 102.014	CS
State Traffic Fee	Transportation Code, Section 542.4031	STF
State Juror Reimbursement Fee	Code of Criminal Procedure, Article 102.0045	SJRF
Indigent Defense Fee	Local Government Code, Section 133.107	IDF
Judicial Support Fee	Local Government Code, Section 133.105	JSF
Moving Violation Fee	Code of Criminal Procedure, Article 102.022	MVF