

# COURT COSTS

**For Conviction of Offenses Committed on or after January 1, 2004**  
**Except for Child Safety Fund, which is for convictions that occur on or after September 1, 2001**

Changes to amounts assessed for costs underlined.

OFFENSE/DESCRIPTION	State CF	Local TFC	Local CS	State STF	Total* <sup>2</sup>
<b><u>MUNICIPAL ORDINANCES</u></b>					
■ Parking (authorized by Sections 542.202-542.203, Transportation Code)	N/A	N/A	* <sup>1</sup>	N/A	* <sup>1</sup>
■ Pedestrian	N/A	N/A	N/A	N/A	N/A
■ Other Municipal Ordinances					
• Punishable by a fine of \$200 or less	<u>40.00</u>	N/A	N/A	N/A	40.00
• Punishable by a fine of \$201-\$500	<u>40.00</u>	N/A	N/A	N/A	<u>40.00</u>
• Punishable by a fine of more than \$500	<u>40.00</u>	N/A	N/A	N/A	<u>40.00</u>
<b><u>STATE LAW</u></b>					
■ Transportation Code, Subtitle C, Rules of the Road					
• Parking & Pedestrian (in school crossing zone)	N/A	3.00	25.00	30.00	<u>58.00</u>
• Parking & Pedestrian (outside school crossing zone)	N/A	3.00	N/A	30.00	<u>33.00</u>
• Overtaking & Passing a School Bus, Section 545.066	<u>40.00</u>	3.00	25.00	30.00	<u>98.00</u>
• Other (outside school crossing zone)	<u>40.00</u>	3.00	N/A	30.00	<u>73.00</u>
• Other (in school crossing zone)	<u>40.00</u>	3.00	25.00	30.00	<u>98.00</u>
■ Transportation Code, Section 601.192, Failure to Maintain Financial Responsibility					
• First conviction	<u>40.00</u>	N/A	N/A	N/A	40.00
• Subsequent convictions	<u>40.00</u>	N/A	N/A	N/A	<u>40.00</u>
■ Education Code					
• Parent Contributing to Nonattendance, Section 25.093	<u>40.00</u>	N/A	20.00	N/A	60.00
• Failure to Attend School, Section 25.094	<u>40.00</u>	N/A	20.00	N/A	60.00
■ All other misdemeanors					
• Punishable by a fine of \$500 or less	<u>40.00</u>	N/A	N/A	N/A	40.00
• Punishable by a fine of more than \$500	<u>40.00</u>	N/A	N/A	N/A	<u>40.00</u>

**\*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 court costs and fees, a person is considered to have been convicted if:

- (1) a judgment, a sentence, or both a judgment and a sentence are imposed on the person;
- (2) the person receives community supervision, deferred adjudication, or deferred disposition; or
- (3) the court defers final disposition of the case or imposition of the judgment and sentence.

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

\*2 **FEES (Add the following fees whenever they apply.):**

- Applicable fees for services of peace officers under Art. 102.011, Code of Criminal Procedure (C.C.P.).
  - **Arrest Fee:** \$5.00 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% (\$1.00) is sent to the State.
  - **Warrant Fee:** \$50.00 for executing or processing an issued arrest warrant or capias. When service is performed by a peace officer employed by the State, 20% (\$10.00) is sent to the State.
  - **Summoning a Witness:** \$5.00 for serving a subpoena.
  - **Summoning a Jury:** \$5.00 for summoning a jury.
  - **Service of a Summons** (for a defendant or a child’s parents): \$35.
  - **Other costs:** Costs for peace officer’s time testifying while off duty.
- **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 31<sup>st</sup> 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 (\$10.00) are retained locally with no restrictions. (Section 133.103, Local Government Code (recodified from Government Code))
- **Municipal Court Building Security Fee:** \$3.00 on every conviction if governing body has passed required ordinance establishing building security fund. (Art. 102.017, C.C.P.)
- **Municipal Court Technology Fund:** Up to \$4.00 on every conviction if governing body has passed required ordinance establishing the municipal court technology fund. (Art. 102.0172, C.C.P.)
- **Traffic Law Failure to Appear (FTA):** \$30.00 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 (\$20.00) are sent to the State. One-third (\$10.00) is retained locally. Applies on any violation that municipal court has jurisdiction of under Art. 4.14, C.C.P. (Chapter 706, Transportation Code [T.C.]
- **Special Expense Fees:** 1) At the conclusion of the deferral period under Article 45.051, C.C.P., upon dismissal of the charge, the court may assess a special expense fee not to exceed the amount of fine assessed but not imposed at the beginning of the deferral. (Art. 45.051(c), C.C.P.); and 2) An amount not to exceed \$25.00 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.)
- **Administrative fee:** The court may impose an administrative fee when a defendant requests to take a driving safety course under Art. 45.0511(d), C.C.P., which allows a court to grant a request before final disposition of a case. The administrative fee may not exceed the maximum possible amount of fine. (Art. 45.0511(f)(2), C.C.P.)
- **Jury Fee:** \$3.00 fee collected upon conviction when case tried before a jury. \$3.00 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.)

**Seat Belt & Child Safety Systems:** City must remit to the State 50 percent of the fines collected for violations of the seat belt and child safety systems (Secs. 545.412 & 545.413(b), T.C.). Remittance must be done at the end of the city’s fiscal year. (City must remit 50 percent of the \$100 to \$200 fines. Change applies only to a city fiscal year ending on or after September 1, 2003.)

**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.)

**Ten Dollar Fees:** A court may assess a \$10 fee when a defendant elects to take a driving safety course on or before the answer date on his or her citation (Art. 45.0511(f)(1), C.C.P.). When a court grants teen court, the court may collect two \$10 fees – one is kept by the city for administering teen court, the other is disbursed to the teen court program (Art. 45.052(e) & (g), C.C.P.). A \$10 fee may be collected upon dismissing a case: 1) Expired driver’s license or expired registration when a defendant remedies it within 10 working days. (Secs. 521.026 & 502.407, T.C.); 2) An inspection certificate expired less than 60 days when defendant remedies it within 10 working days (Sec. 548.605, 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