

<b>Justice Court Convictions Court Cost Chart – 01/01/2016</b>		<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>	<b>I</b>
<b>The costs and fees below must always be assessed upon conviction (including deferred disposition).</b>										
<b>1</b>	Consolidated Court Cost – Local Government Code § 133.102(a)	40	40	40	40	40	40	40	0	0
<b>2</b>	State Traffic Fine – Transportation Code § 542.4031	30	30	0	0	0	0	0	30	0
<b>3</b>	Parent Contributing to Non-Attendance Fee – Code of Criminal Procedure art. 102.014(d)	0	0	20	0	0	0	0	0	0
<b>4</b>	Judicial Support Fee – Local Government Code § 133.105(a)	6	6	6	6	6	6	6	0	0
<b>5</b>	Justice Court Technology Fee – Code of Criminal Procedure art. 102.0173	4	4	4	4	4	4	4	4	4
<b>6</b>	Court Security Fee – Code of Criminal Procedure art. 102.017(b)	4	4	4	4	4	4	4	4	4
<b>7</b>	Additional Court Cost – Transportation Code, § 542.403	3	3	0	0	0	0	0	3	0
<b>8</b>	Indigent Defense Fee – Local Government Code § 133.107	2	2	2	2	2	2	2	0	0
<b>9</b>	Truancy Prevention Cost – Code of Criminal Procedure art. 102.015	2	2	2	2	2	2	2	0	0
<b>10</b>	TCOLE Court Cost – Code of Criminal Procedure art. 102.022	0.10	0	0	0.10	0.10	0	0	0	0
<b>TOTAL COSTS TO ALWAYS BE ASSESSED UPON CONVICTION (INCLUDING DEFERRED DISPOSITION)</b>		<b>91.10</b>	<b>91</b>	<b>78</b>	<b>58.10</b>	<b>58.10</b>	<b>58</b>	<b>58</b>	<b>41</b>	<b>8</b>
<b>The costs below are to be assessed upon conviction (including deferred disposition) if the service has been performed in the case by a peace officer.</b>										
<b>11</b>	Execute or Process Arrest Warrant, Capias, or Capias Pro Fine – Code of Criminal Procedure art. 102.011(a)(2)	50	50	50	50	50	50	50	50	50
<b>12</b>	Serve Writ – Code of Criminal Procedure art. 102.011(a)(4)	35	35	35	35	35	35	35	35	35
<b>13</b>	Take and Approve Bond – Code of Criminal Procedure art. 102.011(a)(5)	10	10	10	10	10	10	10	10	10
<b>14</b>	Convey Witness (charge per day) – Code of Criminal Procedure art. 102.011(c)	10	10	10	10	10	10	10	10	10
<b>15</b>	Arrest without Warrant or Issue Written Notice to Appear – Code of Criminal Procedure art. 102.011(a)(1)	5	5	5	5	5	5	5	5	5
<b>16</b>	Summon Witness (charge per witness each time summoned) – Code of Criminal Procedure art. 102.011(a)(3)	5	5	5	5	5	5	5	5	5
<b>17</b>	Commitment to Jail – Code of Criminal Procedure art. 102.011(a)(6)	5	5	5	5	5	5	5	5	5
<b>18</b>	Release from Jail – Code of Criminal Procedure art. 102.011(a)(6)	5	5	5	5	5	5	5	5	5
<b>19</b>	Summon Jury – Code of Criminal Procedure art. 102.011(a)(7)	5	5	5	5	5	5	5	5	5
<b>20</b>	Mileage fees for certain Conveyances and Travel (29¢/mile) – Code of Criminal Procedure art. 102.011(b)	X	X	X	X	X	X	X	X	X
<b>21</b>	Meals and Lodging Expenses for certain Conveyances and Travel – Code of Criminal Procedure art. 102.011(b)	X	X	X	X	X	X	X	X	X
<b>22</b>	Overtime Costs for Testifying at Trial – Code of Criminal Procedure art. 102.011(i)	X	X	X	X	X	X	X	X	X
<b>The cost below is to be assessed upon entering judgment if the defendant: (1) failed to appear in response to a complaint or citation; and (2) case is disposed in a county that has contracted with DPS under Transportation Code § 706.002(a).</b>										
<b>23</b>	Administrative Fee (Omni Fee) – Transportation Code § 706.006(a)	30	30	30	30	30	30	30	30	30
<b>The fees below are to be assessed upon conviction only if: (1) the defendant has been convicted (and has not simply been placed on deferred disposition); and (2) the Court chooses to impose the particular fee.</b>										
<b>24</b>	Dishonored Check Fee – Code of Criminal Procedure art. 102.0071	0	0	0	0	0	≤ 30	0	0	0
<b>25</b>	Restitution Installment Fee – Code of Criminal Procedure art. 42.037(g)	12	12	12	12	12	12	12	12	12
<b>The cost below is to be assessed upon conviction if: (1) the defendant has been convicted (including deferred disposition); (2) the county commissioners court has created a juvenile case manager fund; (3) the county commissioners court requires the defendant to pay the cost; (4) the County employs a juvenile case manager; and (5) the Court does not waive the fee (which it is authorized to do in cases of financial hardship).</b>										
<b>26</b>	Juvenile Case Manager Court Cost – Code of Criminal Procedure art. 102.0174(c)	≤ 5	≤ 5	≤ 5	≤ 5	≤ 5	≤ 5	≤ 5	≤ 5	≤ 5
<b>The fee below must be assessed upon conviction only if the defendant has been convicted and has not simply been placed on deferred adjudication.</b>										
<b>27</b>	Juror Reimbursement Fee – Code of Criminal Procedure art. 102.0045	4	4	4	4	4	4	4	0	0
<b>The fee below is to be assessed upon conviction if the conviction was by a jury.</b>										
<b>28</b>	Jury Fee – Code of Criminal Procedure art. 102.004	3	3	3	3	3	3	3	3	3

**NOTE:** When “X” appears on the chart this indicates that the amount must be calculated as provided in the statute.

**The following costs are not assessed upon conviction, but are assessed in appropriate circumstances:**

- (29) Administrative Fee (Omni Fee) – Transportation Code § 706.006(b) -- \$30.00  
This fee is required to be paid by any “person who fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner the court orders.”
- (30) Time Payment Fee – Local Government Code § 133.103 -- \$25.00  
This fee is required to be assessed whenever a person who has been convicted of an offense “pays any part of a fine, court costs, or restitution on or after the 31<sup>st</sup> day after the date on which a judgment is entered assessing the fine, court costs, or restitution.”
- (31) Driving Record Fee – Code of Criminal Procedure art. 45.0511(c-1) -- \$12.00  
This fee is required to be imposed on a defendant who wishes to take a driving safety course if the Court chooses to have DPS provide the defendant’s driving record.
- (32) Driving Safety Course Administrative Fee – Code of Criminal Procedure art. 45.0511(f)(1) – not to exceed \$10.00  
This optional fee may be imposed by the Court upon a defendant’s request to take a driving safety course.
- (33) Transaction Fee – Code of Criminal Procedure art. 102.072 – not to exceed \$2.00  
This optional fee may be assessed on each transaction relating to the collection of fines, fees, restitution, or other costs imposed by a court.
- (34) Driving Safety Course Special Request Fee – Code of Criminal Procedure art. 45.0511(f)(2) – an amount not more than the maximum fine amount  
This optional fee may be imposed by the Court upon a defendant’s request to take a driving safety course pursuant to Subsection (d) of the statute. The request is a “special” request because certain requirements entitling the defendant to take a driving safety course have not been satisfied.
- (35) Special Expense Fee – Code of Criminal Procedure art. 45.051(a) – an amount not to exceed the amount of the fine that could be imposed  
This fee may be imposed by the Court when placing a defendant on deferred disposition.

**Detailed Description of Offenses in each Misdemeanor Category**

- A Rules of the Road Offense<sup>1</sup> (other than a Parking or Pedestrian Offense) that is a moving violation<sup>2</sup>
- B Rules of the Road Offense (other than a Parking or Pedestrian Offense) that is not a moving violation
- C Parent Contributing to Non-attendance offense (Education Code, § 25.093)
- D Disobeying Warning Signs or Driving Around a Barricade (Transportation Code, § 472.022)
- E General fine-only misdemeanor offense<sup>3</sup> that is a moving violation
- F (1) Issuance of Bad Check (Penal Code, § 32.41); or (2) Theft (Penal Code, § 31.03) or Theft of Service (Penal Code, § 31.04) where theft was accomplished by issuing or passing a bad check
- G General fine-only misdemeanor offense that is not a moving violation
- H Parking or Pedestrian Offense that is a Rules of the Road Offense
- I Parking or Pedestrian Offense that is not a Rules of the Road Offense

<sup>1</sup> A rules-of-the-road offense is any offense found in Transportation Code, Chapters 541 – 600.

<sup>2</sup> The list of offenses considered to be moving violations can be found in 37 Tex. Admin. Code § 15.89(b) and is available online at <http://texreg.sos.state.tx.us/fids/201403910-1.html>.

<sup>3</sup> A general fine-only misdemeanor offense is any fine-only misdemeanor offense not listed in Categories A - D, F, and H - I.

## **Court Cost and Fee Destinations**

- (1) 90% to the State; 10% as a collection fee to the County. The State money goes to 14 destinations as follows: (1) abused children's counseling [0.0088%]; (2) crime stoppers assistance [0.2581%]; (3) breath alcohol testing [0.5507%]; (4) Bill Blackwood Law Enforcement Management Institute [2.1683%]; (5) law enforcement officers standards and education [5.0034%]; (6) comprehensive rehabilitation [9.8218%]; (7) law enforcement and custodial officer supplemental retirement fund [11.1426%]; (8) criminal justice planning [12.5537%]; (9) Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University [1.2090%]; (10) compensation to victims of crime fund [37.6338%]; (11) emergency radio infrastructure account [5.5904%]; (12) judicial and court personnel training fund [4.8362%]; (13) Correctional Management Institute of Texas and Criminal Justice Center Account [1.2090%]; and (14) fair defense account [8.0143%].
- (2) 5% to the County as a service fee for collection and 95% to the State. The money is directed to the State as follows: (1) 67% to the credit of the undedicated portion of the General Revenue Fund; and (2) 33% to the credit of the designated trauma and emergency medical services account under Section 780.003, Health & Safety Code.
- (3) 100% to the County.
- (4) \$0.60 goes to the County General Fund "to promote the efficient operation of the . . . county courts and the investigation, prosecution, and enforcement of offenses that are within the jurisdiction of the courts." \$5.40 goes to the State Judicial Fund for court-related purposes for support of the judicial branch of the State, for child support and court management as provided by § 21.007, Government Code, and for basic civil legal services to the indigent as provided by § 51.943, Government Code.
- (5) 100% of the money stays with the County and is to be deposited in the "Justice Court Technology Fund."
- (6) 100% of the money stays with the County. Generally, the money is deposited in the "Courthouse Security Fund." An exception exists if the County has one or more justice courts located in a building (or buildings) other than the county courthouse. In such a situation, ¼ of the money is to be deposited into the "Justice Court Building Security Fund." The remaining ¾ of the money is to be deposited into the Courthouse Security Fund.
- (7) 100% of the money stays with the County.
- (8) 90% to the State "Fair Defense Account" to fund indigent defense; 10% goes to the County as a collection fee.
- (9) Generally, 100% of the money goes to the State for deposit to the credit of a dedicated account in the General Revenue Fund known as the "Truancy Prevention and Diversion Fund." An exception exists in those counties that have established (or are attempting to establish) a juvenile case manager program. These counties have the option of retaining 50% of the money. The other 50% of the money would be directed to the State's Truancy and Prevention Fund." The money retained by the County is to be used to operate or establish a juvenile case manager program.
- (10) 90% of the money goes to the State and is deposited to the credit of the "Civil Justice Data Repository Fund" in the State's General Revenue Fund.
- (11) The money is directed to: (1) the law enforcement agency that executed the arrest warrant, *capias*, or *capias pro fine*, if the agency requests of the court, not later than the 15<sup>th</sup> day after the date of the execution of the arrest warrant, *capias*, or *capias pro fine*, the imposition of the fee on conviction; or (2) the law enforcement agency that processed the arrest warrant, *capias*, or *capias pro fine*, if: (a) the arrest warrant, *capias*, or *capias pro fine* was not executed; or (b) the executing law enforcement agency failed to timely request the fee.
- (12) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (13) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (14) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (15) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (16) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (17) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.

- (18) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (19) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (20) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (21) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (22) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (23) \$20 is directed to the State while \$10 is retained by the County. Of the \$20 directed to the State, \$10 is credited to the DPS to implement Chapter 706 of the Transportation Code. Chapter 706 outlines the procedure for DPS to deny the renewal of the driver's license of a person who has failed to pay his or her court-ordered fine and costs. The remaining \$10 goes to the State's General Fund. There is no stated purpose for this \$10 amount. Of the \$10 retained by the County, \$6 is paid to OmniBase Services, Inc. OmniBase Services is a private vendor with which DPS has contracted to assist in implementing Chapter 706. The remaining \$4.00 is retained by the County. There is no specified purpose for this \$4 amount.
- (24) The fee is to be paid to the holder of the dishonored check.
- (25) 50% of the money (\$6.00) goes to the State's Compensation to Victims of Crime Fund. The other 50% of the money (\$6.00) is to be retained by the court "for costs incurred in collecting the specified installments."
- (26) 100% of the money stays with the County and is directed to the County's Juvenile Case Manager Fund.
- (27) 90% to the State Jury Service Fund to reimburse counties for juror costs; 10% as a collection fee to the County.
- (28) 100% of the money stays with the County.
- (29) \$20 is directed to the State while \$10 is retained by the County. Of the \$20 directed to the State, \$10 is credited to the DPS to implement Chapter 706 of the Transportation Code. Chapter 706 outlines the procedure for DPS to deny the renewal of the driver's license of a person who has failed to pay his or her court-ordered fine and costs. The remaining \$10 goes to the State's General Fund. There is no stated purpose for this \$10 amount. Of the \$10 retained by the County, \$6 is paid to OmniBase Services, Inc. OmniBase Services is a private vendor with which DPS has contracted to assist in implementing Chapter 706. The remaining \$4.00 is retained by the County. There is no specified purpose for this \$4 amount.
- (30) 50% of the money (\$12.50) is sent to the State and the other 50% (\$12.50) is retained by the County. The money directed to the State is to be deposited in the State's General Fund. As for the 50% of the money retained by the County, 80% (\$10.00) goes to the County for unspecified purposes. The remaining 20% (\$2.50) is to be used "for the purpose of improving the efficiency of the administration of justice in the county." The County is required to "prioritize the needs of the judicial officer who collected the fees when making expenditures . . . and use the money deposited to provide for those needs."
- (31) \$10 goes to the State and is to be credited to the Department of Public Safety (DPS). The other \$2 also goes to the DPS and is specially designated to be used to support the "State Electronic Internet Portal" project.
- (32) 100% of the money stays with the County.
- (33) 100% of the money stays with the County.
- (34) 100% of the money stays with the County.
- (35) 100% of the money stays with the County.