

Municipal Court - Court Costs, Fines, & Reimbursement Fees on Conviction Chart

(ORIGINAL JURISDICTION) – 01/01/2020¹ (red denotes an addition or change)

for offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

COURT COSTS

For purposes of assessment of court costs, "conviction" includes deferred adjudication and deferred disposition – Local Gov't Code §§ 133.101 and 134.002(b).

1	<b style="color: red;">State Consolidated Court Cost – Local Gov't Code § 133.102(a)(3) – (Mandatory) <ul style="list-style-type: none"> - Assessed on conviction of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance, but not if the offense related to a pedestrian or the parking of a motor vehicle 	<b style="color: red;">\$62
2	<b style="color: red;">Local Consolidated Court Cost – Local Gov't Code § 134.103(a) – (Mandatory) <b style="color: red;">(NEW) <ul style="list-style-type: none"> - Assessed on conviction of a nonjailable misdemeanor offenses, including a criminal violation of a municipal ordinance, an offense related to a pedestrian, or the parking of a motor vehicle 	<b style="color: red;">\$14

MANDATORY FINES

The following mandatory fines are in addition to other fines and costs authorized or required by law, the consolidated court costs, and any applicable reimbursement fees.

3	Compliance Dismissals Fines <ul style="list-style-type: none"> - Transp. Code § 502.473(d) – Failure to Display of Registration Dismissal - Transp. Code § 502.475(c) – Wrong, Altered, or Obscured Registration Dismissal - Transp. Code § 504.943(d) – Failure to Display Two License Plates Dismissal - Transp. Code § 504.945(d) – Wrong, Altered or Obscured License Plate Dismissal - Transp. Code § 521.221(d) – Violation of Driver's License Restriction Dismissal - Transp. Code § 547.004(c) – Operating Unsafe Vehicle Dismissal - Parks & Wildlife Code § 31.127(f) – Operating a Vessel w/ an Expired Certificate of Number 	Not to exceed \$10
4	Compliance Dismissals Fines <ul style="list-style-type: none"> - Transp. Code § 502.407(b) – Expired Registration Dismissal - Transp. Code § 521.054(d) – Failure to Change Address or Name Dismissal - Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal - Transp. Code § 681.013(b) – Displaying Expired Disabled Placard Dismissal 	Not to exceed \$20
5	Local Traffic Fine – Transp. Code § 542.403 <ul style="list-style-type: none"> - Apply to Rules of the Road convictions under Subtitle C, Title 7, Transp. Code (i.e., Chapters 541-600) - "Conviction" includes deferred adjudication and deferred disposition 	\$3
6	Municipal Parking Offense Court Cost >850k (larger cities) – Code Crim. Proc. art. 102.014(a) <ul style="list-style-type: none"> - The City must have: (1) an ordinance, regulation, or order regulating the stopping, standing, or parking of motor vehicles; and (2) a population greater than 850,000 - The governing body of the City sets the exact amount of the fee - Assessed on parking violation 	\$2 - \$5
7	Parent Contributing to Non-attendance (Fine for Child Safety Fund) – Code Crim. Proc. art. 102.014(d) <ul style="list-style-type: none"> - Apply to convictions under Education Code § 25.093, (Parent Contributing To Nonattendance) - "Conviction" included deferred adjudication and deferred dispositions 	\$20

¹ The increase of the state traffic fine takes effect September 1, 2019, the effective date of HB 2048, 86th Legislature.

² The state traffic fine applies on conviction of, or on a plea of guilty or nolo contendere to, an offense committed on or after September 1, 2019.

Municipal Court - Court Costs, Fines, & Reimbursement Fees on Conviction Chart

(ORIGINAL JURISDICTION) – 01/01/2020¹ (red denotes an addition or change)

for offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

MANDATORY FINES (continued)

8	Passing a School Bus – Code Crim. Proc. art. 102.014(c) <ul style="list-style-type: none"> - Apply to convictions under Transp. Code § 545.066 (Passing a School Bus) - “Conviction” includes deferred adjudication and deferred dispositions 	\$25
9	School Crossing Zone – Code Crim. Proc. art. 102.014(c) <ul style="list-style-type: none"> - Assessed on Rules of the Road convictions under Subtitle C, Title 7, Transp. Code (i.e., Chapters 541-600) when the offense occurs in a school crossing zone - “Conviction” includes deferred adjudication and deferred dispositions 	\$25
10	State Traffic Fine – Transp. Code, § 542.4031 <ul style="list-style-type: none"> - Increased fine is effective only for offenses committed on or after 09/01/19 - Apply to Rules of the Road offenses under Subtitle C, Title 7, Transp. Code (i.e., Chapters 541-600) 	\$50 (up from \$30)

OPTIONAL FINES

The following optional fines are in addition to other fines and costs authorized or required by law, the consolidated court costs, and any applicable reimbursement fees.

11	Compliance Dismissals Fine - Transp. Code § 521.026(b) <ul style="list-style-type: none"> - Expired Driver's License Dismissal 	Not to exceed \$20
12	FTA/VPTA Fine – Code Crim. Proc. art. 45.203(c) <ul style="list-style-type: none"> - Previously known as “Special Expense Fee” - City must have passed an ordinance requiring the fine - Apply <i>only</i> to the offenses of FTA and VPTA under Penal Code § 38.10(e) and Transp. Code § 543.009, respectively, if such offenses are punishable by fine only - (NEW) Court no longer has to issue and serve an arrest warrant for FTA or VPTA before the fine can be assessed 	Not to exceed \$25
13	Deferred Disposition Fine – Code Crim. Proc. art. 45.051(a) <ul style="list-style-type: none"> - Requires a plea of guilty or nolo contendere or a finding of guilt to an offense punishable by fine only - The court must defer further proceedings and place the defendant on probation for a period not to exceed a 180 days - Assessed on issuance of the order of deferral 	Any amount that does not exceed the maximum fine for the offense
14	Driving Safety Course (Permissive DSC) – Code Crim. Proc. art. 45.0511(f)(2) <ul style="list-style-type: none"> - Assessed on request to take driving safety course if the court grants the request - Do not assess both this fine and the reimbursement fee under Article 45.0511(f)(1) – assess one or the other 	An amount not to exceed the maximum amount of the fine for the offense committed.
15	Municipal Parking Offense Court Cost <850k (smaller cities) – Code Crim. Proc. art. 102.014(b) <ul style="list-style-type: none"> - The City must have: (1) an ordinance, regulation, or order regulating the stopping, standing, or parking of motor vehicles; and (2) a population of less than 850,000 - The governing body of the City sets the exact amount of the fee - Assessed on parking violation 	\$0 - 5

Municipal Court - Court Costs, Fines, & Reimbursement Fees on Conviction Chart

(ORIGINAL JURISDICTION) – 01/01/2020¹ (red denotes an addition or change)

for offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

MANDATORY REIMBURSEMENT FEES

The following reimbursement fees are used to reimburse services provided within the case and are in addition to other fines and costs authorized or required by law, the consolidated court costs, and any applicable fine

16	<p>Administrative Fee (Failure to Appear) a/k/a Omni Fee – Transp. Code § 706.006(a)</p> <ul style="list-style-type: none"> - Fee not permitted if judge finds that the defendant is indigent - Assessed if a person fails to appear in his or her criminal case if the court has jurisdiction of the case - The <u>City must have a contract with DPS</u> to provide DPS with information necessary to deny the renewal of a person's driver's license under certain circumstances - Assessed when: (1) the court enters judgment on the underlying offense reported; (2) the underlying offense is dismissed, other than a dismissal w/ prejudice for lack of evidence; or (3) a bond or other security is posted to reinstate the case - <u>Do not assess the fee if:</u> (1) the defendant was acquitted of the underlying offense; (2) the underlying offense was dismissed with prejudice on the state's motion; (3) if the City provided information to DPS in error; or (4) the underlying case is closed and the failure to appear report has been destroyed in accordance with the City's records retention policy - (NEW) The state's portion of the fee was repealed 	<p>\$10 (down from \$30) For each complaint or citation reported to DPS</p>
17	<p>Administrative Fee (Failure to Pay Fine and Cost) a/k/a Omni Fee – Transp. Code § 706.006(b)</p> <ul style="list-style-type: none"> - Fee not permitted if judge finds that the defendant is indigent - Assess the fee if a person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the court - The <u>City must have a contract with DPS</u> to provide DPS with information necessary to deny the renewal of a person's driver's license under certain circumstances - DPS can deny renewal until the administrative fee is paid - (NEW) The state's portion of the fee was repealed 	<p>\$10 (down from \$30) For each complaint or citation reported to DPS</p>
18	<p>Cost for Impoundment – Transp. Code § 601.263</p> <ul style="list-style-type: none"> - Assessed upon impoundment and each day the vehicle remains impounded 	<p>\$15 for each day of impoundment</p>
19	<p>Deferred Disposition Fee: Alcohol Awareness Program Fee – Code Crim. Proc. art. 45.051(g)</p> <ul style="list-style-type: none"> - Assessed if the court orders the defendant to participate in an alcohol or drug abuse treatment program as a condition of a deferral - <u>Do not assess</u> this fee if the court finds that the defendant is indigent and unable to pay it 	<p>Actual cost of attending the program</p>
20	<p>Deferred Disposition Fee: Reimbursement for Examination – Code Crim. Proc. art. 45.051(b-2)</p> <ul style="list-style-type: none"> - A DPS examination must be required and performed under art. 45.051(b-1)(3) 	<p>\$10 for the examination</p>
21	<p>Expunction Filing Fee (<i>Alcohol- Minor</i>) – Alco. Bev. Code § 106.12(e)</p> <ul style="list-style-type: none"> - Assessed on filing of written application or petition 	<p>\$30 per application or petition for expungement</p>
22	<p>Expunction Filing Fee (Certain Convictions- Minor) – Code Crim. Proc. art. 45.0216(i)</p> <ul style="list-style-type: none"> - Assessed on filing of written request for an expunction 	<p>\$30 per application or petition for expungement</p>
23	<p>Expunction Filing Fee (<i>Tobacco- Minor</i>) – Health & Safety Code § 161.255(b)</p> <ul style="list-style-type: none"> - Apply to offenses under Section 161.252 (Possession, Purchase, Consumption, Or Receipt Of Cigarettes, E- Cigarettes, Or Tobacco Products By Minors Prohibited) - Assessed on filing of written application or petition 	<p>\$30 per application or petition for expungement</p>

Municipal Court - Court Costs, Fines, & Reimbursement Fees on Conviction Chart

(ORIGINAL JURISDICTION) – 01/01/2020¹ (red denotes an addition or change)

for offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

MANDATORY REIMBURSEMENT FEES (continued)

24	Peace Officers ³ : Attaching a Witness on Order of Court Outside County – Code Crim. Proc. art. 102.011(c) <ul style="list-style-type: none"> - The officer must submit a sworn statement detailing the expenses, and the judge issuing the attachment must approve the expenses - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	\$10/per day or part of a day plus actual necessary expenses for travel by the most practical public conveyance
25	Peace Officers: Commitment to or Release from Jail – Code Crim. Proc. art. 102.011(a)(6) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	\$ 5
26	Peace Officers: Executing or Processing an Issued Arrest Warrant, Capias, or Capias Pro Fine – Code Crim. Proc. arts. 102.011(a)(2), 102.011(e) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence, even if the defendant is arrested at the same time for another offense - Assess on each arrest made, even if the arrests arise out of the same criminal episode or transaction 	\$50/per arrest
27	Peace Officers: Issuing a Written Notice to Appear in Court or For Making an Arrest w/o Warrant – Code Crim. Proc. arts. 102.011(a)(1), 102.011(e) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence, even if the defendant is arrested at the same time for another offense - Assess on each arrest made, even if the arrests arise out of the same criminal episode or transaction 	\$ 5/per notice or warrantless arrest
28	Peace Officers: Meals, Lodging, and Mileage Fee for Performing Certain Conveyances and Travel – Code Crim. Proc. art. 102.011(b) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	\$0.29/mile to and from performing the service plus all necessary and reasonable expenses for meals and lodging
29	Peace Officers: Overtime Pay for PO Testifying at Trial or for Traveling To & From Testifying at Trial – Code Crim. Proc. art. 102.011(i) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	Actual cost of overtime paid
30	Peace Officers: Serve Writ – Code Crim. Proc. art. 102.011(a)(4) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	\$35
31	Peace Officers: Summon Jury, if a jury is summoned – Code Crim. Proc. art. 102.011(a)(7) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	\$ 5
32	Peace Officers: Summon Witness – Code Crim. Proc. art. 102.011(a)(3) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	\$ 5/per witness each time summoned
33	Peace Officers: Take and Approve a Bond – Code Crim. Proc. art. 102.011(a)(5) <ul style="list-style-type: none"> - Assessed on conviction, deferred adjudication, deferred disposition, or any other deferral of final disposition or imposition of judgment and sentence 	\$10

³ For a list of "Peace Officers" see Code of Criminal Procedure Art. 2.12.

Municipal Court - Court Costs, Fines, & Reimbursement Fees on Conviction Chart

(ORIGINAL JURISDICTION) – 01/01/2020¹ (red denotes an addition or change)

for offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

MANDATORY REIMBURSEMENT FEES (continued)

34	<p>Time Payment Reimbursement Fee – Code Crim. Proc. art. 102.030 (formerly, Local Gov't Code §133.103)</p> <ul style="list-style-type: none"> - Assess only if the convicted defendant pays all or part of a fine, court cost, restitution, or other reimbursement fee on or after the 31st day the judgment entered assessing the same - “Conviction” no longer includes deferred adjudications or deferred dispositions - (NEW) The state's portion of the fee has been repealed 	<p>\$15 (formerly, \$25)</p>
----	--	---

OPTIONAL REIMBURSEMENT FEES

35	<p>City Scofflaw Fees (<i>Failure To Appear or To Pay</i>) – Transp. Code § 702.003(e-1)</p> <ul style="list-style-type: none"> - <u>The City must have a contract</u> with the county assessor-collector or the Texas Department of Motor Vehicles (DMV) to provide information necessary to allow the county assessor or DMV to refuse a person's vehicle registration under certain circumstances - Assessed on providing information to TDMV regarding a person's failure to pay or to appear in court when required 	<p>\$20</p>
36	<p>Deferred Disposition Fee: Testing & Assessment Fees in Deferred Disposition Cases – Code Crim. Proc. art. 45.051(b)(7)</p> <ul style="list-style-type: none"> - Assessed on testing on testing, assessment or attending a qualified program 	<p>Actual cost of any diagnostic testing, psychological assessment, or participation in a treatment or education program</p>
37	<p>Driving Record Fee – Code Crim. Proc. art. 45.0511(c-1)</p> <ul style="list-style-type: none"> - Assessed only if the court requests the defendant's driving record through the state electronic Internet portal 	<p>\$12.00</p>
38	<p>Driving Safety Course (Mandatory DSC) – Code Crim. Proc. art. 45.0511(f)(1)</p> <ul style="list-style-type: none"> - Assessed if the court grants the request to take the course - <u>Do not assess both</u> this fee and the fine under Article 45.0511(f)(2) – assess one or the other 	<p>An amount not to exceed \$10</p>
39	<p>Drug Court (Program Fee) – Gov't Code § 123.004(a)(1)</p> <ul style="list-style-type: none"> - Apply to the types of drug court programs listed in Gov't Code § 123.002 - Assessed only on participation in a drug court program established in the city 	<p>A reasonable program fee not to exceed \$1000,</p>
40	<p>Drug Court (Reimbursement Fee) – Gov't Code § 123.004(a)(2)</p> <ul style="list-style-type: none"> - Apply to the types of drug court programs listed in Gov't Code § 123.002 - Assessed only on participants in a city drug court program if alcohol or controlled substance testing, counseling, or treatment is performed or provided by or for the drug court program 	<p>Actual cost of any alcohol or controlled substance testing, counseling, and treatment (the judge may limit to a reasonable amount)</p>
41	<p>Failure To Appear for Jury Trial Fee – Code Crim. Proc. art. 45.026(a)</p> <ul style="list-style-type: none"> - Assessed when a person does not waive a jury trial and fails to appear for the trial 	<p>Cost incurred for impaneling the jury</p>
42	<p>Fee for Processing Certain Payments – Local Gov't Code §§ 132.002, 132.003</p> <ul style="list-style-type: none"> - The governing body of the city must authorize it - <u>Do not assess</u> this fee if the defendant pays cash - Assessed on the processing of certain payments 	<p>The governing body of the city sets the amount, but it cannot exceed 5% of the amount being paid</p>
43	<p>Teen Court Administration Fee – Code Crim. Proc. art. 45.052(e), Family Code § 54.032(g)</p> <ul style="list-style-type: none"> - Assessed on request to attend a teen court program if the request is granted - The court sets the exact amount of the fee, unless the court is located in the Texas-Louisiana border region 	<p>Not to Exceed \$10, unless the court is located in the Texas-Louisiana border region, then \$20</p>

Municipal Court - Court Costs, Fines, & Reimbursement Fees on Conviction Chart

(ORIGINAL JURISDICTION) – 01/01/2020¹ (red denotes an addition or change)

for offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

OPTIONAL REIMBURSEMENT FEES (continued)

44	Teen Court Duties Fee – Code Crim. Proc. art. 45.052(g), Family Code § 54.032(g) - Assessed if request to attend a teen court program is granted	\$10, unless court is located in the Texas-Louisiana border region, then \$20
45	Affirmative Defense Dismissal Fee: Driving Commercial Motor Vehicle w/o License or Permit - Transp. Code § 522.011(f) - Assessed only if: (1) the offense was an offense under Transp. Code § 522.011 (Driving w/o a Commercial Driver's License Or Permit; and (2) the case was dismissed because the person produced the relevant driver's license or permit in court	Not to Exceed \$10

FEES REPEALED BY SB 346 (86TH Legislature Session)

	Disposition of Confiscated Game Court Cost – Parks & Wild. Code § 12.110(b) REPEALED	No longer assessed.
	El Paso Motion to Waive Speedy Trial Fee – Gov't Code § 54.745(b), (c) REPEALED BY AMENDING	No longer assessed.
	El Paso Municipal Court Appellate Docket Fee – Gov't Code § 30.00147(b) & (g) REPEALED	No longer assessed.
	Fee for Preparation of the Clerk's Record (Municipal Court) – Gov't Code § 30.00014(f) REPEALED	No longer assessed.
	Indigent Defense Fee – Local Gov't Code, § 133.107 REPEALED	No longer assessed.
	Judicial Support Fee – Local Gov't Code, § 133.105(a) REPEALED	No longer assessed.
	Juror Reimbursement Fee – Code Crim. Proc. art. 102.0045 REPEALED	No longer assessed.
	Jury Fee – Code Crim. Proc. art. 102.004 REPEALED	No longer assessed.
	Juvenile Case Manager Fee – Code Crim. Proc. art. 102.0174 REPEALED	No longer assessed.
	Moving Violation Fee (aka TCOLE Court Cost) – Code Crim. Proc. art. 102.022 REPEALED⁴	No longer assessed.
	Municipal Court Building Security Fee – Code Crim. Proc. art. 102.017(b) REPEALED BY AMENDING	No longer assessed.
	Municipal Court Technology Fee – Code Crim. Proc. art. 102.0172(a) REPEALED BY AMENDING	No longer assessed.
	Restitution Installment Fee – Code Crim. Proc. art. 42.037(g) REPEALED BY AMENDING	No longer assessed.
	Truancy Prevention & Diversion Court Cost – Code Crim. Proc. art 102.015(b) REPEALED BY REDESIGNATING AND AMENDING⁵	No longer assessed.

⁴ HB 2048, which passed the same year as SB 346, does not impact the repeal of the moving violation fee by the 86th Legislature.

⁵ The article was redesignated and transferred to the Local Government Code as § 133.125 and amended to repeal the cost.

Court Cost and Fee Destinations

- (1) **State Consolidated Court Cost** - Local Gov't Code § 133.102(a)(3)
90% goes to the State and 10% stays with the City as a collection fee, if the City timely remits the State's portion to the comptroller (See Local Gov't Code §133.058(a)).⁶ The collecting officer must deposit the money in the city treasury (See Local Gov't Code §133.052). The State's portion is allocated to 19 different accounts and funds as follows: (1) Crime Stoppers Assistance Account [0.2427%]; (2) Breath Alcohol Testing Account [0.3900%]; (3) Bill Blackwood Law Enforcement Management Institute Account [1.4741%]; (4) Texas Commission on Law Enforcement Account [3.4418%]; (5) Law Enforcement And Custodial Officer Supplement Retirement Trust Fund [7.2674%]; (6) Criminal Justice Planning Account [8.5748%]; (7) Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University [0.8540%]; (8) Compensation to Victims of Crime Account [24.6704%]; (9) Emergency Radio Infrastructure Account [3.6913%]; (10) Judicial And Court Personnel Training Account [3.3224%]; (11) Correctional Management Institute of Texas and Criminal Justice Center Account [0.8522%]; (12) Fair Defense Account [17.8857%]; (13) Judicial Fund [12.2667%]; (14) DNA Testing Account [0.1394%]; (15) Specialty Court Account [1.0377%]; (16) Statewide Electronic Filing System Account [0.5485%]; (17) Jury Service Fund [6.4090%]; (18) Truancy Prevention and Diversion Account [2.5956%]; and (19) Transportation Administrative Fee Account [4.3363%].
- (2) **Local Consolidated Court Cost** – Local Gov't Code § 134.103(a)
100% stays with the City and should be deposited in the city treasury. The city treasurer shall allocate the money received under this section to 4 destinations as follows: (1) Municipal Court Building Security Fund [35%]; (2) Local Truancy Prevention & Diversion Fund [35.7143%]; (3) Municipal Court Technology Fund [28.5714%]; and (4) Municipal Jury Fund [0.7143%]. The municipal treasurer shall maintain the various funds in the municipal treasury. Money deposited in the Municipal Court Building Security Fund may be used only for security personnel, services, and items related to buildings that house the operations of municipal courts. This includes: (1) the purchase or repair of X-ray machines and conveying systems; (2) handheld metal detectors; (3) walkthrough metal detectors; (4) identification cards and systems; (5) electronic locking and surveillance equipment; (6) video teleconferencing systems; (7) bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services; (8) signage; (9) confiscated weapon inventory and tracking systems; (10) locks, chains, alarms, or similar security devices; (11) the purchase or repair of bullet-proof glass; (12) continuing education on security issues for court personnel and security personnel; and (13) warrant officers and related equipment. Money deposited in the Local Truancy Prevention & Diversion Fund may be used to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses related to the position of a juvenile case manager, who may be able to use, under certain circumstances, any remaining money in the fund for programs directly related to the juvenile case manager's duties. Money in the Truancy Fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager. Money deposited in the Municipal Court Technology Fund may be used only to finance the purchase of or to maintain technological enhancements for a municipal court or municipal court of record, including: (1) computer systems; (2) computer networks; (3) computer hardware; (4) computer software; (5) imaging systems; (6) electronic kiosks; (7) electronic ticket writers; and (8) docket management systems. Money deposited in the Municipal Jury Fund may be used only to fund juror reimbursements and otherwise to finance jury services. *NOTE:* The statute does not indicate what to do with the money if the City does not have a juvenile case manager.
- (3) **Compliance Dismissals Fines** - (\$10)
100% of the fine stays with the City and should be deposited in the city treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 547.004(c) – Operating Unsafe Vehicle Dismissal – are subject to § 542.402(a) and must be used: (1) to construct and maintain roads, bridges, and culverts in the City; and (2) to enforce laws regulating the use of highways by motor vehicles.
- (4) **Compliance Dismissals Fines** – (\$20)
100% of the fine stays with the City and should be deposited in the city treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal – are subject to § 542.402(a) and must be used: (1) construct and maintain roads, bridges, and culverts in the City; and (2) enforce laws regulating the use of highways by motor vehicles.
- (5) **Local Traffic Fine** – Transp. Code § 542.403
100% of the fine stays with the City and should be deposited in the city treasury. Transportation Code § 542.402(a) (Disposition of Fines) controls the disposition of traffic fines. Consequently, now, fines collected under § 542.403 must be used: (1) to construct and maintain roads, bridges, and culverts in the municipality or county; and (2) to enforce laws regulating the use of highways by motor vehicles; and (3) defray the expense of county traffic officers.

⁶ A city or county that maintains a certified breath alcohol testing program but does not use the services of a certified technical supervisor employed by the department may, to defray the costs of maintaining and supporting a certified breath alcohol testing program, retain \$22.50 of the state consolidated court cost collected on conviction of an offense under Chapter 49, Penal Code, other than an offense that is a Class C misdemeanor. (See Code of Criminal Procedure art. 102.016(b)).

- (6) **Municipal Parking Offense Court Cost >850k (larger cities)** – Code Crim. Proc. art. 102.014(a)
100% of the fine stays with the City. The officer collecting the fine must deposit the money in the Municipal Child Safety Trust Fund established as required by Local Government Code Chapter 106. Money in the fund is to be used to provide school crossing guard services as provided by Chapter 343, Government Code. After payment of the expenses for the school crossing guard services, any remaining money in the fund may be used for programs designed to enhance child safety, health, or nutrition, including child abuse intervention and prevention and drug and alcohol abuse prevention.
- (7) **Parent Contributing to Non-attendance Fine** – Code Crim. Proc. art. 102.014(d)
100% of the fine stays with the City. If the City has a population greater than 850,000, the officer collecting the fine must deposit the money in the Municipal Child Safety Trust Fund established as required by Local Government Code Chapter 106. Money in the fund is to be used to provide school crossing guard services as provided by Chapter 343, Government Code. After payment of the expenses for the school crossing guard services, any money remaining in the fund may be used for programs designed to enhance child safety, health, or Nutrition. This includes child abuse intervention and prevention and drug and alcohol abuse prevention. If the City has a population of less than 850,000, the money collected for the fine must be used for a school crossing guard program if the City operates one. If the City does not operate a school crossing guard program, or if the money received from the fine exceeds the amount of money necessary to fund the school crossing guard program, the City may: (1) deposit the additional money in an interest-bearing account; (2) expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or (2) expend the additional money for programs designed to enhance public safety and security. **But see, Education Code Sec. 25.093, which requires ½ of the fine to be deposited to the credit of the operating fund for the child’s school and the other ½ to the City.**
- (8) **Passing a School Bus** – Code Crim. Proc. art. 102.014(c)
100% of the fine stays with the City. If the City has a population greater than 850,000, the officer collecting the fine must deposit the money in the Municipal Child Safety Trust Fund established as required by Local Government Code Chapter 106. Money in the fund is to be used to provide school crossing guard services as provided by Chapter 343, Government Code. After payment of the expenses for the school crossing guard services, any remaining money in the fund may be used for programs designed to enhance child safety, health, or nutrition, including child abuse intervention and prevention and drug and alcohol abuse prevention. If the City has a population of less than 850,000, the money collected for the fine must be used for a school crossing guard program if the City operates one. If the City does not operate a school crossing guard program, or if the money received from the fine exceeds the amount of money necessary to fund the school crossing guard program, the City may: (1) deposit the additional money in an interest-bearing account; (2) expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or (2) expend the additional money for programs designed to enhance public safety and security.
- (9) **School Crossing Zone** – Code Crim. Proc. art. 102.014(c)
100% of the fine stays with the City. If the City has a population greater than 850,000, the officer collecting the fine must deposit the money in the Municipal Child Safety Trust Fund established as required by Local Government Code Chapter 106. Money in the fund is to be used to provide school crossing guard services as provided by Chapter 343, Government Code. After payment of the expenses for the school crossing guard services, any remaining money in the fund may be used for programs designed to enhance child safety, health, or nutrition, including child abuse intervention and prevention and drug and alcohol abuse prevention. If the City has a population of less than 850,000, the money collected for the fine must be used for a school crossing guard program if the City operates one. If the City does not operate a school crossing guard program, or if the money received from the fine exceeds the amount of money necessary to fund the school crossing guard program, the City may: (1) deposit the additional money in an interest-bearing account; (2) expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or (2) expend the additional money for programs designed to enhance public safety and security.
- (10) **State Traffic Fine** – Transp. Code, § 542.4031
4% to the City as a service fee for collection and 96% is directed to the State as follows: (1) 70% to the credit of the undedicated portion of the General Revenue Fund; and (2) 30% to the credit of the designated trauma and emergency medical services account under Section 780.003, Health & Safety Code. **Note: The Legislature reduced the percentage amount that a City may retain as a service fee for the collection of the fine and changed the allocation of the state traffic fine to the General Revenue Fund and the designated trauma and emergency medical services account. It deposits to the General Revenue Fund from collections of the fine exceed \$250 million in any given year, any remaining deposits for that year shall be to the Texas Mobility Fund.**
- (11) **Compliance Dismissals Fine** – Transp. Code § 521.026(b)
100% of the fine stays with the City and should be deposited in the city treasury. **Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal – are subject to § 542.402(a) and must be used to: (1) construct and maintain roads, bridges, and culverts in the City; and (2) enforce laws regulating the use of highways by motor vehicles.**

- (12) **FTA/VPTA Fine** – Code Crim. Proc. art. 45.203(c)
100% of the money stays with the City. Money collected from the fine shall be paid into the municipal treasury for the use and benefit of the City.
- (13) **Deferred Disposition Fine** – Code Crim. Proc. art. 45.051(a)
100% of the money stays with the City and should be deposited in the city treasury.
- (14) **Driving Safety Course (Permissive DSC)** – Code Crim. Proc. art. 45.0511(f)(2)
100% of the money stays with the City and should be deposited in the city treasury.
- (15) **Municipal Parking Offense Court Cost <850k (smaller cities)** – Code Crim. Proc. art. 102.014(b)
100% of the fine stays with the City. The money collected for the fine must be used for a school crossing guard program if the City operates one. If the City does not operate a school crossing guard program, or if the money received from the fine exceeds the amount of money necessary to fund the school crossing guard program, the City may: (1) deposit the additional money in an interest-bearing account; (2) expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or (2) expend the additional money for programs designed to enhance public safety and security.
- (16) **Administrative Fee (Failure to Appear) a/k/a Omni Fee** – Transp. Code § 706.006(a)
(NEW) 100% of the money stays with the City. Several portions of Transportation Code § 706.007 (i.e., subsections b, c, and e) have been repealed. As a result, the fee is reduced to \$10 (down from \$30). The state will no longer receive a portion of the fee, and the City no longer has to provide annual reports regarding the fee. The officer collecting the fee must remit it to the city treasurer, who must deposit it to the credit of the city's general fund and use it to compensate private vendors hired by DPS to perform services under the contract. See Transportation Code 706.008.
- (17) **Administrative Fee (Failure to Pay Fine and Cost) a/k/a Omni Fee** – Transp. Code § 706.006(b)
(NEW) 100% of the money stays with the City. Several portions of Transportation Code § 706.007 (i.e., subsections b, c, and e) have been repealed. As a result, the fee is \$10 (down from \$30). The state will no longer receive a portion of the fee, and the City no longer has to provide annual reports regarding the fee. The officer collecting the fee must remit it to the city treasurer, who must deposit it to the credit of the city's general fund and use it to compensate private vendors hired by DPS to perform services under the contract. See Transportation Code 706.008.
- (18) **Cost for Impoundment** – Transp. Code § 601.263
100% of the fee money remains with the City to reimburse the cost of impoundment.
- (19) **Deferred Disposition Fee: Alcohol Awareness Program Fee** – Code Crim. Proc. art. 45.051(g)
100% of the money should be directed to the program to reimburse for the cost.
- (20) **Deferred Disposition Fee: Reimbursement for Examination** – Code Crim. Proc. art. 45.051(b-2)
100% of the money to the state to be deposited to the credit of a special account in the general revenue fund and may be used only by the Department of Public Safety to administer Chapter 521, Transportation Code (Driver's Licenses and Certificates).
- (21) **Expunction Filing Fee (Alcohol- Minor)** – Alco. Bev. Code § 106.12(e)
100% of the money stays with the City and is used to defray the cost of notifying state agencies of the order of expunction.
- (22) **Expunction Filing Fee (Certain Convictions- Minor)** – Code Crim. Proc. art. 45.0216(i)
100% of the money stays with the City and is used to defray the cost of notifying state agencies of the order of expunction.
- (23) **Expunction Filing Fee (Tobacco- Minor)** – Health & Safety Code § 161.255(b)
100% of the money stays with the City and is used to defray the cost of notifying state agencies of the order of expunction.
- (24) **Peace Officers: Attaching a Witness on Order of Court Outside County** – Code Crim. Proc. art. 102.011(c)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.

- (25) **Peace Officers: Commitment to or Release from Jail** – Code Crim. Proc. art. 102.011(a)(6)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (26) **Peace Officers: Executing or Processing an Issued Arrest Warrant, Capias, or Capias Pro Fine** – Code Crim. Proc. arts. 102.011(a)(2), 102.011(e)
100% of the money stays with the City to reimburse for the services of the peace officer performing the service, unless the officer performing the service is employed by the State, in which event only 80% of the money stays with the City and the remaining 20% goes to the State. *See Local Gov't Code § 133.104.*
- (27) **Peace Officers: Issuing a Written Notice to Appear in Court or For Making an Arrest w/o Warrant** – Code Crim. Proc. arts. 102.011(a)(1), 102.011(e)
100% of the money stays with the City to reimburse for the services of the peace officer performing the service, unless the officer performing the service is employed by the State, in which event only 80% of the money stays with the City and the remaining 20% goes to the State. *See Local Gov't Code § 133.104.*
- (28) **Peace Officers: Meals, Lodging, and Mileage Fee for Performing Certain Conveyances and Travel** – Code Crim. Proc. art. 102.011(b)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (29) **Peace Officers: Overtime Pay for PO Testifying at Trial or for Travelling To & From Testifying at Trial** – Code Crim. Proc. art. 102.011(i)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (30) **Peace Officers: Serving a Writ – Code Crim. Proc. art. 102.011(a)(4)**
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (31) **Peace Officers: Summoning a Jury, if a jury is summoned** – Code Crim. Proc. art. 102.011(a)(7)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (32) **Peace Officers: Summoning a Witness** – Code Crim. Proc. art. 102.011(a)(3)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (33) **Peace Officers: Taking and Approving a Bond** – Code Crim. Proc. art. 102.011(a)(5)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (34) **Time Payment Reimbursement Fee** – Code Crim. Proc. art. 102.030 (formerly, Local Gov't Code §133.103)
100% of the money stays with the City. The collecting officer shall deposit the fee in the city treasury. The city treasurer will credit a separate account in the City's general fund that is used for the purpose of improving the collection of outstanding court costs, fines, reimbursement fees, or restitution or improving the efficiency of the administration of justice in the City. The City must prioritize the needs of the collecting officer when making expenditures from the account. *The fee has been reduced to \$15 (down from \$25). The state will no longer receive a portion of the fee.*
- (35) **City Scofflaw Fees (Failure To Appear or To Pay)** – Transp. Code § 702.003(e-1)
100% of the fee money remains with the City and may be used only to reimburse the Texas Department of Motor Vehicles or the county assessor-collector for expenses incurred for services performed under the contract, or by another county department for expenses related to services under the contract.
- (36) **Deferred Disposition Fee: Testing & Assessment Fees in Deferred Disposition Cases** – Code Crim. Proc. art. 45.051(b)(7)
100% of the money is used to reimburse the person or entity that performed the required service, i.e., diagnostic testing or psychosocial assessment, or to reimburse the facility or organization that provided the treatment or education program. The court may order the person to pay the reimbursement fee directly to whom it is due or to the court as a reimbursement fee.
- (37) **Driving Record Fee** – Code Crim. Proc. art. 45.0511(c-1)
100% of the money to the state to be deposited for use only by the Texas Department of Public Safety to reimburse DPS for the cost of providing the driving record. The electronic internet portal fee is used to support the "State Electronic Internet Portal" project. *See Transp. Code § 521.048 and Gov't Code, § 2054.2591.*
- (38) **Driving Safety Course (Mandatory DSC) Fee** – Code Crim. Proc. art. 45.0511(f)(1)
100% of the money stays with the City and should be deposited in the city treasury. The fee is to cover the cost of administering Art. 45.0511.

- (39) **Drug Court Program Fees** – Gov't Code § 123.004
100% of the money goes to the drug court program and can be collected by the program.
- (40) **Drug Court (Reimbursement Fee)** – Gov't Code § 123.004(a)(2)
100% goes to the program or provider of the services and must be used only to reimburse the costs of any alcohol or controlled substance testing, counseling, or treatment performed or provided under the program.
- (41) **Failure To Appear (Jury Trial) Fee** – Code Crim. Proc. art. 45.026(a)
100% of the money stays with the City and is used to reimburse for the cost of impaneling the jury.
- (42) **Fee for Processing Certain Payments** – Local Gov't Code §§ 132.002, 132.003
100% of the money stays with the City and is deposited in the city treasury to reimburse for the costs of processing the payments.
- (43) **Teen Court Administration Fee** – Code Crim. Proc. art. 45.052(e), Family Code § 54.032(e)
100% of the fee goes to the City to cover the cost of administering the article. Fees collected shall be deposited in the city treasury.
- (44) **Teen Court Duties Fee** – Code Crim. Proc. art. 45.052(g), Family Code § 54.032(g)
100% of the fee goes to the Teen Court Program. The fee is to cover the cost to the teen court for performing its duties under this article. The teen court program must account to the court for the receipt and disbursement of the fee.
- (45) **Affirmative Defense Dismissal Fee: Driving Commercial Motor Vehicle w/o License or Permit** – Transp. Code § 522.011(f)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the expense of the program.



Municipal Court – Court Costs, Fines, & Reimbursement Fees on Conviction Chart

(ORIGINAL JURISDICTION) – 01/01/2020¹

For offenses committed on or after January 1, 2020²

Existing law requires an ability to pay determination at sentencing. While a law may require assessment of a court cost, fine, or reimbursement fee, judges retain authority to reduce or waive those court costs, fines, or reimbursement fees.

	A	B	C	D	E	F	G	H	I	J	
MANDATORY COURT COSTS											
<i>Always charged on conviction, and when assessing, "conviction" includes deferred adjudication and deferred disposition – Local Gov't Code §§ 133.101 and 134.002(b)</i>											
1	State Consolidated Court Cost - LGC § 133.102(a)(3)	62	62	62	62	62	0	0	0	0	62
2	Local Consolidated Court Cost - LGC § 134.103(a)	14	14	14	14	14	14	14	14	14	14
MANDATORY FINES											
<i>Mandatory fines are in addition to the general fine for the offense</i>											
3	Compliance Dismissal Fine (\$10) ³	*	*	*	*	*	*	*	*	*	*
4	Compliance Dismissal Fine (\$20) ⁴	*	*	*	*	*	*	*	*	*	*
5	Local Traffic Fine – TC § 542.403	3	3	0	0	0	3	0	0	0	0
6	Municipal Parking Offense (> than 850K) – CCP Art. 102.014(a)	0	0	0	0	0	0	0	2 - 5 ⁵	0	0
7	Parent Contributing to Non-attendance - CCP Art. 102.014(d)	0	0	20	0	0	0	0	0	0	0
8	Passing a School Bus - CCP Art. 102.014(c)	25	0	0	0	0	0	0	0	0	0
9	School Crossing Zone - CCP Art. 102.014(c)	0/25	0/25	0	0	0	0/25	0	0	0	0
10	State Traffic Fine - TC § 542.4031	50	50	0	0	0	50	0	0	0	0
	TOTAL COSTS⁶	≥ 154/ 179	≥ 129/ 154	≥ 96	≥ 76	≥ 76	≥ 67/ 92	≥ 14	≥ 16 - 19	≥ 14	≥ 76
OPTIONAL FINES											
11	Compliance Dismissal Fine - TC § 521.026(b)	N/A	N/A	N/A	N/A	≤ 20	N/A	N/A	N/A	N/A	N/A
12	Failure to Appear/Promise to Appear - CCP Art. 45.203(c)	≤ 25	≤ 25	≤ 25	≤ 25	≤ 25	≤ 25	≤ 25	≤ 25	≤ 25	≤ 25
13	Deferred Disposition Fine - CCP Art. 45.051(a)	X	X	X	X	X	X	X	X	X	X
14	Driving Safety Course (Permissive) - CCP Art. 45.0511(f)(2)	X	X	N/A	X	N/A	X	N/A	N/A	N/A	N/A
15	Municipal Parking Offense (< than 850K) - CCP Art. 102.014(b)	0	0	0	0	0	0	0	0 - 5	0	0
MANDATORY REIMBURSEMENT FEES											
16	Admin Fee (FTA) - TC § 706.006(a)	10	10	10	10	10	10	10	10	10	10

¹ The increase of the state traffic fine takes effect September 1, 2019, the effective date of HB 2048, 86th Legislature.

² The state traffic fine applies on conviction of, or on a plea of guilty or nolo contendere to an offense committed on or after September 1, 2019.

³ Transp. Code §§ 502.473(d), 502.475(c), 504.943(d), 504.945(d), 521.221(d), & 547.004(c); Parks & Wildlife § 31.127(f)

⁴ Transp. Code §§ 502.407(b), 521.054(d), 548.605(e), & 681.013(b)

⁵ Do not charge this fee if the city has not adopted an ordinance, regulation, or order regulating the stopping, standing, or parking of vehicles as allowed by Section 542.202, Transportation Code, or Chapter 682, Transportation Code. If the city's population is less than 850,000, there may not be a charge for the parking offense (See No. 15).

⁶ This may not be the final total cost, depending on whether: (1) other fines or reimbursement fees apply; or (2) the judge waives or reduces any amount cost, fine or fee.



Municipal Court Convictions Court Cost Chart – 01/01/2020

		A	B	C	D	E	F	G	H	I	J
17	Admin Fee (FTP) - TC § 706.006(b)	10	10	10	10	10	10	10	10	10	10
18	Impoundment Fee - TC § 601.263	15	15	N/A	N/A	15	15	N/A	15	N/A	15
19	Deferred Disposition Fee (Alcohol/Drug Program) - CCP Art. 45.051(g)	X	X	X	X	X	X	X	X	X	X
20	Deferred Disposition Fee (DPS Examination) - CCP Art. 45.051(b-2)	*	*	N/A	*	N/A	*	N/A	N/A	N/A	N/A
21	Expunction Filing Fee (Alcohol (Minor)) – Alco. Bev. Code § 106.12(e)	N/A	N/A	N/A	N/A	30	N/A	N/A	N/A	N/A	N/A
22	Expunction Filing Fee (Certain Conv (Minor) – CCP Art. 45.0216(i)	30	30	30	30	30	30	30	30	30	30
23	Expunction Filing Fee (Tobacco (Minor)) – HSC § 161.255(b)	N/A	N/A	N/A	N/A	30	N/A	N/A	N/A	N/A	N/A
24	Peace Officer: Attach Witness – CCP Art. 102.011(c)	10	10	10	10	10	10	10	10	10	10
25	Peace Officer: Commit or Release from Jail - CCP Art. 102.011(a)(6)	5	5	5	5	5	5	5	5	5	5
26	Peace Officer: Execute or Process AW, Capias or Capias Pro Fine - CCP Art. 102.011(a)(2), 102.011(e) ⁷	50	50	50	50	50	50	50	50	50	50
27	Peace Officer: Issue NTA or Arrest W/O Warrant - CCP Art. 102.011(a)(1), 102.011(e) ⁸	5	5	5	5	5	5	5	5	5	5
28	Peace Officer: Meals, Lodging, and Mileage - CCP Art. 102.011(b)	X	X	X	X	X	X	X	X	X	X
29	Peace Officer: Testifying at Trial or Travel to/from Trial - CCP Art. 102.011(i)	X	X	X	X	X	X	X	X	X	X
30	Peace Officer: Serve Writ - CCP Art. 102.011(a)(4)	35	35	35	35	35	35	35	35	35	35
31	Peace Officer: Summon Jury - CCP Art. 102.011(a)(7)	5	5	5	5	5	5	5	5	5	5
32	Peace Officer: Summon Witness - CCP Art. 102.011(a)(3)	5	5	5	5	5	5	5	5	5	5
33	Peace Officer: Take & Approve Bond - CCP Art. 102.011(a)(5)	10	10	10	10	10	10	10	10	10	10
34	Time Payment Fee - CCP Art. 102.030 (formerly LGC § 133.103)	15	15	15	15	15	15	15	15	15	15
OPTIONAL REIMBURSEMENT FEES											
35	City Scofflaw Fee: Failure to Appear or Pay – TC § 702.003 (e-1)	20	20	N/A	20	N/A	20	20	20	20	N/A
36	Deferred Disposition Fee – Testing & Assessment – CCP Art. 45.051(b)(7)	X	X	X	X	X	X	X	X	X	X
37	Driving Record Fee – CCP Art. 45.0511(c-1)	12	12	N/A	12	N/A	N/A	N/A	N/A	N/A	12
38	Driving Safety Course (Mandatory) – CCP Art. 45.0511(f)(1)	≤ 10	≤ 10	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
39	Drug Court (Program Fee) – GC § 123.004(a)(1)	X	X	X	X	X	X	N/A	N/A	N/A	N/A
40	Drug Court (Reimbursement Fee) – GC § 123.004(a)(2)	X	X	X	X	X	X	N/A	N/A	N/A	N/A
41	Failure to Appear (Jury Trial) – CCP Art. 45.026(a)	X	X	X	X	X	X	X	X	X	X
42	Fee for Processing Certain Payments – LGC §§ 132.002 & 132.003	X	X	X	X	X	X	X	X	X	X
43	Teen Court (Admin Fee) – CCP Art. 45.052(e), Family Code §54.032(g) ⁹	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10	≤ 10

⁷ Assess on each arrest made, even if the arrests arise out of the same criminal episode or transaction.

⁸ Assess on each arrest made, even if the arrests arise out of the same criminal episode or transaction.

⁹ If the court is located in the Texas-Louisiana border region, the fee is \$20.



Municipal Court Convictions Court Cost Chart – 01/01/2020

		A	B	C	D	E	F	G	H	I	J
44	Teen Court (Duties Fee) – CCP Art. 45.052(g), Family Code §54.032(g) ¹⁰	10	10	10	10	10	10	10	10	10	10
45	Affirmative Defense Dismissal Fee – TC 522.011(f)	N/A	N/A	N/A	N/A	≤ 10	N/A	N/A	N/A	N/A	N/A

¹⁰ If the court is located in the Texas-Louisiana border region, the fee is \$20.

Detailed Description of Offenses in each Misdemeanor Category

- A Passing School Bus (Transportation Code § 545.066)
- B Rules of the Road Offense¹¹ (other than a Parking Offense, Pedestrian Offense, or Passing School Buss Offense)
- 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 offense¹²
- F State Parking Offense or State Pedestrian Offense that is a Rules of the Road Offense
- G State Parking Offense of State Pedestrian Offense that is not a Rules of the Road Offense
- H Violation of Municipal Parking Ordinance
- I Violation of Municipal Pedestrian Offense
- J Violation of Municipal Ordinance (Other than Parking or Pedestrian)

NOTES:

1. This chart is provided for guidance purposes only. For legal advice consult with your legal representative, or you may wish to contact the Comptroller's Office.
2. "X" means the amount has to be calculated according to the applicable statute.
3. "*" means the judge will determine: (1) the exact amount; (2) if the fine or fee applies; or (3) both.
4. "N/A" means the fine or fee is not usually charged for this type of offense. But, the clerk should charge it if the court assesses it.
5. "≤" means less than or equal to the amount indicated.
6. "≥" means greater than or equal to the amount indicated.
7. Contact Margie Johnson, Assistant General Counsel, OCA, if you have any questions or concerns ((512) 463-1625 or Margie.Johnson@txcourts.gov).

¹¹ A rules-of-the-road offense is any offense found in Transportation Code, Chapters 541 – 600.

¹² A general fine-only misdemeanor offense is any fine-only misdemeanor offense not listed in Categories A – D and F – J.

Court Cost and Fee Destinations

- (1) State Consolidated Court Cost** - Local Gov't Code § 133.102(a)(3)
90% goes to the State and 10% stays with the City as a collection fee, if the City timely remits the State's portion to the comptroller (See Local Gov't Code §133.058(a)).¹³ The collecting officer must deposit the money in the city treasury (See Local Gov't Code §133.052). The State's portion is allocated to 19 different accounts and funds as follows: (1) Crime Stoppers Assistance Account [0.2427%]; (2) Breath Alcohol Testing Account [0.3900%]; (3) Bill Blackwood Law Enforcement Management Institute Account [1.4741%]; (4) Texas Commission on Law Enforcement Account [3.4418%]; (5) Law Enforcement And Custodial Officer Supplement Retirement Trust Fund [7.2674%]; (6) Criminal Justice Planning Account [8.5748%]; (7) Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University [0.8540%]; (8) Compensation to Victims of Crime Account [24.6704%]; (9) Emergency Radio Infrastructure Account [3.6913%]; (10) Judicial And Court Personnel Training Account [3.3224%]; (11) Correctional Management Institute of Texas and Criminal Justice Center Account [0.8522%]; (12) Fair Defense Account [17.8857%]; (13) Judicial Fund [12.2667%]; (14) DNA Testing Account [0.1394%]; (15) Specialty Court Account [1.0377%]; (16) Statewide Electronic Filing System Account [0.5485%]; (17) Jury Service Fund [6.4090%]; (18) Truancy Prevention and Diversion Account [2.5956%]; and (19) Transportation Administrative Fee Account [4.3363%].
- (2) Local Consolidated Court Cost** – Local Gov't Code § 134.103(a)
100% stays with the City and should be deposited in the city treasury. The city treasurer shall allocate the money received under this section to 4 destinations as follows: (1) Municipal Court Building Security Fund [35%]; (2) Local Truancy Prevention & Diversion Fund [35.7143]; (3) Municipal Court Technology Fund [28.5714%]; and (4) Municipal Jury Fund [0.7143%]. The municipal treasurer shall maintain the various funds in the municipal treasury. Money deposited in the Municipal Court Building Security Fund may be used only for security personnel, services, and items related to buildings that house the operations of municipal courts. This includes: (1) the purchase or repair of X-ray machines and conveying systems; (2) handheld metal detectors; (3) walkthrough metal detectors; (4) identification cards and systems; (5) electronic locking and surveillance equipment; (6) video conferencing systems; (7) bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services; (8) signage; (9) confiscated weapon inventory and tracking systems; (10) locks, chains, alarms, or similar security devices; (11) the purchase or repair of bullet-proof glass; (12) continuing education on security issues for court personnel and security personnel; and (13) warrant officers and related equipment. Money deposited in the Local Truancy Prevention & Diversion Fund may be used to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses related to the position of a juvenile case manager, who may be able to use, under certain circumstances, any remaining money in the fund for programs directly related to the juvenile case manager's duties. Money in the Truancy Fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager. Money deposited in the Municipal Court Technology Fund may be used only to finance the purchase of or to maintain technological enhancements for a municipal court or municipal court of record, including: (1) computer systems; (2) computer networks; (3) computer hardware; (4) computer software; (5) imaging systems; (6) electronic kiosks; (7) electronic ticket writers; and (8) docket management systems. Money deposited in the Municipal Jury Fund may be used only to fund juror reimbursements and otherwise to finance jury services. **NOTE:** The statute does not indicate what to do with the money if the City does not have a juvenile case manager.
- (3) Compliance Dismissals Fines** - (\$10)
100% of the fine stays with the City and should be deposited in the city treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 547.004(c) – Operating Unsafe Vehicle Dismissal – are subject to § 542.402(a) and must be used: (1) to construct and maintain roads, bridges, and culverts in the City; and (2) to enforce laws regulating the use of highways by motor vehicles.
- (4) Compliance Dismissals Fines** – (\$20)
100% of the fine stays with the City and should be deposited in the city treasury. Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal – are subject to § 542.402(a) and must be used to: (1) construct and maintain roads, bridges, and culverts in the City; and (2) enforce laws regulating the use of highways by motor vehicles.
- (5) Local Traffic Fine** – Transp. Code § 542.403
100% of the fine stays with the City and should be deposited in the city treasury. Transportation Code § 542.402(a) (Disposition of Fines) controls the disposition of traffic fines. Consequently, now, fines collected under § 542.403 must be used: (1) to construct and maintain roads, bridges, and culverts in the municipality or county; and (2) to enforce laws regulating the use of highways by motor vehicles; and (3) defray the expense of county traffic officers.
- (6) Municipal Parking Offense Court Cost >850k (larger cities)** – Code Crim. Proc. art. 102.014(a)
100% of the fine stays with the City. The officer collecting the fine must deposit the money in the Municipal Child Safety Trust Fund established as required by Local Government Code Chapter 106. Money in the fund is to be used to provide school crossing guard services as provided by Chapter 343, Government Code. After payment of the expenses for the school crossing guard services, any remaining money in the fund may be used for programs designed to enhance child safety, health, or nutrition, including child abuse intervention and prevention and drug and alcohol abuse prevention.
- (7) Parent Contributing to Non-attendance Fine** – Code Crim. Proc. art. 102.014(d)
100% of the fine stays with the City. If the City has a population greater than 850,000, the officer collecting the fine must deposit the money in the Municipal Child Safety Trust Fund established as required by Local Government Code Chapter 106. Money in the fund is to be used to provide school crossing guard services as provided by Chapter 343, Government Code. After payment of the expenses for the school crossing guard services, any money remaining in the fund may be used for programs designed to enhance child safety, health, or

¹³ A city or county that maintains a certified breath alcohol testing program but does not use the services of a certified technical supervisor employed by the department may, to defray the costs of maintaining and supporting a certified breath alcohol testing program, retain \$22.50 of the state consolidated court cost collected on conviction of an offense under Chapter 49, Penal Code, other than an offense that is a Class C misdemeanor. (See Code of Criminal Procedure art. 102.016(b)).

Nutrition. This includes child abuse intervention and prevention and drug and alcohol abuse prevention. If the City has a population of less than 850,000, the money collected for the fine must be used for a school crossing guard program if the City operates one. If the City does not operate a school crossing guard program, or if the money received from the fine exceeds the amount of money necessary to fund the school crossing guard program, the City may: (1) deposit the additional money in an interest-bearing account; (2) expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or (2) expend the additional money for programs designed to enhance public safety and security. **But see, Education Code Sec. 25.093, which requires ½ of the fine to be deposited to the credit of the operating fund for the child’s school and the other ½ to the City.**

- (8) **Passing a School Bus** – Code Crim. Proc. art. 102.014(c)
100% of the fine stays with the City. If the City has a population greater than 850,000, the officer collecting the fine must deposit the money in the Municipal Child Safety Trust Fund established as required by Local Government Code Chapter 106. Money in the fund is to be used to provide school crossing guard services as provided by Chapter 343, Government Code. After payment of the expenses for the school crossing guard services, any remaining money in the fund may be used for programs designed to enhance child safety, health, or nutrition, including child abuse intervention and prevention and drug and alcohol abuse prevention. If the City has a population of less than 850,000, the money collected for the fine must be used for a school crossing guard program if the City operates one. If the City does not operate a school crossing guard program, or if the money received from the fine exceeds the amount of money necessary to fund the school crossing guard program, the City may: (1) deposit the additional money in an interest-bearing account; (2) expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or (2) expend the additional money for programs designed to enhance public safety and security.
- (9) **School Crossing Zone** – Code Crim. Proc. art. 102.014(c)
100% of the fine stays with the City. If the City has a population greater than 850,000, the officer collecting the fine must deposit the money in the Municipal Child Safety Trust Fund established as required by Local Government Code Chapter 106. Money in the fund is to be used to provide school crossing guard services as provided by Chapter 343, Government Code. After payment of the expenses for the school crossing guard services, any remaining money in the fund may be used for programs designed to enhance child safety, health, or nutrition, including child abuse intervention and prevention and drug and alcohol abuse prevention. If the City has a population of less than 850,000, the money collected for the fine must be used for a school crossing guard program if the City operates one. If the City does not operate a school crossing guard program, or if the money received from the fine exceeds the amount of money necessary to fund the school crossing guard program, the City may: (1) deposit the additional money in an interest-bearing account; (2) expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or (2) expend the additional money for programs designed to enhance public safety and security.
- (10) **State Traffic Fine** – Transp. Code, § 542.4031
4% to the City as a service fee for collection and 96% is directed to the State as follows: (1) 70% to the credit of the undedicated portion of the General Revenue Fund; and (2) 30% to the credit of the designated trauma and emergency medical services account under Section 780.003, Health & Safety Code. **Note: The Legislature reduced the percentage amount that a City may retain as a service fee for the collection of the fine and changed the allocation of the state traffic fine to the General Revenue Fund and the designated trauma and emergency medical services account. If deposits to the General Revenue Fund from collections of the fine exceed \$250 million in any given year, any remaining deposits for that year shall be to the Texas Mobility Fund.**
- (11) **Compliance Dismissals Fine** – Transp. Code § 521.026(b)
100% of the fine stays with the City and should be deposited in the city treasury. **Transportation Code § 542.402(a) controls the disposition of fines collected for rules of the road violations, (i.e., violations charged under Transportation Code, Chapters 541 thru 600). Consequently, compliance dismissal fines that are collected under Transp. Code § 548.605(e) – Operating Vehicle w/o Complying w/ Inspection Requirements as Certified Dismissal – are subject to § 542.402(a) and must be used to: (1) construct and maintain roads, bridges, and culverts in the City; and (2) enforce laws regulating the use of highways by motor vehicles.**
- (12) **FTAVPTA Fine** – Code Crim. Proc. art. 45.203(c)
100% of the money stays with the City. Money collected from the fine shall be paid into the municipal treasury for the use and benefit of the City.
- (13) **Deferred Disposition Fine** – Code Crim. Proc. art. 45.051(a)
100% of the money stays with the City and should be deposited in the city treasury.
- (14) **Driving Safety Course (Permissive DSC)** – Code Crim. Proc. art. 45.0511(f)(2)
100% of the money stays with the City and should be deposited in the city treasury.
- (15) **Municipal Parking Offense Court Cost <850k (smaller cities)** – Code Crim. Proc. art. 102.014(b)
100% of the fine stays with the City. The money collected for the fine must be used for a school crossing guard program if the City operates one. If the City does not operate a school crossing guard program, or if the money received from the fine exceeds the amount of money necessary to fund the school crossing guard program, the City may: (1) deposit the additional money in an interest-bearing account; (2) expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or (2) expend the additional money for programs designed to enhance public safety and security.
- (16) **Administrative Fee (Failure to Appear) a/k/a Omni Fee** – Transp. Code § 706.006(a)
(NEW) 100% of the money stays with the City. Several portions of Transportation Code § 706.007 (i.e., subsections b, c, and e) have been repealed. As a result, the fee is reduced to \$10 (down from \$30). The state will no longer receive a portion of the fee, and the City no longer has to provide annual reports regarding the fee. The officer collecting the fee must remit it to the city treasurer, who must deposit it to the credit of the city’s general fund and use it to compensate private vendors hired by DPS to perform services under the contract. See Transportation Code 706.008.
- (17) **Administrative Fee (Failure to Pay Fine and Cost) a/k/a Omni Fee** – Transp. Code § 706.006(b)

(NEW) 100% of the money stays with the City. Several portions of Transportation Code § 706.007 (i.e., subsections b, c, and e) have been repealed. As a result, the fee is \$10 (down from \$30). The state will no longer receive a portion of the fee, and the City no longer has to provide annual reports regarding the fee. The officer collecting the fee must remit it to the city treasurer, who must deposit it to the credit of the city's general fund and use it to compensate private vendors hired by DPS to perform services under the contract. See *Transportation Code 706.008*.

- (18) **Cost for Impoundment** – Transp. Code § 601.263
100% of the fee money remains with the City to reimburse the cost of impoundment.
- (19) **Deferred Disposition Fee: Alcohol Awareness Program Fee** – Code Crim. Proc. art. 45.051(g)
100% of the money should be directed to the program to reimburse for the cost.
- (20) **Deferred Disposition Fee: Reimbursement for Examination** – Code Crim. Proc. art. 45.051(b-2)
100% of the money to the state to be deposited to the credit of a special account in the general revenue fund and may be used only by the Department of Public Safety to administer Chapter 521, Transportation Code (Driver's Licenses and Certificates).
- (21) **Expunction Filing Fee (Alcohol- Minor)** – Alco. Bev. Code § 106.12(e)
100% of the money stays with the City and is used to defray the cost of notifying state agencies of the order of expunction.
- (22) **Expunction Filing Fee (Certain Convictions- Minor)** – Code Crim. Proc. art. 45.0216(i)
100% of the money stays with the City and is used to defray the cost of notifying state agencies of the order of expunction.
- (23) **Expunction Filing Fee (Tobacco- Minor)** – Health & Safety Code § 161.255(b)
100% of the money stays with the City and is used to defray the cost of notifying state agencies of the order of expunction.
- (24) **Peace Officers: Attaching a Witness on Order of Court Outside County** – Code Crim. Proc. art. 102.011(c)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (25) **Peace Officers: Commitment to or Release from Jail** – Code Crim. Proc. art. 102.011(a)(6)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (26) **Peace Officers: Executing or Processing an Issued Arrest Warrant, Capias, or Capias Pro Fine** – Code Crim. Proc. arts. 102.011(a)(2), 102.011(e)
100% of the money stays with the City to reimburse for the services of the peace officer performing the service, unless the officer performing the service is employed by the State, in which event only 80% of the money stays with the City and the remaining 20% goes to the State. See *Local Gov't Code § 133.104*.
- (27) **Peace Officers: Issuing a Written Notice to Appear in Court or For Making an Arrest w/o Warrant** – Code Crim. Proc. arts. 102.011(a)(1), 102.011(e)
100% of the money stays with the City to reimburse for the services of the peace officer performing the service, unless the officer performing the service is employed by the State, in which event only 80% of the money stays with the City and the remaining 20% goes to the State. See *Local Gov't Code § 133.104*.
- (28) **Peace Officers: Meals, Lodging, and Mileage Fee for Performing Certain Conveyances and Travel** – Code Crim. Proc. art. 102.011(b)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (29) **Peace Officers: Overtime Pay for PO Testifying at Trial or for Travelling To & From Testifying at Trial** – Code Crim. Proc. art. 102.011(i)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (30) **Peace Officers: Serving a Writ – Code Crim. Proc. art. 102.011(a)(4)**
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (31) **Peace Officers: Summoning a Jury, if a jury is summoned** – Code Crim. Proc. art. 102.011(a)(7)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (32) **Peace Officers: Summoning a Witness** – Code Crim. Proc. art. 102.011(a)(3)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (33) **Peace Officers: Taking and Approving a Bond** – Code Crim. Proc. art. 102.011(a)(5)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the services of the peace officer performing the service.
- (34) **Time Payment Reimbursement Fee** – Code Crim. Proc. art. 102.030 (formerly, Local Gov't Code §133.103)

100% of the money stays with the City. The collecting officer shall deposit the fee in the city treasury. The city treasurer will credit a separate account in the City's general fund that is used for the purpose of improving the collection of outstanding court costs, fines, reimbursement fees, or restitution or improving the efficiency of the administration of justice in the City. The City must prioritize the needs of the collecting officer when making expenditures from the account. The fee has been reduced to \$15 (down from \$25). The state will no longer receive a portion of the fee.

- (35) **City Scofflaw Fees (Failure To Appear or To Pay)** – Transp. Code § 702.003(e-1)
100% of the fee money remains with the City and may be used only to reimburse the Texas Department of Motor Vehicles or the county assessor-collector for expenses incurred for services performed under the contract, or by another county department for expenses related to services under the contract.
- (36) **Deferred Disposition Fee: Testing & Assessment Fees in Deferred Disposition Cases** – Code Crim. Proc. art. 45.051(b)(7)
100% of the money is used to reimburse the person or entity that performed the required service, i.e., diagnostic testing or psychosocial assessment, or to reimburse the facility or organization that provided the treatment or education program. The court may order the person to pay the reimbursement fee directly to whom it is due or to the court as a reimbursement fee.
- (37) **Driving Record Fee** – Code Crim. Proc. art. 45.0511(c-1)
100% of the money to the state to be deposited for use only by the Texas Department of Public Safety to reimburse DPS for the cost of providing the driving record. The electronic internet portal fee is used to support the “State Electronic Internet Portal” project. See *Transp. Code § 521.048 and Gov’t Code, § 2054.2591*.
- (38) **Driving Safety Course (Mandatory DSC) Fee** – Code Crim. Proc. art. 45.0511(f)(1)
100% of the money stays with the City and should be deposited in the city treasury. The fee is to cover the cost of administering Art. 45.0511.
- (39) **Drug Court Program Fees** – Gov’t Code § 123.004
100% of the money goes to the drug court program and can be collected by the program.
- (40) **Drug Court (Reimbursement Fee)** – Gov’t Code § 123.004(a)(2)
100% goes to the program or provider of the services and must be used only to reimburse the costs of any alcohol or controlled substance testing, counseling, or treatment performed or provided under the program.
- (41) **Failure To Appear (Jury Trial) Fee** – Code Crim. Proc. art. 45.026(a)
100% of the money stays with the City and is used to reimburse for the cost of impaneling the jury.
- (42) **Fee for Processing Certain Payments** – Local Gov’t Code §§ 132.002, 132.003
100% of the money stays with the City and is deposited in the city treasury to reimburse for the costs of processing the payments.
- (43) **Teen Court Administration Fee** – Code Crim. Proc. art. 45.052(e), Family Code § 54.032(e)
100% of the fee goes to the City to cover the cost of administering the article. Fees collected shall be deposited in the city treasury.
- (44) **Teen Court Duties Fee** – Code Crim. Proc. art. 45.052(g), Family Code § 54.032(g)
100% of the fee goes to the Teen Court Program. The fee is to cover the cost to the teen court for performing its duties under this article. The teen court program must account to the court for the receipt and disbursement of the fee.
- (45) **Affirmative Defense Dismissal Fee: Driving Commercial Motor Vehicle w/o License or Permit** – Transp. Code § 522.011(f)
100% of the money stays with the City and should be deposited in the city treasury to reimburse for the expense of the program.