

# Audit Procedures for Local Revenue Funds

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## Table of Contents

INTRODUCTION.....	5
CHAPTER 1: CRIMINAL COSTS AND FEES – INTRODUCTION .....	6
Criminal Convictions .....	6
Court Jurisdictions .....	6
From Violation to Conviction.....	9
Determination of Ability to Pay and Alternatives for Full Payment.....	11
Jail Lay-Outs.....	11
Community Service.....	13
Community Service for Juveniles.....	15
Payment Plans .....	16
Teen Court Programs .....	17
"Punishable By" Versus "Punished By" .....	18
When Court Costs Are Due .....	18
Due Dates.....	19
Collection Fees.....	19
Glossary of Terms .....	20
CHAPTER 2: STATE CRIMINAL COSTS, FEES AND FINES.....	25
Bail Bond Fees (BB) .....	27
Child Safety Seat and Seat Belt Violations .....	29
Child Safety Seat Court Cost (CSS CC).....	33
Compensation to Victims of Crime Auxiliary Fund (CVCA).....	34
Consolidated Court Fee (2004) – (CCF 2004).....	37
Consolidated Court Fee (2020) – (CCF 2020).....	41
DNA Testing Fee (DNA) .....	44
DNA Testing Fee – Community Supervision (DNA CS).....	48
DNA Testing Fee – Juvenile (DNA JV).....	50
Driving Records Reimbursement Fee (DRF).....	51
Electronic Filing System Fund (EFSF).....	53
EMS Trauma Fund (EMS) .....	54

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Excess Funds from Sale of Property Forfeited Under the Controlled Substances Act .....	55
Excess Highway Fines (EHF) .....	57
Excess Motor Carrier Fines (EMC) .....	60
Failure to Appear/Pay (FTA) .....	64
Indigent Defense Fund (IDF) .....	67
Intoxicated Driver Fine .....	68
Judicial Fund (JF) .....	70
Judicial Support Fee (JS) .....	73
Jury Reimbursement Fee (JRF) .....	75
Juvenile Probation Diversion Fund (JPD) .....	77
Metal Recycling .....	78
Motor Carrier Weight Violations (MCW) .....	79
Moving Violation Fees (MVF) .....	80
Non-Suspension Fee .....	82
Peace Officer Fees .....	84
Sexual Assault Program Fund (SAP) .....	88
Specialty Court Program (SCP) .....	91
State Traffic Fine (STF) .....	94
Substance Abuse Felony Program (SAF) .....	97
Time Payment Fee (TP) .....	99
Truancy Prevention and Diversion Fund (TPDF) .....	102
CHAPTER 3: CRIMINAL COSTS – MUNICIPALITIES .....	103
Introduction .....	103
Applicable Funds by Time Period .....	103
Abbreviations .....	104
Municipal Courts – Court Costs, Fines and Fees for Offenses .....	105
Municipal Courts – Court Costs and Fees for Offenses .....	107
Local Costs, Fines and Fees – Municipalities .....	109
Description of Local Costs, Fines and Fees for Municipalities .....	111
CHAPTER 4: CRIMINAL COSTS – COUNTIES .....	127
Introduction .....	127
Applicable Funds by Time Period .....	127
Abbreviations .....	128
Justice Courts – Court Costs, Fines and Fees for Offenses .....	129

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Justice Courts – Court Costs and Fees for Offenses.....	131
County and District Courts – Court Costs and Fees for Convictions.....	133
County and District Courts – Court Costs and Fees for Convictions.....	137
Local Court Costs, Fines and Fees – Justice, County and District Courts.....	141
Description of Local Costs, Fines and Fees for Counties .....	146
<b>CHAPTER 5: CIVIL FEES – MUNICIPALITIES AND COUNTIES .....</b>	<b>174</b>
Introduction.....	174
Civil Fees by Time Period.....	175
Birth Certificate Fee.....	176
Consolidated Civil Filing Fee – State.....	178
Electronic Filing Fees .....	180
Filing Fee for Legal Services for Indigents.....	182
Judicial and Court Personnel Training Fee.....	187
Judicial Fund Filing Fees .....	188
Judicial Support Fee .....	191
Juror Donation Program .....	192
Marriage License Fees .....	194
Nondisclosure Fee.....	196
Photographic Enforcement Systems.....	199
Civil Fees Retained Locally .....	202
<b>CHAPTER 6: TAXPAYER REPORTS, INQUIRIES AND HISTORIES.....</b>	<b>220</b>
Introduction.....	220
Report Forms – Cities.....	220
Report Forms – Counties.....	221
Inquiry on Database.....	222
Audit History .....	226
Collection Fees.....	227
<b>CHAPTER 7: AUDIT PROCEDURES .....</b>	<b>229</b>
Introduction.....	229
Audit Process .....	229
Statute Extensions.....	251
Audit Cover Letter.....	258
No Tax Due (NTD) Audits.....	270
Special Topics .....	270

CHAPTER 8: STATUTES .....	288
Introduction.....	288
Statutes Relating to Criminal Convictions.....	290
Statutes Relating to Civil Fees.....	294
CHAPTER 9: ATTORNEY GENERAL OPINIONS .....	295
Introduction.....	295
Attorney General Opinions by Topic.....	296
Opinion Summaries .....	298
CHAPTER 10: REFERENCE CHARTS .....	312
Table I – Failure to Appear/Pay.....	312
Table II – Judicial Fund.....	335
Table III – Cities with Population of Less Than 5,000 .....	344
Table IV – Counties with Population of Less Than 5,000 .....	358
Table V – Excess Motor Carrier Fines .....	359
Table VI – Offenses, Statutory References and Classifications.....	362
Table VII – Legislative Session Bill References.....	371
APPENDIX.....	379
State Criminal Costs, Fees and Fines 01/01/2004 – 12/31/2013.....	379
State Criminal Costs, Fees and Fines 09/01/1991 – 12/31/2003.....	381
Description of State Funds .....	383
Abbreviations.....	394
Rate Charts .....	395
Local Costs and Fees Municipal, Justice, County and District Courts .....	473
Description of Local Funds .....	479
Civil Fees.....	481
Civil Fees Retained Locally 09/01/2003 – 12/31/2009.....	483
Report Forms for Cities and Counties.....	485

## **INTRODUCTION**

Local Revenue Funds is a term that encompasses a variety of court costs, fees and fines collected by cities and counties and that are designated in the statutes to fund various programs on state and local levels. These funds are collected by various offices in the cities and counties and the state funds are periodically remitted to the State Comptroller. The Comptroller is charged with the audit responsibility for all the funds that are to be remitted to the state, and also for a few of the funds that are retained at the local level. Revenue Accounting Division, Miscellaneous Taxes section, has administrative responsibility for the reporting of these funds.

Most of the funds pertain to criminal matters (Chapters 1-4), while there are some other fees that do not relate to criminal matters, such as fees on birth certificates and marriage licenses and filing fees in civil matters (Chapter 5). On the criminal convictions, there are many court costs, fees and fines, some of which relate to only certain courts, while most pertain to all municipal, justice, county and district courts. In order to understand the court cost structure, it is necessary to have some knowledge of the court system, types of offenses and the elements necessary for court costs to apply.

This audit procedure manual has been written for the auditor, to be used as a training tool and reference guide. The content is current as of the revised date. The reader is responsible for any changes that occur after this date.

**Disclaimer:** References to taxability of individual items, administrative policies or tax law and rules are provided for guidance of field auditors and are subject to change due to administrative hearings and actions of the courts or legislature. Before relying on this information, the reader should verify the current status of any information by contacting the Comptroller of Public Accounts. Call nationwide toll-free: 800-531-5441. The regular phone number is 512-463-4600.

## **CHAPTER 1: CRIMINAL COSTS AND FEES – INTRODUCTION**

### **Criminal Convictions**

Criminal violations are generally designated as either misdemeanors or felonies within the Penal Code. Penal Code misdemeanors are classified according to the amount of the fine that may be imposed. Felonies are offenses so defined by law.

#### **Misdemeanors**

- Class C (punishable by [fine](#) only). Section 12.41, Penal Code provides that any fine-only offense outside of the Penal Code is a Class C misdemeanor.
- Class B (punishable by confinement of not more than 180 days, fine not to exceed \$2,000 or both)
- Class A (punishable by confinement of not more than one year, fine not to exceed \$4,000 or both)

#### **Felonies**

- State jail felonies (punishable by confinement of not less than 180 days but not more than two years, plus a fine not to exceed \$10,000)
- Third degree felonies (punishable by imprisonment for not less than two years but not more than 10 years, plus a fine not to exceed \$10,000)
- Second degree felonies (punishable by imprisonment for not less than two years but not more than 20 years, plus a fine not to exceed \$10,000)
- First degree felonies (punishable by imprisonment for life, or for a term not less than five years but not more than 99 years, plus a fine not to exceed \$10,000)
- Capital felonies (punishable by the death penalty or imprisonment for life, plus a fine not to exceed \$10,000)

**Notes:** The offenses and their punishments are described in the [Penal Code, Chapter 12](#). For court cost purposes, there is no distinction in the degree of felony. Court cost rates are divided only to felonies or to the three classes of misdemeanors.

A court has the authority to reduce a charge to a lower charge, but not to change it into a completely different charge. For example, a court can reduce a charge for accident involving damage to vehicle from a Class B (damage \$200 or more) to a Class C (damage less than \$200). However, the court cannot change the charge to a different charge, i.e. changing a DWI to a public intoxication.

### **Court Jurisdictions**

#### **Municipal Courts**

- Exclusive and original jurisdiction over violations of city [ordinances](#) punishable by fine only (i.e., fire safety, zoning, public health and sanitation, parking and pedestrian). Most municipal ordinances are punishable by a fine up to \$500 but some may go up to \$2000. (*Government Code, Section 29.003 and Article 4.14, Code of Criminal Procedure.*)
- Concurrent original jurisdiction with justice courts in misdemeanor cases resulting from violations of state laws within the city limits, where the punishment is limited

to fine only. Fine only is defined to mean any offense that is punishable by fine and such sanctions, if any, as authorized by statute not consisting of confinement in jail or imprisonment. (*Government Code, Section 29.003 and Article 4.14, Code of Criminal Procedure.*)

- Exclusive appellate jurisdiction over cases arising under Transportation Code, Chapter 707 (repealed 06/02/2019), within the municipality's territorial limits (*Government Code, Section 29.003, as added by SB 1119, 80th Session (2007)*)
- [Appeals](#) go to [County Courts](#). (*Government Code, Sections 26.046 and 30.00014, and Article 45.042, Code of Criminal Procedure.*)
- A municipality with a population of more than 250,000 may by ordinance establish two municipal courts. (*Government Code, Section 29.101*)
- A municipality with a population of 130,001 to 285,000 may by ordinance establish up to four additional municipal courts. (*Government Code, Section 29.102*)
- A municipal court of record has concurrent jurisdiction with a district court and a justice court over expunction proceedings relating to the arrest of a person for an offense punishable by fine only. (*Government Code Section 30.00005 as added by House Bill 557, 85th Session (2017)*).
- There are municipal courts "of record" and "non-record." A municipal court of record is created either by specific legislation or by Government Code Chapter 30 which would be by the city council of a particular city. If a case is appealed in a municipal court of record to the county level, the fine assessed is retained by the municipal court and not by the county court. In a non-record municipal court, a defendant may enter a plea and appeal the case to the county court. Or, a defendant may skip a municipal court altogether (informally known as the "leapfrog appeal"). The trial [de novo](#) at the county level controls the outcome of the case, and any fine money is retained by the county. Also, see [Appeal](#) in Glossary of Terms.

### Counties Have Three Levels of Courts

1. [Justice of the Peace Courts](#), which operate in each precinct in the county, divided according to population.
  - Concurrent original jurisdiction with municipal courts in misdemeanor cases from violations of state laws within the city limits, where punishment is limited to fine only. (*Texas Constitution, Article 5, Section 19, Government Code, Section 27.031, and Art 4.11, Code of Criminal Procedure.*)
  - [Exclusive original jurisdiction](#) over misdemeanor cases from violations of state laws outside the city limits, where punishment is limited to fine only.
  - Jurisdiction over civil cases when the amount is less than \$20,000. (*Government Code, Section 27.031, amended by SB 618, 80th Session (2007) amended again by SB2342, 86th Session (2019)*)
  - Original jurisdiction over cases arising under Transportation Code, Chapter 707 (repealed 06/02/2019), outside of a municipality's territorial limits (*Government Code, Section 27.031, as added by SB 1119, 80th Session (2007)*)

- Concurrent jurisdiction with a municipal court in criminal cases that arise in the municipality's extraterritorial jurisdiction and that arise under an ordinance of the municipality applicable to the extraterritorial jurisdiction under Section 216.902, Local Government Code (*House Bill 413, 80th Session 2007*)
  - Concurrent jurisdiction with a district court and a municipal court of record over expunction proceedings relating to the arrest of a person for an offense punishable by fine only. (*House Bill 557, 85th Session 2017*)
  - [Appeals](#) go to the County Courts. (*Government Code, Section 26.042, 26.046*)
2. [County Courts](#), both [constitutional](#) and [statutory](#)
- Exclusive and original jurisdiction over misdemeanors where fine allowed exceeds \$500 or where confinement may be imposed. (*Government Code, Section 26.045*)
  - Concurrent jurisdiction with the Justice courts in civil cases where the amount in controversy exceeds \$200 but does not exceed \$20,000. (*Government Code, Section 26.042, amended by SB 618, 80th Session (2007) amended again by SB2342, 86th Session (2019)*)
  - Concurrent jurisdiction with a municipal court in cases that arise in the municipality's extraterritorial jurisdiction and that arise under an ordinance of the municipality applicable to the extraterritorial jurisdiction under Section 216.902, Local Government Code. (*House Bill 413, 80th Session, 2007*)
  - Statutory county court has concurrent jurisdiction with the District Court over civil cases when the amount exceeds \$500 but is less than \$200,000. (*Government Code, Section 25.0003*)
  - Juvenile jurisdiction as described in Government Code, Section 23.001 (*Government Code, Section 26.042*)
  - Appeals go to Court of Appeals. (*Texas Constitution, Article 5, Section 5*)
3. [District Courts](#), which operate in separate geographical jurisdictions
- Both criminal and civil jurisdiction, with original jurisdiction over felony prosecutions (*Texas Constitution, Article 5, Section 8*)
  - Concurrent jurisdiction with the County Court over civil cases where the amount exceeds \$500 but is less than \$5,000. (*Government Code, Section 26.042*)
  - Appeals go to Court of Appeals or Court of Criminal Appeals. (*Texas Constitution, Article 5, Section 5*)

**Notes:** A [constitutional](#) county court is established by the Constitution of the State of Texas. Each county has one constitutional county court.

A [statutory](#) county court is established by the Legislature through statutory amendments. A county may or may not have a statutory county court.

These are described in Government Code Chapters 25 and 26.

## From Violation to Conviction

When a person violates a municipal ordinance or state law, the city or state law enforcement officer will generally file a [complaint](#) or issue a [ticket](#). These give the defendant notice of charges filed in the court. Complaints are usually filed for misdemeanors other than traffic violations, such as disorderly conduct, public intoxication or violations of municipal ordinances. Tickets are usually issued for violations of traffic laws and can be issued for any Class C offense except public intoxication. [Arrest warrants](#), which are written orders to appear in court, may be issued as a result of failure to appear or to command the initial appearance of a defendant.

When the defendant appears in court, he or she may enter a [plea](#) of guilty, not guilty or [nolo contendere](#) (no contest).

- If the defendant is found by the court to be **not guilty** ([acquittal](#)) or, if the case is dismissed, no court costs or fines are due by the defendant to the court.
- If the defendant enters a plea of **guilty** or [nolo contendere](#) or is found to be guilty by the court, the case may be disposed of by one of the following:
  1. [Conviction](#): sentence is imposed, and all fines and court costs are due by the defendant.
  2. [Deferred Disposition](#) (*Code of Criminal Procedure, Article 45.051*): Applies to misdemeanors punishable by fine only.
    - If defendant satisfies requirements of the court, the case may be [dismissed](#) at the end of the deferral period. The fine is not due, but the defendant must still pay **court costs when deferred disposition is granted**. The court may order a special expense to be paid when the case is dismissed, which cannot exceed the amount of the fine that was set when deferred disposition was granted but not imposed.
    - As an alternative to payment in full of court costs at the date of deferral, the court may allow the defendant to enter into an installment agreement for payment of the court costs, discharge all or part of the costs by performing community service or a combination of both. (*Code of Criminal Procedure, Article 45.051 as amended by HB 2267, 80th Session (2007)*)
    - If the defendant does not satisfy the requirements of the court, the court may proceed with an [adjudication](#) of guilt. The judge may impose the fine, which constitutes a final conviction of the defendant or lower the fine if the defendant is 25 years of age or older. If the defendant is younger than age 25, the court must impose the amount of fine set when deferred disposition was granted.
    - On the defendant's showing of good cause for failure to present evidence of satisfactory completion of the deferral requirements, the court may allow an additional period of time for the defendant to present evidence of satisfactory completion. (*Code of Criminal Procedure, Art. 45.051(c-2), as amended by HB 2267, 80th Session (2007)*)
  3. [Deferred Adjudication](#) (*Code of Criminal Procedure, Subchapter C, Article 42A effective 01/01/2017; Code of Criminal Procedure, Article 42.12, section 5 effective through 12/31/2016*): Applies to misdemeanors or felonies, excluding misdemeanors punishable by fine only. All proceedings are put on

hold for a specified period of time while the defendant is under [community supervision](#) (a continuum of programs and sanctions, with conditions imposed by the court).

- If defendant satisfies requirements of the court, the case may be dismissed at the end of the deferral period. The fine is not due, but the defendant must still pay **court costs**.
- If the defendant does not satisfy the requirements of the court, the court may proceed with an adjudication of guilt. The court costs are due, and the judge may impose the fine, which constitutes a final conviction of the defendant.

When the court has determined that the defendant must pay the appropriate fine and related court costs, the defendant is expected to pay the full amount due. Some courts allow defendants to make installment payments, while others require full payment at one time. Some courts will allow the defendant to [serve time in jail](#) or perform hours of [community service](#) in lieu of making payment. Thus, the docket for the offense may show full payment, installment payments, jail lay-out or community service or a combination of these, for all or a part of the total due.

## Discussion

### The Difference Between Probation and Parole

- [Community supervision](#) was previously called “probation.” It means there has been a finding of guilt, and there could be a conviction, but the judge is releasing the defendant into the community under the supervision of a probation officer in the [CSCD](#) offices. The defendant has not served any time in a penitentiary. During the period of community supervision, the defendant is allowed his/her freedom, if, during the stipulated period of time, he/she conducts himself/herself in a manner approved by the probation officer to whom the defendant must make periodic reports.
- [Parole](#) is a release from jail, prison or other confinement after serving part of the sentence. It is a conditional release, subject to the convicted person complying with the regulations of the parole officer and making periodic reports.

### Deferred Adjudication

Under Deferred Adjudication, on expiration of the community supervision period, the judge shall dismiss the proceedings against the defendant and discharge him/her. A dismissal and discharge under this section is not deemed a conviction for purposes of disqualification or disabilities imposed by law for conviction of an offense (i.e. voting right). However, for purposes of court costs, the statutes include deferred adjudication as a conviction and the court costs are due. Senate Bill 391, 83rd Session (2013), amended Section 11, Article 42.12, Code of Criminal Procedure by adding Subsection (b-1) which states that a defendant remains obligated to pay any unpaid fine or court cost after the expiration of the defendant’s period of community supervision. House Bill 2299, 84th Session (2015) repealed Article 42.12 and replaced with Chapter 42A effective

01/01/2017. Article 42A.651 discusses payment as a condition of community supervision.

### **Determination of Ability to Pay and Alternatives for Full Payment**

Article 42.15 (a-1) requires all courts to inquire whether a defendant, who has entered a plea in open court, has sufficient resources or income to immediately pay all or part of the fine and costs. If the court determines that the defendant does not sufficient resources or income, the court will consider the following alternatives for full payment of fine and costs:

1. Can payment be made at a later date or in a specified portion at designated intervals?
2. Can payment be discharged by performing community service?
3. Can payment be waived in full or in part under Article 43.091 or 45.0491?
4. Can payment be satisfied through any combination of methods under 1-3 above?

### **Historical Note**

House Bill 351 and Senate Bill 1913, 85th Regular Session (2017), amended Code of Criminal Procedure 42.15 and 45.041 by adding subsection (a-1) and amending subsection (b).

Senate Bill 1373, 87th Regular Session (2021), added a slight wording change to Article 42.15(a-1), that now requires the court to inquire “on the record” regarding the defendant’s ability to pay all or part of the fine and court costs.

### **Jail Lay-Outs**

Article 42.03, Section 2, Code of Criminal Procedure, requires all courts to give defendants credit on their sentences for the time that the defendant spent in jail from the time of his/her arrest and confinement until his/her sentence by the trial court, other than confinement served as a condition of community supervision. **Credit may also be granted for** the defendant’s time in a substance abuse treatment facility operated by the Texas Department of Criminal Justice under Section 493.009, Government Code, or another court-ordered residential program or facility as a condition of deferred adjudication community supervision granted in the case if the defendant successfully completes the treatment program at that facility. (*HB 1678, 80th Session, 2007*)

The Code of Criminal Procedure provides how the courts count the defendant’s jail time credit, or in other words, how a defendant is to earn credit toward fine and costs by laying out time in jail.

- Article 43.09, Code of Criminal Procedure, applies to County and District Courts, and allows the fine to be discharged with a credit for confinement in jail and/or credit for labor in the county jail industries program, workhouse, county farm or public improvements and maintenance projects of the county or political subdivision located in the county. The allowable credit is \$100 for each day of confinement and \$100 for each day of labor. A defendant who performs labor during a day in which he is also confined is entitled to both the credit for confinement and the credit for labor. Also, at the court’s discretion, a defendant

serving concurrent (but not consecutive) sentences for two or more misdemeanors may, for each day served, receive credit toward the satisfaction of costs and fines imposed for each separate offense. Prior to 09/01/2017, the rate was \$50 each day for confinement and \$50 each day of labor. House Bill 351 and Senate Bill 1913, 85th Session, 2017, indicate that the \$100 rate each for confinement and labor applies to a sentencing proceeding that commences before, on or after 09/01/2017.

- Article 43.09, Code of Criminal Procedure, also includes provisions for a defendant to discharge all or part of the fine or costs by submitting to electronic monitoring. This applies only to a court in a county served by a community supervisions and corrections department that has an electronic monitoring program, and the defendant is unable to pay a fine or costs to discharge the amount due. A defendant that submits to electronic monitoring under this subsection discharges fines and costs in the same manner as if the defendant were confined in county jail.
- Article 45.048, Code of Criminal Procedure, applies to Municipal and Justice courts, and allows jail credit at:
  - not less than \$150 for each period of time served (effective 09/01/2021);
  - not less than \$100 for each period of time served (effective 09/01/2017);
  - not less than \$50 for each period of time served (effective 01/01/2004);
  - not less than \$100 per day or part of a day (effective 09/01/1999 through 12/31/2003) \*
  - not less than \$50 per day (prior to 09/01/1999)

#### Jail Time Credit:

- If it is pre-conviction, jail time credit runs concurrently on all charges.
- If it is post-conviction jail time credit, it runs consecutively on multiple charges, but the court can order it to run concurrently.
- See [Attorney General Opinion JC-0393](#) dated 07/10/2001.

#### Historical Background

The credit per day was \$50 until 09/01/1999 when it was increased to \$100 for municipal and justice, but not county and district courts. The change was made in Senate Bill 1230, 76th Session, 1999. The amount was once again reduced to \$50 per day in House Bill 2424, 78th Regular Session, effective 01/01/2004. House Bill 351 and Senate Bill 1913, 85th Regular Session increased the amount to \$100 per day effective 09/01/2017.

House Bill 1955, 77th Session (2001), amended Article 45.048 to provide that the court may determine the period of time the defendant must remain in jail to receive credit for \$100 per day toward fine and costs, with a minimum of eight hours and maximum of 24 hours. Previously a defendant could serve only a few minutes of a day in jail to receive the \$100 per day credit.

House Bill 569, 87th Regular Session (2021), amended Article 45.048 to provide that the court may allow up to \$150 per day the defendant is confined in jail. In addition, this

bill allows credit toward any fine or costs owed by the defendant if the defendant was confined in jail or prison after the commission of the offense for a misdemeanor punishable by fine only for which the citation was given.

\* The provision allowing credit for "part of a day" meant that a defendant could lay out only a few minutes in jail during a day to receive credit for that day. Article 45.048 was amended, effective 09/01/2001 (*House Bill 1955, 77th Legislature, 2001*), to give the municipal or justice court the discretion to determine how much time must be served to receive the credit for the day, between a minimum of eight hours and the maximum 24 hours. This amendment applies only to an offense committed on or after 09/01/2001.

- Code of Criminal Procedure Chapter 45 applies only to Municipal or Justice Courts.

### Discussion on Jail Lay-Out Credit

The wording of the statutes appears to make the rate change apply to the date jail time was laid-out or community service was performed, rather than the offense date.

Pre-conviction jail credit is required to be concurrent; hence, if a defendant has been in jail before being convicted on more than one offense, the judge is required to give the same credit on all cases. Post-conviction jail credit can be concurrent or consecutive – the judge decides. As far as documentation for jail credit, that will vary. The [judgment](#) should indicate the amount of jail credit the judge is allowing (for municipal and justice courts the rate of credit is determined based on the dates and amounts listed above). The period of time should also be defined in the judgment (between 8 and 24 hours). If the jail credit is post-conviction, there should be a request to lay out the fine and a commitment order. If the defendant has been arrested on a *capias pro fine*, there may just be a copy of the booking sheet with the amount of time that the defendant was in jail or there may be a commitment order along with the *capias pro fine* and the booking sheet. If the jail credit is pre-conviction jail credit, there may be a copy of a booking sheet, either an arrest report or a served arrest warrant and a judgment indicating the amount of credit given for a specified period of time. If the auditor sees something unclear, ask the court about the documentation.

### Community Service

[Community service](#) is another alternative to payment for a defendant.

- Article 43.09, Code of Criminal Procedure, applies to County and District courts. Subsection (f) allows a court to require a defendant who is unable to pay a fine or costs to discharge all or part of the fine or costs by performing community service. A defendant is considered to have discharged \$100 of fines or costs for each eight (8) hours of community service performed. The court must specify the number of hours the defendant is required to work, and what office will perform the administrative duties required by the placement of the defendant in the community service program. Prior to 09/01/2017, the court could order the defendant to perform community service work under Subsection (f) of this article only for a governmental entity or a nonprofit organization that provides services to the general public that enhance social welfare and the general well-being of

the community. An entity that accepts a defendant under Subsection (f) to perform community service must agree to supervise the defendant in the performance of the defendant's community service and report on the defendant's community service to the district probation department or court-related services office. House Bill 351 and Senate Bill 1913, 85th Session, 2017, expanded the list of allowable community service and applies to a sentencing proceeding that commences before, on or after 09/01/2017.

- A defendant may fulfill community service by attending the following:
  - a work and job skills training program
  - a preparatory class for the high school equivalency examination administered under Section 7.111, Education Code
  - an alcohol or drug abuse program
  - a rehabilitation program
  - a counseling program, including a self-improvement program
  - a mentoring program
  - any similar activity
- Or, a defendant may fulfill community service for the following:
  - a governmental entity
  - a nonprofit organization or another organization that provides services to the general public that enhance social welfare and the general well-being of the community, as determined by the court
  - an educational institution
- Article 45.049, Code of Criminal Procedure, applies to Municipal and Justice courts. It also describes community service in satisfaction of fine and costs. A defendant is considered to have discharged a certain amount of fines or costs for each eight hours of community service:
  - not less than \$100 for each period of time served (effective 09/01/2017);
  - not less than \$50 for each period of time served (effective 01/01/2004);
  - not less than \$100 per day or part of a day (effective 09/01/1999 through 12/31/2003)
  - not less than \$50 per day (prior to 09/01/1999)

The Municipal or Justice court must specify the number of hours the defendant must work for an entity. House Bill 351 and Senate Bill 1913, 85th Session, 2017, expanded the list of allowable community service and applies to a sentencing proceeding that commences before, on or after 09/01/2017.

- A defendant may fulfill community service by attending the following:
  - a work and job skills training program
  - a preparatory class for the high school equivalency examination administered under Section 7.111, Education Code
  - an alcohol or drug abuse program
  - a rehabilitation program
  - a counseling program, including a self-improvement program
  - a mentoring program
  - any similar activity
- Or, a defendant may fulfill community service for the following:

- a governmental entity
- a nonprofit organization or another organization that provides services to the general public that enhance social welfare and the general well-being of the community, as determined by the court
- an educational institution

If the defendant serves the sentence by laying out time in jail or by performing community service and pays no money to the city or county, no money is due to the state. However, if the defendant makes any payment to the city or county, the money collected is to be applied to state and local court costs first in accordance with [Attorney General Opinion M-1076](#), dated February 25, 1972. If there is not enough money to cover all state and local court costs, see "Installment Payments" in Chapter 7 for an explanation of allocations.

### Historical Background

The amount of credit per day had been \$50 until it was increased to \$100 per day by Senate Bill 1230, 76th Session, 1999, effective 09/01/1999. House Bill 2424, 78th Regular Session, reduced the credit back to \$50 per day, effective 01/01/2004. House Bill 351 and Senate Bill 1913, 85th Regular Session (2017) increased the rate to \$100 effective 09/01/2017.

### Community Service for Juveniles

For offenses committed by a defendant younger than 17 years of age who is assessed a fine or costs for a Class C misdemeanor occurring in a building or on the grounds of the primary or secondary school at which the defendant was enrolled at the time of the offense, a justice or judge may require the defendant to discharge all or part of the fine or costs by performing community service. For each eight hours of community service performed, the defendant discharges \$100 of fines or costs. Prior to 09/01/2017, the rate was \$50. At any time, the defendant may pay the fine and costs assessed in lieu of performing community service.

House Bill 351 and Senate Bill 1913, 85th Session, (2017), expanded the list of allowable community service and applies to a sentencing proceeding that commences before, on or after 09/01/2017.

- A defendant may fulfill community service by attending the following:
  - a work and job skills training program
  - a preparatory class for the high school equivalency examination administered under Section 7.111, Education Code
  - an alcohol or drug abuse program
  - a rehabilitation program
  - a counseling program, including a self-improvement program
  - a mentoring program
  - a tutoring program
  - any similar activity
- Or, a defendant may fulfill community service for the following:
  - a governmental entity

- a nonprofit organization or another organization that provides services to the general public that enhance social welfare and the general well-being of the community, as determined by the justice or judge
- an educational institution

### Historical Note

House Bill 350, 82nd Regular Session (2011), amended Code of Criminal Procedure by adding Article 45.0492 to authorize a justice or judge to require a defendant younger than 17 years of age to perform community service or attend a tutoring program. House Bill 351 and Senate Bill 1913, 85th Regular Session (2017), removed Tutoring from the heading of Article 45.0492.

### Payment Plans

If a defendant is unable to immediately pay the fine and costs imposed in a misdemeanor case, then a court, a justice of the peace or a judge of a municipal court **is required** to allow the defendant to pay the fine and costs imposed in specified portions at designated intervals. Prior to 09/01/2011, payment plans were at the judge's discretion.

Article 45.041 (a-1) of the Code of Criminal Procedure requires all justices or judges to inquire whether a defendant, who has entered a plea in open court, has sufficient resources or income to immediately pay all or part of the fine and costs. If the justice or judge determines that the defendant does not sufficient resources or income, the justice or judge will consider the following alternatives for full payment of fine and costs:

1. Can payment be made at a later date or in a specified portion at designated intervals?
2. Can payment be discharged by performing community service?
3. Can payment be waived in full or in part under Article 45.0491?
4. Can payment be satisfied through any combination of methods under 1-3 above?

Article 42.15 (a-1) of the Code of Criminal Procedure has similar requirements to Article 45.041(a-1) except that #3 above adds Article 43.091.

### Historical Note

House Bill 27, 82nd Regular Session (2011), amended Code of Criminal Procedure 42.15 and 45.041 by adding subsection (c) and (b-2), respectively, to require judges to allow defendants payment plans when unable to immediately pay the fine and costs imposed in a misdemeanor case. House Bill 351, 85th Regular Session (2017), amended the Code of Criminal Procedure 45.041 by adding subsection (a-1) and amending subsection (b). Senate Bill 1913, 85th Regular Session (2017), amended Code of Criminal Procedure, 42.15 by adding subsection (a-1) Waiver of Fines for Certain Defendants and for Children.

Senate Bill 1373, 87th Regular Session (2021), added a slight wording change to Article 42.15(a-1) that now requires the court to inquire "on the record" regarding the defendant's ability to pay all or part of the fine and costs.

Articles 43.091 and 45.0491, Code of Criminal Procedure, provide the courts the authority to waive payment of all or part of a fine or costs imposed on a defendant if the court determines that the defendant is indigent or does not have sufficient resources or income to pay all or part of the fine or costs or was a child when the offense was committed, and each alternative method of discharging the fine or costs would impose undue hardship on the defendant.

For a waiver of indigency, there must be three findings by the court:

- the defendant has defaulted, which means that there has already been a judgment and the fine and court costs imposed and the defendant has failed to pay the judgment,
- the defendant is indigent, and
- the other options of jail lay-out or community service would cause undue hardship on the defendant.

This change in statute applies to a defendant convicted on or after 09/01/2001, regardless of whether the offense was committed before, on or after the effective date of the bill.

The change in statute applies to a child undergoing a sentencing proceeding that commences before, on or after 09/01/2013.

**Note:** Article 43.091 was added by House Bill 2410, 77th Session (2001), effective 09/01/2001. House Bill 3060, 80th Session (2007), effective 09/01/2007, amended article 43.091 and added Article 45.0491. Senate Bill 395, 83rd Session (2013), effective 09/01/2013 added children to articles 43.091 and 45.0491. House Bill 351 and Senate Bill 1913, 85th Session (2017), effective 09/01/2017 amended articles 43.091 and 45.0491.

## Teen Court Programs

Article 45.052, Code of Criminal Procedure, allows justice or municipal courts to defer proceedings under certain circumstances against defendants under the age of 18 or enrolled full time in an accredited secondary school in a program leading toward a high school diploma for not more than 180 days. If the defendant requests and completes the teen court program, the court shall dismiss the charge at the conclusion of the deferral period. The court may require the defendant to pay a fee not to exceed \$10 to cover the cost of administering the article, and an additional \$10 fee to cover the cost to the teen court for performing its duties under this statute. Effective 01/01/2008, municipal and justice courts in the Texas-Louisiana border region may charge \$20 for each of these fees.

The justice or municipal court may also **exempt** a defendant from the requirement to pay a court cost or fee imposed by another statute. If the court costs are waived by the court, nothing is to be remitted to the state.

### Historical Note

In 1991, Article 45.052, Code of Criminal Procedure, was amended to allow the municipal or JP court to defer proceedings for up to 180 days; previously it was no more than 90 days. House Bill 2949, 80th Session (2007), allows courts in the Texas-Louisiana border region to charge \$20 fees, effective 01/01/2008.

**Note:** Attorney General Opinion DM-372, dated 01/10/1996, says that nothing in Article 45.55 negates a court's obligation or discretion to impose court costs that are chargeable by other law, except that for offenses committed on or after 09/01/1995, the court is not required to charge any other court costs, but it may do so.

### "Punishable By" Versus "Punished By"

There is a distinction between the terms "punishable by" and "punished by." The statutes for various offenses describe the offense as "punishable by" a fine not to exceed a certain amount. When the defendant is convicted by the court, the judge may determine what the fine assessed is, within the range given by the statute for that offense. This is what the defendant has been "punished by." The classification of the offense does not change, even if the defendant is punished by a lower fine amount.

For example, the offense may be **punishable by** a fine not to exceed \$4,000, a Class A misdemeanor. However, the judge may choose to impose a fine of only \$500 ("punished by"). This offense remains a Class A misdemeanor and court costs are based on a Class A misdemeanor, even though the defendant was punished by a fine within the Class C misdemeanor fine range.

### Discussion

Something punishable by fine only will be subject to the \$40 Consolidated Court Fee, regardless of how high the maximum fine is. Example: Transportation Code Sec. 547.605, Emissions System Required, is "a misdemeanor punishable by a fine of not less than \$1 and not more than \$350 for each violation." Even though the maximum fine may exceed \$200, it is specifically classified as a misdemeanor, which results in Consolidated Court Fee of \$40 (not the higher Consolidated Court Fee of \$83 or \$133). See also Section 548.306, Excessive Motor Vehicle Emissions, for similar wording.

### When Court Costs Are Due

In order for court costs to be due to the state, the following factors must be present:

Violation/offense + conviction + collection

- Violation/offense.
  - Municipal and Justice Courts: Both the type of offense and the date of offense must be known to determine the court costs that are due on the case. The rate of court cost is based on the date of offense, not the date of conviction.
  - District, County and Statutory County Courts: Both the type of offense and the date of conviction must be known to determine the court costs that are due on the case. Effective 06/14/2013, the rate of court cost is based on the date of conviction, not the date of offense. Prior to 06/14/2013, district,

county and statutory county courts followed the same guidelines as explained for municipal and justice courts.

- Conviction. There must be a conviction on the case for court costs to be due. For purposes of court costs, conviction includes deferred disposition, deferred adjudication and probation. (*Local Government Code, Section 133.101*)
- Collection. The date of collection is the key factor in determining when the money is to be remitted to the state, if the city or county may retain the collection fee, and the statute of limitations period.

## Due Dates

As indicated in Chapters 2 and 6, most of the court costs are due quarterly, on the last day of the month following a calendar quarter.

Prior to January 1, 2004, there were some variations in due dates for funds.

Also, legislative changes in some years made it necessary to change the reporting for the third and fourth quarters. In **1989, 1991, 1995, 1997 and 2001**, the month of September was included with the fourth quarter report instead of the third quarter report so that revenue changes could be properly allocated. It is important to track these changes to be certain that the September collections are reported in the fourth quarter returns in those years. This does **not** apply to 1993, 2003 and 2005.

## Collection Fees

As indicated in Chapter 2, most funds are allowed a 10% collection fee; some are allowed a 5% and some do not provide for a collection fee at all. The collection fee may be retained by the city or county if the reports are filed timely. If the reports are filed or paid after the due date, the city or county is not eligible to keep the collection fee.

In an audit, the collection fee is not allowed on any deficiency because those amounts were not reported and paid timely on the reports due.

When any employee or representative of a city or county accepts payment from a defendant or other person in payment of a court cost, fee or fine, it is considered to be paid to the city or county at the time of that transaction. It then becomes the responsibility of the city or county to report money collected from individuals during that calendar quarter (or other required time period) on the report due for that time period. For example, if money collected during one quarter is not remitted to the state until the following or a subsequent quarter, the city or county is not eligible to retain the collection fee.

For details on collection fees allowed for timely reporting, see Chapter 6.

## Glossary of Terms

1. Acquittal: The legal and formal certification of the innocence of a person who has been charged with a crime; a finding of not guilty.
2. Adjudicate: To determine finally; giving or pronouncing the judgment.
3. Adjudication: The determination and formal pronouncement of the judgment.
4. Appeal: The process of having a higher court conduct a new trial or review either the facts and law or just questions of law from a proceeding held in a lower court. In municipal courts of record, the appellate court reviews the transcript of the trial, and the appeal may be based only on errors reflected in the record. In municipal courts of non-record, there is a new trial in the appellate court. (See [“De Novo.”](#)) All defendants have a right to appeal their cases.
5. Appellant: The party who requests that a higher court review the actions of a lower court.
6. Arraignment: The process where the court identifies the defendant and asks for a plea.
7. Arrest warrant: A written order by a judge to appear in court, which gives the law enforcement officer the order to take the defendant into custody. Generally issued as a result of some prior offense, failure to appear, etc.
8. Bail: The security given by the accused that he/she will appear and answer before the proper court the accusation brought against him/her. Bail includes bail bond or personal bond.
9. Capias: A written order from a court directed to a peace officer commanding him/her to arrest a person accused of an offense and bring him/her before that court immediately or on a day or at a term stated in the capias. The capias may be issued in electronic form.
10. Capias Pro Fine: Issued by a judge when a defendant is absent at the time the judgment is rendered or when a defendant defaults in payment of fines and costs. It is a written order from a court directed to a peace officer commanding him/her to arrest a person and to bring the person before the court or place him/her in jail until he/she can be brought before the court. The capias pro fine may be issued in electronic form. See Peace Officer Fees in Chapter 2 for additional information.
11. Caption: Style of the case. The heading on a legal document listing the parties, the court, the case number and related information.
12. Charging instrument: A complaint or citation filed with the court charging a criminal offense. It is the formal accusation that a person has committed a criminal offense.
13. Citation: In a criminal case, it is a written notice to appear issued by a peace officer, which may be used as the charging instrument in municipal court to which a defendant may plead; commonly referred to as a [“ticket.”](#) In a civil case, it is the notice to the defendant that he/she is being sued.
14. Codification: The process of collection and arranging systematically, usually by subject, the laws of a state or country.
15. Community Service: An alternative means of satisfying the payment of fines and court costs. Defendant is required to work a specified number of hours in an approved community service program for a governmental or non-profit

- organization that provides services to the general public that enhance social welfare and the general well-being of the community. Example: trash pick-up alongside a highway or removing graffiti from public edifices.
16. Community Supervision: The placement of a defendant by a court under a continuum of programs and sanctions, with conditions imposed by the court for a specified period during which criminal proceedings are deferred without an adjudication of guilt. See "[Deferred Adjudication](#)."
  17. Competent Jurisdiction: See "[Jurisdiction](#)."
  18. Complaint: The written affidavit or sworn statement that accuses a person of committing a crime. In municipal court, it is the charging instrument.
  19. Concurrent Jurisdiction: Municipal and Justice courts both have jurisdiction within the territorial limits of a city and property owned by the municipality in all criminal cases arising under state law that are punishable by fine only. The jurisdiction of the Justice court is limited to the precinct in which the Justice court is located. See also "[Exclusive Original Jurisdiction](#)."
  20. Constitutional Court: A court established by the Texas Constitution, including justice of the peace courts, county courts, district courts, courts of appeals and Supreme Court. Each county has one Constitutional County Court.
  21. Conviction: Judgment and punishment for an offense where the defendant is adjudged to be guilty. For purposes of court cost imposition, the term conviction includes judgment and/or sentence, community supervision, deferred adjudication or deferred disposition.
  22. Corporation court: Another term for Municipal Court. See "[Municipal Court](#)."
  23. County Courts: Includes both constitutional county courts and statutory county courts (also called county courts at law).
  24. Court of Record: Courts in which a record must be made of all proceedings conducted. Records are usually made by court reporters and are backed up by electronic recordings.
  25. CSCD Departments: Community Supervision and Corrections Departments, sometimes referred to as probation offices.
  26. Decree: A determination by a court of the rights and duties of the parties before it.
  27. Deferred Adjudication: A process where the defendant enters a plea of guilty or [nolo contendere](#), but the judge defers further proceedings without entering an adjudication of guilt and places the defendant on community supervision. The defendant is given a certain amount of time to adhere to certain terms set by the court. If the defendant successfully completes the terms of the deferral, and the court has not proceeded to an adjudication of guilt, the judge is to dismiss the proceedings against the defendant and discharge him/her. Generally, applies to cases other than misdemeanors punishable by fine only. See "[Community Supervision](#)."
  28. Deferred Disposition: A process where the judge may defer the imposition of the fine and grant probation requiring the defendant to adhere to certain terms. If a defendant successfully completes the terms of the deferral, the judge is required to dismiss the case. Generally, applies only to misdemeanors punishable by fine only.

29. De Novo: A new trial as if the case had not been previously heard and as if no decision had been previously rendered. Appeals from municipal courts of non-record are heard De Novo in the County Court.
30. Dismissal: The court closes the case; there is no plea, no conviction, no acquittal and no court costs or fines are due, though some administrative fees may be due as allowed by law.
31. District Courts: Operate in separate geographical jurisdictions and have both criminal and civil jurisdiction.
32. Docket: A formal record with brief entries required to be kept on all complaints filed in the court. Maintaining the docket is a ministerial duty that the judges may delegate to the clerk. The docket may be manual or electronic, but should include the case number, style of the case, the offense charged, the plea entered, the date the plea was entered, dates of warrants issued, judgment and sentence.
33. Docket Number: A number, sequentially assigned by the clerk, to the case.
34. Exclusive Original Jurisdiction: When the court in which a case must be filed has sole jurisdiction (authority over) because no other court has jurisdiction to hear and determine the case. See also "[Concurrent Jurisdiction](#)."
35. Expunction: The process by which the record of a criminal conviction is destroyed or sealed.
36. Failure to Appear: If a defendant intentionally and knowingly fails to appear in court in accordance with the terms of release from custody, he/she has committed an offense for the failure to appear. Not the same as "[Violation of Promise to Appear](#)."
37. Felony: An offense so designated by law, or one punishable by death or confinement in a penitentiary. There are four types of felonies: First, Second or Third Degree and state jail felonies. An offense designated as a felony without specification of category is a state jail felony. See "[Misdemeanors](#)."
38. Fine: The penalty assessed by a judge or jury when convicting a defendant.
39. Forfeiture of bail: A process that occurs when a defendant posts bond and then fails to appear. When a defendant posts bond, he/she agrees as a condition of being released to appear in court. The failure to perform the condition of the bond causes the forfeiture of the bail to be declared.
40. Guilty Plea: A formal admission of guilt by the defendant.
41. Habeas Corpus: A written order issued by a court or judge of competent jurisdiction directed to anyone having a person in his/her custody, or under restraint, commanding him/her to produce the person at a time and place named in the order and show why the person is held in custody or under restraint.
42. Indictment: A sworn affidavit accusing a person of a crime, made by a grand jury.
43. Indigent: Poor; unable to pay; one who does not have sufficient financial ability to hire legal counsel or pay a fine and costs.
44. Jail Time Credit: Credit on a defendant's fine required to be given when a defendant has been confined in jail before being convicted of a crime by the court or jury. May also apply to jail time served after conviction.
45. Judgment: The written declaration of the court signed by the trial judge and entered of record showing the conviction or acquittal of the defendant.

46. Jurisdiction: The legal power or authority that municipal and county courts have over certain types of offenses and over certain geographical locations. The power to hear and decide cases.
47. Justice Courts: Justice of the Peace Courts, which operate in each precinct in a county, divided according to population. Also called JP Courts.
48. Magistrate: A judicial officer whose duty it is to preserve the peace within a certain territorial jurisdiction by use of all lawful means; to issue all process intended to aid in preventing and suppressing crime; and to cause the arrest of all offenders by lawful means in order that they may be brought to trial, or after, to punishment.
49. Misdemeanor: Offenses lower than felonies and generally punishable by fine only, or a combination of fine and a sanction, and/or confinement in a jail for not more than one year, but not imprisonment in a penitentiary. Municipal and Justice courts have original jurisdiction over misdemeanors punishable by fine only. Misdemeanors are generally classified as Class A, Class B or Class C misdemeanors. Class C misdemeanors are punishable by fine only. See also "[Felonies](#)."
50. Municipal Court: The court operated by the municipality, with original jurisdiction over municipal ordinances and state law misdemeanors punishable by fine only. City may have a municipal court non-record, where an appeal goes to the county court as a trial de novo, or municipal court of record, where an appeal goes to the county court as a review of the municipal court's record. Also sometimes referred to as [Corporation Court](#).
51. No Contest or Nolo Contendere: A plea in which the defendant does not contest the charges. Nolo contendere has the same legal effect as a guilty plea; however, it may not be used against the defendant as an admission of guilt in a civil suit based upon or growing out of the act upon which the criminal prosecution is based.
52. Not Guilty Plea: The defendant is informing the court that he/she denies guilt or has a defense in the case, and that the state must prove which it has charged in the complaint.
53. Ordinance: A law passed by a city or county's lawmaking body; the equivalent of a municipal statute, passed by the city council and governing matters not covered by state or federal law. An ordinance is considered a misdemeanor, punishable by fine only.
54. Parole: A release from jail, prison or other confinement after serving part of the sentence. It is a conditional release, subject to the convicted person complying with the regulations of the parole officer and making periodic reports.
55. Plaintiff: A person who brings an action; the person who complains or sues in a civil action; a person who seeks remedial relief for an injury to rights.
56. Plea: The defendant's answer to the accusation or complaint brought against him/her by the state in court. There are four possible pleas: Not Guilty, Nolo contendere (no contest), Guilty or Double Jeopardy.
57. Restitution: An amount ordered by the court to be paid to the victim of the offense, including payment for hot checks, property damage or bodily injury.

58. Scire Facias: A special docket required by law to handle all cases and proceedings involved in the forfeiture of bail bonds.
59. School Crossing Zone: A reduced-speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies.
60. Statute: A particular law enacted and established by the state legislature.
61. Statutory Courts: Courts established by the state legislature and defined by statute. Municipal courts are statutory courts created by the state legislature in each city. Statutory county courts are in addition to constitutional county courts and are also called county courts at law.
62. Style of case: Parties to a lawsuit as they are written in the heading at the beginning of a case. Also known as the caption of the case.
63. Subpoena: A command by a court to appear at a certain time and place to give testimony upon a certain matter; a command to produce records at a time and place.
64. Summons: An order from a magistrate or judge directed to a peace officer commanding him/her to notify a person that he/she must appear in court on a stated day and time to plead to a complaint filed in the court. (Not to be confused with a jury summons.)
65. Surety: Someone who guarantees payment or performance if someone else does not pay or perform, a bonding company that posts a bond for a defendant.
66. Ticket: A citation for a fine-only misdemeanor offense, given to the defendant to which he/she may enter a plea of not guilty, guilty or nolo contendere.
67. Trial docket: Listings of cases set for a particular trial date and are commonly called subsidiary dockets.
68. Venue: The particular geographical area in which a court with jurisdiction may hear and determine a case.
69. Violation of Promise to Appear: the defendant intentionally and knowingly fails to appear in court as promised by his/her signature on the written citation/ticket issued by the peace officer at the time of the offense. Not to be confused with ["Failure to Appear."](#)
70. Warrant of Arrest: A written order issued by a magistrate or judge directed to a peace officer commanding him/her to take the body of the person accused of an offense to be dealt with according to law.
71. Writ: A written order of which there are many types; issued by a court and directed to an official or party, commanding the performance of some act.

## **CHAPTER 2: STATE CRIMINAL COSTS, FEES AND FINES**

There are several different state funds that could apply to criminal offenses. Each of the funds included in the chart below are also included on charts in Chapters 3 and 4 if applicable.

<b>FUND</b>	<b>COURT</b>	<b>01/01/2014 through 12/31/2019</b>	<b>01/01/2020 Forward</b>
<a href="#">Bail Bond Fees</a>	C, D	X	X
<a href="#">Child Safety Seat and Seat Belt Violations</a>	M, J	X	X
<a href="#">Child Safety Seat Court Cost</a>	M, J	Not Applicable	Not Applicable
<a href="#">Compensation to Victims of Crime Auxiliary Fund</a>	C, D	X	X
<a href="#">Consolidated Court Fee (2004)</a>	M, J, C, D	X	Not Applicable
<a href="#">Consolidated Court Fee (2020)</a>	M, J, C, D	Not Applicable	X
<a href="#">DNA Testing Fee – Convictions</a>	C, D	X	Not Applicable
<a href="#">DNA Testing Fee – Community Supervision</a>	C, D	X	Not Applicable
<a href="#">DNA Testing Fee – Juvenile</a>	C, D	X	X
<a href="#">Driving Records Reimbursement Fee</a>	M, J	X	X
<a href="#">Electronic Filing System Fund</a>	C, D	X	Not Applicable
<a href="#">EMS Trauma Fund</a>	C, D	X	X
<a href="#">Excess Funds from Sale of Property Forfeited Under the Controlled Substances Act</a>	C, D	X	X
<a href="#">Excess Highway Fines</a>	M, J	X	X
<a href="#">Excess Motor Carrier Fines</a>	M, J, C, D	X	X
<a href="#">Failure to Appear/Pay</a>	M, J, C, D	X	Not Applicable
<a href="#">Indigent Defense Fund</a>	M, J, C, D	X	Not Applicable
<a href="#">Intoxicated Driver Fine</a>	C, D	Not Applicable	X
<a href="#">Judicial Fund</a>	C	X	Not Applicable
<a href="#">Judicial Support Fee</a>	M, J, C, D	X	Not Applicable
<a href="#">Jury Reimbursement Fee</a>	M, J, C, D	X	Not Applicable
<a href="#">Juvenile Probation Diversion Fund</a>	C, D	X	X
<a href="#">Metal Recycling</a>	M, J	X	X

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

FUND	COURT	01/01/2014 through 12/31/2019	01/01/2020 Forward
<a href="#">Motor Carrier Weight Violations</a>	M, J	X	X
<a href="#">Moving Violation Fees</a>	M, J	X	Not Applicable
<a href="#">Non-Suspension Fee</a>	J, C, D	Not Applicable	Effective?
<a href="#">Peace Officer Fees</a>	M, J, C, D	X	X
<a href="#">Sexual Assault Program Fund</a>	C, D	X	Not Applicable
<a href="#">Specialty Court Program</a>	C, D	X	Not Applicable
<a href="#">State Traffic Fine</a>	M, J, C, D	X	X
<a href="#">Substance Abuse Felony Program</a>	C, D	X	X
<a href="#">Time Payment Fee</a>	M, J, C, D	X	Not Applicable
<a href="#">Truancy Prevention and Diversion Fund</a>	M, J	X	N/A

- An X means that the fund was effective for the time periods in the column headings, unless otherwise indicated.
- The following abbreviations are used for the court and are listed for the court with original jurisdiction:
  - M = Municipal
  - J = Justice
  - C = County
  - D = District

## Bail Bond Fees (BB)

Courts	County & District only
Effective	09/01/2003 forward
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Government Code, Section 41.258
Report Form	Form 40-145
Purpose	Two-thirds Assistant Prosecutor Supplement Fund, administered by the Comptroller, used for longevity pay for assistant prosecutors

One-third Fair Defense Account, administered by Office of Court Administration, used to provide legal representation for indigents

### Rate

A court, judge, magistrate, peace officer or other officer taking a bail bond for an offense (other than a misdemeanor punishable by fine only) shall require a payment of \$15 reimbursement fee by each surety posting the bail bond.

### Description

- The fee applies to all bail bonds taken on or after September 1, 2003, regardless of the date of the offense.
- The bail bond is not required on the posting of a personal or cash bond.
- The money is collected from the [surety](#) posting the bail bond. The fee is not to exceed \$30 paid by each surety per defendant per incident. For example, if multiple sureties are involved for one defendant for all charges arising from one incident, each surety will pay not more than \$30 each. Also, if only one surety is involved but the defendant has multiple offenses for which the bail is being posted, the surety will not pay more than \$30.
- Sureties may apply for a refund of the bail bond fee within six months after the date the case is dismissed or the grand jury declines to indict. The surety must request the refund from the county, who will request the refund from the Comptroller. The amount refunded will be net of the 10% collection fee reduction, if the collection fee was retained by the county.
- This does **not** apply to misdemeanors punishable by fine only, so the Bail Bond fee does not apply in the Justice and Municipal Courts.

### Historical Background

This fund was added by House Bill 1940, 78th Regular Session (2003). The new Section 41.258, Government Code, created the Felony Prosecutor Supplement Fund and Fair Defense Account in the state treasury. This money is to be deposited to that fund. Senate Bill 844, 80th Session (2007), amended Section 41.258 to rename the Assistant Prosecutor Supplement Fund.

Senate Bill 346, 86th Regular Session (2019), changed the term “cost” to “reimbursement fee” effective 01/01/2020.

## Discussion

The report form was revised so that the Bail Bond Fees was to be reported in the third quarter of 2003, but only collections in September should appear on the third quarter report.

See [Attorney General Opinion GA-0207](#), dated June 23, 2004, in Chapter 9. It states that “the date the state declines to prosecute an individual” is the date a prosecutor decides not to institute a criminal proceeding against a person either through filing in the court or grand jury. The date the grand jury declines to indict an individual is the date a grand jury votes not to indict the person (“no bill”). This does not refer to a date a court dismisses a criminal case pursuant to the prosecutor’s motion after the defendant has been charged or indicted. The refund of the bail bond fee appears to apply only to those individuals who have posted bail but who were never formally charged.

This opinion also discusses whether the county should always make a refund request from the Comptroller, or if they would be allowed to offset the refund claims against the amounts due the Comptroller during that period. The AG Opinion says this decision is up to the Comptroller. As long as the county keeps a good trail of the transactions, the Comptroller has no objection to the offset procedure. However, the County is not allowed to file a “negative” return.

## Child Safety Seat and Seat Belt Violations

Courts	Municipal, Justice, County (on appeal), & District (on appeal)
Effective	09/01/2001 forward
Due date	Annually, 30 days after the end of the city's or county's fiscal year
Collection Fee	None
Statute	V.T.C.A., Transportation Code, Sec. 545.412 and 545.413
Report Form	Form 40-138
Purpose	General Revenue Fund effective 09/01/2013; previously Tertiary Care Fund, administered by Department of State Health Services, for use by trauma centers

### Rate

- 50% of the fines collected by the municipality or county for violations of the Transportation Code, section **545.412**, child safety seat requirements for children under the age of 8 (unless taller than four feet, nine inches in height). Ticket is given to driver of vehicle. (Between 09/01/2005 and 08/31/2009, it applied to children under the age of 5 and less than 36 inches in height. Prior to 09/01/2005, it applied to children under the age of four **or** less than 36 inches in height.) Effective 09/01/2013, the fine range is \$25-\$250. From 09/01/2009 through 08/31/2013, the fine was no more than \$25 for the first offense and no more than \$250 for a second or subsequent offense. Fine range was \$100-\$200 through 08/31/2009.
- 50% of the fines collected by the municipality or county for violations of the Transportation Code, section **545.413(b)**, seat belt requirements for children under the age of 17. Ticket is given to driver of vehicle. Fine range is \$100-\$200.
- 50% of the fines collected by the municipality or county for violations of the Transportation Code, section **545.413(a)**, seat belt requirements for drivers or passengers at least 15 years of age and older. Ticket is given to non-belted driver or passenger 15 years of age and older. Fine range is \$25 to \$50. (**No longer required**. See note)

**Note:** For cities or counties with fiscal years ending prior to 09/01/2003, 50% of the fine under subsection 545.413(a) was remitted to the Comptroller. For city or county fiscal years ending **on or after 09/01/2003**, this entire fine under Sec. 545.413(a) is retained locally.

### Description

- Applies to offenses committed on or after September 1, 2001.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Exemptions are allowed for law enforcement purposes, emergencies, transport for hire and when all seating positions with belts are occupied.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Statute Section</b>	<b>Offense</b>	<b>Who is Ticketed?</b>	<b>Disposition of Fine Money</b>	<b>Effective Dates</b>
545.12	Children under age 8 (unless taller than four feet, nine inches) not secured in safety seat, any location in vehicle	Driver	50% of money is sent to Comptroller; remainder stays locally	Offenses on/after 09/01/2009 unless qualifying under warning provision prior to 06/01/2010
545.412	Children under age 5 (and less than 36 inches in height) not secured in safety seat, any location in vehicle	Driver	50% of money is sent to Comptroller; remainder stays locally	Offenses on/after 09/01/2005 through 08/31/2009
545.412	Children under age 4 (or less than 36 inches in height) not secured in safety seat, any location in vehicle	Driver	50% of money is sent to Comptroller; remainder stays locally	Offenses on/after 09/01/2001 through 08/31/2005
545.413 (a)	Driver, 15 years of age and older	Driver	Fines are retained locally for fiscal years ending on or after 09/01/2003	Offenses on/after 09/01/2001 and <b>prior to</b> first day of city's / county's fiscal year ending 09/30/2003
545.413 (a)(2)	Driver of school bus	Driver	Fines are retained locally	Offenses on/after 09/01/2007
545.413 (a)	Passenger 15 years of age and older, in front seat of vehicle	Passenger (not eligible for DSC)	Fines are retained locally for fiscal years ending on or after 09/01/2003	Offenses on/after 09/01/2001 and <b>prior to</b> first day of city's /county's fiscal year ending 09/30/2003
545.413 (b)	Passenger younger than 17 in any location in vehicle	Driver	50% of money is sent to Comptroller; remainder stays locally	Offenses on/after 09/01/2001

### Historical Background

In the 77th Session (2001), there were three bills that impacted these sections of the Transportation Code: Senate Bill 113, House Bill 1739 and Senate Bill 1367. According to statutory construction outlined in the Government Code, Sec. 311.025, if two bills can be combined without conflict, you do that. If two bills conflict, the last bill enacted controls. Each of these three bills made differing changes, with differing age requirements. According to statutory construction, Senate Bill 113 controls, with House Bill 1739 adding some additional language. Senate Bill 1367 was essentially moot.

Senate Bill 113 amended the fine ranges from the previous standards. Failure to wear seat belt was already an offense, but Senate Bill 113 increased the fine range. The old fine range was \$25 to \$50. The new fine range was \$100 to \$200, with half of the fine going to the Comptroller for deposit into the Tertiary Care Fund for use by trauma centers.

House Bill 1739 added some specifics for driving safety courses. For violations of Sec. 545.412(a) or 545.413(b), the defendant may be allowed to take a special driving safety course under Art. 45.0511, Code of Criminal Procedure, but this must be a specific driving safety course which includes four hours of instruction encouraging the use of child safety seats and restraints.

In the 78th Session (2003), House Bill 418 amended Transportation Code, Section 545.413(j), effective 09/01/2003. This amendment eliminated the remittance to the Comptroller of 50% of the fines collected under Sec. 545.413(a), the adult violations. The change applied to cities with a fiscal year end on or after 09/30/2003. For example, if a city had a fiscal year end of June 30, then on 06/30/2003, they would have reported 50% of all the fines, including those under 545.413(a). On the contrary, if a city had a fiscal year end of September 30, then on 09/30/2003, they were allowed to retain all the fines from Sec. 545.413(a) and remit only the others.

In the 79th Session (2005), House Bill 183 amended Sec. 545.412. The statute previously applied to children under the age of 4 **or** less than 36 inches in height. House Bill 183 changed this to children under the age of 5 **and** less than 36 inches in height.

House Bill 3190, 80th Session (2007), amended Section 545.413(a) by adding subsection (a)(2) for driver of a school bus equipped with a safety seat belt, effective September 1, 2007.

Senate Bill 61, 81st Session (2009), amended Section 545.412 by changing the previous requirements of children under the age of 5 **and** less than 36 inches in height to children under the age of 8, unless taller than 4 feet, 9 inches. The bill also amended the previous fine range of \$100-\$200 to \$25-\$250. The first offense is punishable by a fine of not more than \$25, and the second or subsequent offense is punishable by a fine of not more than \$250. The effective date of this bill is September 1, 2009; however, Section 4(c) of the bill provides for a warning only prior to June 1, 2010 if a child

between the ages of 5 and 8 was secured by a safety belt (old law) instead of a child safety seat (new law).

House Bill 1294, 83rd Session (2013), amended Section 545.412 by changing the fine range to \$25-\$250 regardless of whether a first, second or subsequent offense. Also, House Bill 595, 83rd Session (2013), abolished the tertiary care account and transferred any money remaining in the account to the general revenue fund effective 09/01/2013.

### Discussion

A driver can be cited for allowing a child (younger than age 17) **anywhere** in the vehicle to not be in a safety seat system or seat belt. A passenger who is at least 15 can **also** be ticketed for not wearing a seat belt if they are in the front seat of a passenger vehicle (not the back seats).

The fines (one-half) are due to the Comptroller within 30 days after the end of the city or county's fiscal year (not the state fiscal year). Some cities have fiscal years ending June 30 or December 31, but the majority end September 30. When this bill was first enacted in 2001, most cities had only one month of offenses to report on October 31, so there were few with an offense date and a payment date in September 2001. Revenue Accounting sent letters to all cities and counties requesting their fiscal year end date so that report forms could be automatically generated for them at the appropriate times.

### Child Safety Seat Court Cost (CSS CC)

Courts	Municipal, Justice, County (on appeal) and District (on appeal)
Effective	01/01/2010 – 09/27/2011
Due date	Monthly
Collection Fee	None
Statute	V.T.C.A., Transportation Code, Sec. 545.412(b-1) (b-1) In addition to all other fees and court costs, a person shall pay 15 cents as a court cost on conviction of an offense under this section. Court costs due under this section shall be collected in the same manner as other fees, fines or costs are collected in the case. The clerk at least monthly shall send the court costs collected under this section to the Comptroller for deposit in a separate account in the general revenue fund that may be appropriated only to the Texas Department of Transportation and used to purchase child passenger safety seat systems and distribute them to low-income families.
Report Form	Form 40-149
Purpose	Separate account in the general revenue fund appropriated only to the Texas Department of Transportation and used to purchase child passenger safety seat systems and distribute them to low-income families.

#### Rate

\$0.15 (15 cents) per conviction of criminal offense under Transportation Code, section **545.412**, child safety seat requirements for children under the age of 8 (unless taller than 4 feet, 9 inches in height).

#### Description

- Applied to offenses committed on or after January 1, 2010 (unless qualifying under warning provision prior to 06/01/2010) through September 27, 2011.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Exemptions were allowed for law enforcement purposes, emergencies, transport for hire and when all seating positions with seat belts were occupied.
- Included cases in which deferred disposition was granted.
- Applied to county and district courts when cases were appealed from municipal and justice courts.

#### Historical Background

This fund was added by Senate Bill 61, 81<sup>st</sup> Session (2009). The bill provided an effective date of September 1, 2009. However, the effective date was postponed to January 1, 2010, due to the provisions of Government Code, Section 51.607. Section 4(c) of the bill provides for a warning only prior to June 1, 2010 if a child between the ages of 5 and 8 was secured by a safety belt (old law) instead of a child safety seat (new law).

This fund was repealed by Senate Bill 1, 82<sup>nd</sup> First Called Session (2011).

## Compensation to Victims of Crime Auxiliary Fund (CVCA)

Courts	County or District Courts, County Treasurers or CSCD offices
Effective	09/01/1983 forward
Due date	Monthly, last day of month following
Collection Fee	<b>5%</b> upon timely filing
Statute	V.T.C.A. Government Code, Sec. 76.013
Report Form	Form 40-142 summary page and Form 40-143, supplement page
Purpose	Compensation to Victims of Crime Fund, administered by the Texas Attorney General, for compensation to victims of crime, for reimbursement of expenses, counseling, etc.

Effective 09/01/2017, House Bill 1866, 85th Session (2017) changed how unclaimed victim restitution payments are reported and processed. Community supervision and correction departments (CSCDs) will report any payments annually as unclaimed property. If there are significant adjustments for unclaimed restitution for periods 09/01/2017 or after, the auditor should consult with his or her management on whether to conduct an unclaimed property audit on the CSCD. The auditor should be mindful that some CSCDs manage several different counties.

The information below describes information prior to 09/01/2017.

### Rate

Fees paid by defendants placed on community supervision, reporting to the Community Supervision and Corrections Department (CSCD) and ordered to pay restitution for crimes committed. The fees reported to the state are only those that are due to the crime victim, but the victim cannot be located.

### Description

- When a Community Supervision Department receives a restitution payment for a crime victim, the Department is to immediately notify the victim by certified mail, mailed to the last known address of the victim. If the victim does not make claim for payment, the Department is to hold the money until the fifth anniversary of the date of first notice to the victim, and then remit it to the state for deposit into this fund. After making the initial transfer of payments to the Comptroller, the Department is to transfer each subsequent payment not later than the 121st day after the date of receipt of such payment.
- Between 09/01/1983 and 08/31/1997, the Department was to transfer the money to the Comptroller five years and 121 days after the date of each payment.

### Note:

- Report Form 40-142 has two pages: a front page for summary data, and a supplement page (40-143) for case information. The data on the supplement pages is not captured on the computer system; only the summary data is captured. However, the supplement pages are imaged and may be viewed to determine what cases have been reported. The county is to send **one** check for the total of fees reportable for that month.

- A taxpayer may use their own computer printouts or lists instead of the supplement form. The printouts or lists must be 8.5 x 11 inches only, front only and include the county's taxpayer number, the quarter being reported, the program for which the fees have been collected, the probationer's case number and name, the victim's name and address, and the restitution amount being reported.
- The county is authorized to retain 5% as administrative cost, plus interest earned. Prior to 09/01/1997, if the payment was not timely, the county forfeited the 5% administrative fee and the accrued interest and had to pay an additional 5% penalty. This additional penalty would be rolled into any adjustment for fees in an audit.
- Local Government Code, Section 133.055(b) does not require the County to send zero reports when there is nothing to report.

### Historical Background

This statute was originally created as Sec. 6c, Art. 42.12, Code of Criminal Procedure. It was amended effective 09/01/1983 to become Art. 42.12, Sec. 15, and amended again in 1989.

This statute was previously found in the Code of Criminal Procedure, Article 42.131, Section 12. This was repealed by Senate Bill 898 in the 75th Session (1997), and the language was all moved into the Government Code, Section 76.013. It defined provisions relating to notification to the victim and payment to the Comptroller, repealed the 5% penalty provision and applied to restitution payments made after the effective date of the bill, 09/01/1997.

House Bill 2424, 78th Session (2003), added Section 133.055 to Subchapter B, Local Government Code, requiring the county treasurer or custodian of the county treasury, to remit the fees collected for the CVCA Program.

House Bill 1866, 85th Session (2017), repealed Government Code 76.013(d) and Code of Criminal Procedure Article 56.54(c). Any unclaimed restitution payments are remitted as unclaimed property as added by Chapter 77 to the Property Code.

### Discussion

The restitution for a victim is collected from the probationer when the probationer appears before their assigned Community Supervision and Corrections Department (CSCD). It is part of a number of fees to be collected monthly, as outlined in the judgment. Prior to 09/01/2003, some CSCDs forwarded the money and information to the County Treasurer, who completed the form and reported it to the Comptroller. Some CSCDs reported the fees directly to the Comptroller, filling out and completing the form without the funds going through the County Treasury. These were typically reported under a taxpayer number assigned to the CSCD.

Beginning with September 2003, the reports for the CVCA Program should appear on XIDATA under the county's taxpayer id number. Data prior to 09/01/2003 was reported

under the taxpayer number for the CSCD. However, it was not automated and will not appear on CICS inquiry. Contact Revenue Accounting for old reported data.

**Note:** Revenue Accounting allows the county to have the report form sent to the CSCD for completion, and the report form is sent to the address of the CSCD. However, the taxpayer number on the form will be that of the county, not the CSCD.

Also, CSCD offices may handle more than one county, frequently two or three counties. The data should be separated by county since it must be reported on the county's taxpayer number.

### Consolidated Court Fee (2004) – (CCF 2004)

Courts                   Municipal, Justice, County & District  
 Effective               01/01/2004 – 12/31/2019  
 Due date               Quarterly  
 Collection Fee       10% upon timely filing  
 Statute                 Local Government Code, Chapter 133  
 Report Form         Form 40-144 (City) or Form 40-145 (County)  
 Purpose

Percent	Account / Fund
0.5507%	Breath Alcohol Testing Program
37.6338%	Compensation to Victims of Crime
1.2090%	Correctional Management Institute
0.2581%	Crime Stopper's Assistance Fund
12.5537%	Criminal Justice Planning Fund
5.5904%	Emergency Radio Infrastructure Fund
17.8448%	Fair Defense Fund
4.8362%	Judicial and Court Personnel Training Fund
1.2090%	Juvenile Crime & Delinquency Fund
2.1683%	Law Enforcement Management Institute
5.0034%	Law Enforcement Officers Administrative and Continuing Education
11.1426%	Law Enforcement and Custodial Officer Supplemental Retirement Fund

#### Rate

01/01/2004 through 12/31/2019:

- **\$40** on conviction of a nonjailable misdemeanor, including a municipal ordinance;
- **\$83** on conviction of a Class A or Class B misdemeanor;
- **\$133** on conviction of a felony.

For offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs returns.

#### Description

- Applies to offenses committed on or after January 1, 2004 through December 31, 2019.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

**Note:** The amounts collected in the three levels of court costs are allocated to the following funds:

Fund	Allocation Percentage Effective 06/15/2017	Allocation Percentage Effective 09/01/2011	Allocation Percentage Prior to 09/01/2011
Abused Children’s Counseling Account	0.0000%	0.0088%	0.0088%
Breath Alcohol Testing Program	.5507%	0.5507%	0.5507%
Compensation to Victims of Crime Fund	37.6338%	37.6338%	37.6338%
Comprehensive Rehabilitation Fund	0%	9.8218%	5.3218%
Correctional Management Institute	1.2090%	1.2090%	1.2090%
Crime Stopper’s Assistance Fund Bond Fee	.2581%	.2581%	0.2581%
Criminal Justice Planning Fund	12.5537%	12.5537%	12.5537%
Emergency Infrastructure Fund	5.5904%	5.5904%	0%
Fair Defense Fund	17.8448%	8.0143%	6.0143%
Fugitive Apprehension Fund	0%	0%	12.0904%
Judicial and Court Personnel Training Fund	4.8362%	4.8362%	4.8362%
Juvenile Crime & Delinquency Fund	1.2090%	1.2090%	1.2090%
Law Enforcement Management Institute Fund	2.1683%	2.1683%	2.1683%
Law Enforcement Officers Administrative Fund and Law Enforcement Officers Continuing Education Fund	5.0034%	5.0034%	5.0034%
Law Enforcement and Custodial Officer Supplemental Retirement Fund	11.1426%	11.1426%	11.1426%

Effective 09/01/1997, the \$30 court cost for breath alcohol testing was repealed and included as part of the Consolidated Court Cost. Effective 01/01/2004, the Consolidated Court Cost was repealed and included as part of the Consolidated Court Fee. However, parts of the provisions for cities and counties that do not use the services of a certified technical supervisor were retained. Art. 102.016(b) states that a city or county that maintains the program but does not use the technical supervisor **may retain** \$22.50 of the consolidated court cost on conviction of an offense under Chapter 49, Penal Code, other than an offense that is a Class C misdemeanor. (This provision **does not** apply to offenses under the Transportation Code.)

The Department of Public Safety maintains a list of counties that do not use the services of a DPS Technical Supervisor to administer the program. The following counties may retain \$22.50 of the consolidated court cost for offenses under Chapter 49, Penal Code:

- Aransas
- Bexar
- Cameron
- Collin

- Dallas
- Denton
- Ector
- El Paso
- Harris
- Hidalgo
- Howard
- Jefferson
- Midland
- Nueces
- Parker
- San Patricio
- Starr
- Tarrant
- Willacy

### Historical Background

House Bill 2424, 78<sup>th</sup> Session (2003), created the Consolidated Court Fee. The bill was **effective January 1, 2004**. The major points of the legislation were:

- consolidated the civil and criminal fees in existence at the beginning of the 78th Session into one chapter in the Local Government Code
- consolidated the reporting responsibility under the Treasurer of the city or county, or the custodian of the city or county treasury
- established a standardized reporting structure, including quarterly due dates
- provides that the criminal court costs will be reported according to class of offense on or after 01/01/2004
- provides that the criminal court costs will be reported according to the time period in which the offense occurred prior to 01/01/2004.

HB 2424 also repealed the following statutes:

- Code of Criminal Procedure, Art. 56.55, 56.56, 56.57, 56.59 (Comp to Victims of Crime)
- Code of Criminal Procedure, Art. 102.011 (f), (g) and (h) (services of peace officers)
- Code of Criminal Procedure, Art. 102.019 (Fugitive Apprehension Fund)
- Code of Criminal Procedure, Art. 102.075 (Consolidated Court Cost)
- Government Code, Sec. 51.701 (Judicial Fund)
- Government Code, Sec. 51.921 (Time Payment Fee)
- Government Code, Sec. 56.001, subsections (b)-(h) (Judicial and Court Personnel Training Fund)

Senate Bill 333, 81st Session (2009), corrected an apparent oversight by the 78th Session in 2003, which repealed and consolidated the Breath Alcohol Testing Fee provisions of Code of Criminal, Art. 102.075 into Local Government Code, Chapter 133 but did not amend Code of Criminal Procedure, Art. 102.016 to refer to the consolidated

provisions. The bill took effect on 09/01/2009 and applied only to a court cost collected on or after that date.

House Bill 442, 82nd Session (2011), amended Local Government Code, Section 133.102(e) by modifying the allocation percentages. Comprehensive rehabilitation was increased by 4.5%. The emergency radio infrastructure fund replaced the fugitive apprehension account, and the percentage was reduced by 6.5%. The fair defense account percentage was increased by 2%. The effective date is 09/01/2011.

Senate Bill 1664, 82nd Session (2011), amended Local Government Code, Section 133.102(e)(7) by replacing Operator's and Chauffeur's License Fund with Law Enforcement and Custodial Officer Supplemental Retirement Fund. The effective date is 09/01/2013.

Senate Bill 2053, 85th Session (2017), amended Local Government Code, Section 133.102(e) by removing the allocation to the abused children's counseling and comprehensive rehabilitation and increasing the allocation percentage to the fair defense account. The effective date is 06/15/2017.

### Consolidated Court Fee (2020) – (CCF 2020)

Courts Municipal, Justice, County & District  
 Effective 01/01/2020 forward  
 Due date Quarterly  
 Collection Fee 10% upon timely filing  
 Statute Local Government Code, Chapter 133  
 Report Form Form 40-144 (City) or Form 40-145 (County)  
 Purpose

Percent	Account/Fund
1.4741	Bill Blackwood Law Enforcement Management Institute Account
0.39	Breath Alcohol Testing Account
0.854	Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University Account
24.6704	Compensation to Victims of Crime Account
0.8522	Correctional Management Institute of Texas and Criminal Justice Center Account
0.2427	Crime Stopper's Assistance Account
8.5748	Criminal Justice Planning Account
0.1394	DNA Testing Account
3.6913	Emergency Radio Infrastructure Account
17.8857	Fair Defense Account
3.3224	Judicial and Court Personnel Training Account
12.2667	Judicial Fund
6.409	Jury Service Fund
7.2674	Law Enforcement and Custodial Officer Supplement Retirement Trust Fund
1.0377	Specialty Court Account
0.5485	Statewide Electronic Filing System Account
3.4418	Texas Commission on Law Enforcement Account
4.3363	Transportation Administrative Fee Account
2.5956	Truancy Prevention and Diversion Account

#### Rate

01/01/2020 forward:

- **\$62** on conviction of a nonjailable misdemeanor, including a municipal ordinance;
- **\$147** on conviction of a Class A or Class B misdemeanor;
- **\$185** on conviction of a felony.

#### Description

- Applies to offenses committed on or after January 1, 2020.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.

- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

Effective 09/01/1997, the \$30 court cost for breath alcohol testing was repealed and included as part of the Consolidated Court Cost. Effective 01/01/2004, the Consolidated Court Cost was repealed and included as part of the Consolidated Court Fee. However, parts of the provisions for cities and counties that do not use the services of a certified technical supervisor were retained. Art. 102.016(b) states that a city or county that maintains the program but does not use the technical supervisor **may retain** \$22.50 of the consolidated court cost on conviction of an offense under Chapter 49, Penal Code, other than an offense that is a Class C misdemeanor. (This provision does not apply to offenses under the Transportation Code.)

The Department of Public Safety maintains a list of counties that **do not** use the services of a DPS Technical Supervisor to administer the program. The following counties may retain \$22.50 of the consolidated court cost for offenses under Chapter 49, Penal Code:

- Aransas
- Howard
- Bexar
- Jefferson
- Cameron
- Midland
- Collin
- Nueces
- Dallas
- Parker (until January 2020)
- Denton
- San Patricio
- Ector
- Starr
- El Paso
- Tarrant (until March 2022)
- Harris
- Willacy
- Hidalgo

### Historical Background

House Bill 2424, 78th Session (2003), created the Consolidated Court Fee. The bill was **effective January 1, 2004**. See 5A Consolidated Court Fee (2004) for more detail.

Senate Bill 346, 86th Session (2019), created the new Consolidated Court Fee. The fee includes several previously stand-alone fees that were repealed and changed the fund allocations (see list above). In addition, the rates increased for each level of offense.

The fee is reported on line 1 of the Criminal Court Costs return for cities and counties.  
The major points of the legislation of SB346 include the following:

- Consolidated state **and** local costs
- Repealed several court fees (see other sections)
- Increased some fee amounts
- Converted some fees from state to local
- Changed references of “fee” or “costs” to “fine” or “reimbursement”
- Changed the allocation percentages for various funds
- Repealed changes in the previous Session regarding how judges are to handle indigency notifications/requests

SB346 also repealed the following statutes:

- Code of Criminal Procedure, Art. 102.0045 (Jury Reimbursement Fee)
- Code of Criminal Procedure, Art. 102.020 (DNA Testing Fee, DNA Testing Fee Community Supervision (DNA CS))
- Code of Criminal Procedure, Art. 102.0178 (Specialty Court Program)
- Code of Criminal Procedure, Art. 102.022 (Moving Violations Fee)
- Government Code, Sec. 51.702(b) (Judicial Fund)
- Government Code, Sec. 51.703(b) (Judicial Fund Filing Fee)
- Government Code, Sec. 51.851 (a) & (d) (Electronic Filing System Fund)
- Local Government Code, Sec. 133.103 (b) & (d) (Time Payment Fee now a local fee)
- Local Government Code, Sec. 133.105 (Judicial Support Fee)
- Local Government Code, Sec. 133.107 (Indigent Defense Fund)
- Transportation Code, Sec. 706.007 (Failure to Appear now a local fee)
- Human Resources Code, Sec. 152.0522 (Juvenile Placement Fund (Comal County only))
- Family Code, Sec. 202.005 (c) & (d) (Friend of the Court)
- Parks and Wildlife Code, Sec. 12.110 (b) (costs associated with storage, care, feeding, etc. of unlawfully possessed game)

## DNA Testing Fee (DNA)

Courts	County & District only
Effective	09/01/2001 – 12/31/2019
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Vernon's Ann. Code Crim. Proc., Art. 102.020
Report Form	Form 40-145
Purpose	35% State Highway Fund, administered by Texas Department of Transportation for funding state roads and highways

65% Criminal Justice Planning account, administered by the Governor's Office, Criminal Justice Division

### Rate

- Effective 01/01/2020 this fee is repealed and rolled into the new Consolidated Court Fee (2020) with an allocation percentage of 0.1394% to the DNA Testing Account. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs returns.
- \$250 per conviction of an offense listed in Government Code, Sec. 411.1471 (a)(1) = certain felonies (see below);
- \$50 per conviction of an offense listed in Government Code, Sec. 411.1471 (a)(2) = certain felonies and Class A/B misdemeanors (see below).

### Description

- Effective 09/01/2019, for offenses committed on or after that date, if a person is arrested for certain offenses, the law enforcement agency must collect a DNA specimen. Reference Government Code 411.1471 for a list of offenses requiring the collection of a DNA specimen.
- Fee applies to offenses committed September 1, 2001 – December 31, 2019.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Gov. Code, Sec. 411.1471 (a)(1) = **felonies** described in the Penal Code are subject to the \$250 fee effective 09/01/2001 – 12/31/2019.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Section	Description
20.04 (a)(4)	Aggravated Kidnapping (part a4 only)
21.11	Indecency with a Child
22.011	Sexual Assault
22.021	Aggravated Sexual Assault
25.02	Prohibited Sexual Conduct
30.02(d)	Burglary (part d only, first degree felony burglary)
43.05	Compelling Prostitution
43.25	Sexual Performance by a Child
43.26	Possession or Promotion of Child Pornography
21.02	Continuous Sexual Abuse of Young Child or Children (effective 01/01/2008)
20A.03	Continuous Trafficking of Persons (effective 09/01/2011)

- Gov. Code, Sec. 411.1471 (a)(2) = Felonies and Class A misdemeanors under Title 5, Penal Code, other than Gov. Code, Sec. 411.1471 (a)(1) and except for Section 20.02, 22.01 or 22.05, Penal Code. The following sections of the Penal Code are applicable to the \$50 fee effective 09/01/2015 with the exception of Section 21.07 which was effective 09/01/2001.

Section	Description	Convicted	Arrested
19.02	Murder	X	X
19.03	Capital Murder	X	X
19.04	Manslaughter	X	N/A
19.05	Criminally Negligent Homicide	X	N/A
20.03	Kidnapping	X	X
20.04	Aggravated Kidnapping (except (a)(4))	X	X
20.05	Smuggling of Persons	X	X
20.06	Continuous Smuggling of Persons	X	X
20A.02	Trafficking of Persons	X	X
20A.03	Continuous Trafficking of Persons	N/A	X
21.02	Continuous Sexual Abuse of a Child	N/A	X
21.07	Public Lewdness	X	N/A
21.08	Indecent Exposure	X	N/A
21.11	Indecency with a Child	N/A	X
21.12	Improper Relationship between Educator and Student	X	N/A
21.15	Invasive Visual Recording	X	N/A
21.16(d)	Voyeurism	X	N/A
21.16	Unlawful Disclosure or Promotion of Intimate Visual Material	X	N/A
22.01	Assault	X	X
22.011	Sexual Assault	N/A	X
22.02	Aggravated Assault	X	X

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Section	Description	Convicted	Arrested
22.021	Aggravated Sexual Assault	N/A	X
22.04	Injury to a Child, Elderly Individual or Disabled Individual	X	N/A
22.041	Abandoning or Endangering Child	X	N/A
22.07(a)(3)-(a)(6)	Terroristic Threat	X	N/A
22.08	Aiding Suicide (when actor's conduct causes suicide or attempted suicide resulting in serious bodily injury)	X	N/A
22.09	Tampering with Consumer Product	X	N/A
22.11	Harassment by Persons in Certain Correctional Facilities; Harassment of Public Servant	X	N/A
25.02	Prohibited Sexual Contact	N/A	X
25.04	Enticing a Child	X	N/A
29.02	Robbery	N/A	X
29.03	Aggravated Robbery	N/A	X
30.02	Burglary	N/A	X
31.03	Burglary of a Coin Operated Machine	N/A	X
43.02 (b)	Paying for a Prostitute/Sexual Conduct	X	N/A
43.24	Sale, Distribution or Display of Harmful Material to a Minor	X	N/A
43.03	Promotion of Prostitution	N/A	X
43.04	Aggravated Promotion of Prostitution	N/A	X
43.05	Compelling Prostitution	N/A	X
43.25	Sexual Performance by a Child	N/A	X
43.26	Possession/Promotion of Child Pornography	N/A	X

- Gov. Code, Sec. 411.1471(a3)(B) is equal to Penal Code sections 21.08, 25.04, 43.03 or 43.24 are also applicable to the \$50 fee effective 09/01/2015 except for 21.08 which was effective 09/01/2001.
  - Sec. 21.08 (Indecent Exposure), a Class B misdemeanor
  - Sec. 25.04 (Enticing a Child), Class B misdemeanor
  - Sec. 43.03 (Promoting of Prostitution), Class A misdemeanor or felony
  - Sec. 43.24 (Sale, Distribution or Display of Harmful Material to Minor), Class A misdemeanor or felony

The court may waive this court cost if the court determines that the defendant is indigent and unable to pay the cost.

### Historical Background

Senate Bill 638, 77th Session (2001), effective 09/01/2001, created the DNA Testing Fee. Since it only applies to felonies and Class A and B misdemeanors, it only applies to counties. It does not apply to offenses in Justice or municipal courts.

House Bill 8, 80th Session (2007), added a category to Government Code, Section 411.1471, adding a category of offense to the DNA Testing Fee. The effective date was 09/01/2007 but was delayed to 01/01/2008 by Government Code, Section 51.607.

Senate Bill 727, 81st Session (2009), added subsection (j) to Code of Criminal Procedure, Article 102.020 allowing a court to waive the court cost if the defendant is indigent and unable to pay the cost.

House Bill 941, 84th Session (2015), added several additional offenses to Government Code, Section 411.1471(a)(3) for which the \$50 fee is applicable.

House Bill 1399, 86th Session (2019), effective 09/01/2019, added language requiring DNA specimen collection for **arrested** defendants of various offenses listed in the Penal Code. Previously, DNA specimen collections were only required once the defendant was indicted or convicted.

Senate Bill 346, 86th Session (2019) repealed the DNA Testing Fee and rolled it into the new Consolidated Court Fee (2020) (effective 01/01/2020).

## DNA Testing Fee – Community Supervision (DNA CS)

Courts	District only
Effective	01/01/2010 – 12/31/2019
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Vernon's Ann. Code Crim. Proc., Art. 102.020
Report Form	Form 40-145
Purpose	To help DPS defray the cost of any analyses performed on DNA samples provided by defendants

### Rate

Effective 01/01/2020 this fee is repealed and rolled into the new Consolidated Court Fee with an allocation percentage of .1394% to the DNA Testing Account. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020, the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs returns.

- \$34 on placement of the person on community supervision, including deferred adjudication community supervision, if the person is required to submit a DNA sample under Section 11(j), Article 42.12, Code of Criminal Procedure. Effective 01/01/2017, Article 42.12 is repealed and replaced with Article 42A.352 for this fee.

### Description

- Effective 09/01/2019, for offenses committed on or after that date, if a person is arrested for certain offenses, the law enforcement agency must collect a DNA specimen. Reference Government Code 411.1471 for a list of offenses requiring the collection of a DNA specimen.
- Fee applies to felony offenses on or after January 1, 2010 – December 31, 2019 except for those felonies referenced in Government Code, Sec. 411.1471 (a)(1) (see [Chapter 2, Item 6](#)).
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- A judge granting community supervision to a defendant convicted of a felony shall require that the defendant provide a DNA sample unless the defendant has already submitted one.
- The court may waive this court cost if the court determines that the defendant is indigent and unable to pay the cost.
- This fee applies to each offense. For example, if a defendant has multiple offenses requiring a DNA sample but only submits one DNA sample to be used for those multiple offenses, the fee applies to each offense.

### Historical Background

Senate Bill 727, 81st Session (2009), added this additional DNA testing fee for defendants convicted of a felony and placed on community supervision. Since it only applies to felonies, only district courts are affected. The effective date was 09/01/2009 but was delayed to 01/01/2010 by Government Code, Section 51.607. The bill also added subsection (j) to Code of Criminal Procedure, Article 102.020 allowing a court to waive the court cost if the defendant is indigent and unable to pay the cost.

House Bill 1399, 86th Session (2019), effective 09/01/2019, added language requiring DNA specimen collection for **arrested** defendants of various offenses listed in the Penal Code. Previously, DNA specimen collections were only required once the defendant was indicted or convicted.

Senate Bill 346, 86th Session (2019) repealed the DNA Testing Fee Community Supervision and rolled it into the new Consolidated Court Fee (2020) (effective 01/01/2020).

## DNA Testing Fee – Juvenile (DNA JV)

Courts	District only
Effective	01/01/2010 forward
Due date	Quarterly
Collection Fee	None
Statute	Family Code, Sec. 54.0462
Report Form	Form 40-145
Purpose	To help DPS defray the cost of any analyses performed on DNA samples provided by children

### Rate

- \$50 if disposition of case involves commitment to a facility operated by or under contract with the Texas Juvenile Justice Department
- \$34 if disposition of case does not include a commitment to a facility described above and the child is required to submit a DNA sample under Family Code, Sec. 54.0409 or other law

### Description

- Applies to offenses committed by a juvenile on or after January 1, 2010.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Felony offenses listed in Code of Criminal Procedure, Article, 42.12, Section 3g(a)(1) effective through 12/31/2016 and Article 42A.054(a) effective 01/01/2017 or for which a deadly weapon, as defined by Section 1.07, Penal Code, was used. Also, if placed on probation for any of these offenses.
- The court may waive these fees if the court finds that a child, parent or other responsible party for the child's support is unable to pay the fee. The court shall enter into the child's case records a statement of that finding.
- These fees apply to each offense. For example, if a defendant has multiple offenses requiring a DNA sample but only submits one DNA sample to be used for those multiple offenses, the fees apply to each offense.

### Historical Background

Senate Bill 727, 81st Session (2009), added these DNA testing fees for juvenile defendants convicted of certain felonies. Since it only applies to felonies, only district courts are affected. The effective date was 09/01/2009 but was delayed to 01/01/2010 by Government Code, Section 51.607. The bill also added subsection (c) to Family Code, Section 54.0462 allowing a court to waive the court cost if the court finds that a child, parent or other person responsible for the child's support is unable to pay the fee. The court shall enter into the child's case records a statement of that finding. The court may waive a fee only if the court makes the finding. House Bill 2299, 84th Session (2015) repealed Article 42.12 of Code of Criminal Procedure and replaced with Article 42A effective 01/01/2017.

## Driving Records Reimbursement Fee (DRF)

Courts	Municipal, Justice, County (on appeal) and District (on appeal)
Effective	01/01/2006 forward
Due date	Quarterly
Collection Fee	None
Statute	Code of Criminal Procedure, Article 45.0511 (c-1)
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	General Revenue Fund, available for appropriation to the Texas Department of Public Safety

### Rate

Driving Records Reimbursement Fee	01/01/2006 Through 12/31/2007	01/01/2008 Forward
For a copy of a driving record requested by the court	\$10	\$22

### Description

- Pertains only to driving safety course procedures applicable to traffic offenses (Code Crim. Proc., Art. 45.0511). If the defendant enters a plea of no contest or guilty, and the court allows the defendant 90 days to complete an approved driving safety course or motorcycle operator training course, the court can require the defendant to produce a certified copy of the defendant's driving record as maintained by DPS. Under subsection (c-1), as an alternative to requiring the defendant to produce the driving record, the court **may** instead require the defendant to pay a fee of \$10 for the driving record, which the court will then obtain from DPS. \* Effective 09/01/2007, the court may also require the defendant to pay the State electronic Internet portal fee, which is currently \$12, for a total of \$22.
- This fee is in addition to any other fee required.
- **Applies to** offenses described below:
  - Transportation Code, Sections 472.022, (Obeying Warning Signs), except subsection (f)
  - Transportation Code, Section 729.001(a)(3), (Operation of Motor Vehicle by a Minor, as pertains to Rules of the Road)
  - Transportation Code, Subtitle C, Title 7, Rules of the Road (Articles 541-600).
- **Excludes** offenses under:
  - Holders of commercial driver's licenses
  - Transportation Code, Section 472.022(f), Obeying Warning Signs, if committed in a construction or maintenance work zone when workers are present
  - Transportation Code, Section 542.404 (offense in construction or maintenance work zone)
  - Transportation Code, Sec. 545.066, Passing a School Bus
  - Transportation Code, Sec. 550.022, Accident Involving Damage to Vehicle

- Transportation Code, Sec. 550.023, Duty to Give Information and Render Aid
- Serious traffic violation, speeding 25 miles per hour or more over the posted speed limit
- pertaining to pedestrians or the parking of a motor vehicle

### Historical Background

The fee was created by House Bill 703, 79th Session (2005). The bill was effective 09/01/2005, but the \$10 fee is postponed to January 1, 2006, due to the provisions of Government Code, Sec. 51.607.

Senate Bill 1083, 80th Session (2007), allowed the court to require the defendant to pay a fee in an amount equal to the sum of the fee established by Section 521.048, Transportation Code (\$10) and the applicable State electronic Internet portal Fee (\$12).

Senate Bill 346, 86th Session (2019), changed the terminology from fee to reimbursement fee effective 01/01/2020.

## Electronic Filing System Fund (EFSF)

Courts	County & District only
Effective	09/01/2013 through 12/31/2019
Due date	Quarterly
Collection Fee	None
Statute	Government Code, Section 51.851
Report Form	Form 40-151
Purpose	Office of Court Administration, support a statewide electronic filing technology project for courts in this state

### Rate

This fee is repealed as of 01/01/2020 per Senate Bill 346, 86th Session, (2019) and rolled into the new Consolidated Court Fee (2020) with an allocation percentage of .5485% to the Statewide Electronic Filing System. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs returns.

\$5 on conviction of any criminal offense in a district, county or statutory county court

### Description

- Applies to offenses committed on or after September 1, 2013 through December 31, 2019.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which community supervision, deferred disposition, deferred adjudication or probation is granted.
- Includes offenses pertaining to pedestrians or the parking of a motor vehicle.

### Historical Background

House Bill 2302, 83rd Session (2013), effective 09/01/2013 created the electronic filing fee. The bill specifically stated that Government Code 51.607 did not apply, so the effective date was not delayed to 01/01/2014.

Senate Bill 346, 86th Session (2019) repealed the Electronic Filing System Fund and rolled it into the new Consolidated Court Fee (2020) effective 01/01/2020.

## EMS Trauma Fund (EMS)

Courts	County & District only
Effective	01/01/2004 forward
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Code of Criminal Procedure, Art. 102.0185
Report Form	Form 40-145
Purpose	Emergency Medical Services, Trauma Facilities, Trauma Care Systems, administered by the Department of State Health Services, for use by trauma centers

### Rate

\$100 fine on offenses in Penal Code, Chapter 49, **except** Sec. 49.02 and Sec. 49.031

### Description

- Applies to offenses committed on or after January 1, 2004.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.

Chapter 49 sections included:

- Sec. 49.04: Driving while intoxicated (Class B misdemeanor) \*
- Sec. 49.045: Driving while intoxicated with child passenger (felony)
- Sec. 49.05: Flying while intoxicated (Class B misdemeanor) \*
- Sec. 49.06: Boating while intoxicated (Class B misdemeanor)
- Sec. 49.065: Assembling or operating an amusement ride while intoxicated (Class B misdemeanor) \*
- Sec. 49.07: Intoxication assault (felony)
- Sec. 49.08: Intoxication manslaughter (felony)

\* May be enhanced to Class A misdemeanor or felony upon subsequent convictions

These sections are **not** included:

- Sec. 49.02: Public intoxication (Class C misdemeanor)
- Sec. 49.031: Possession of alcoholic beverage in motor vehicle (Class C misdemeanor)

### Historical Background

This fund was added by Senate Bill 1131, 78th Session (2003). The bill provided an effective date of September 1, 2003. However, the effective date was postponed to January 1, 2004, due to the provisions of Government Code, Section 51.607. Senate Bill 346, 86th Session (2019), changed the terminology of “cost” to fine.

## Excess Funds from Sale of Property Forfeited Under the Controlled Substances Act

Courts	County & District only
Effective	08/27/1973 forward
Due date	30 days after auction
Collection Fee	None
Statute	Vernon's Ann. Code Crim. Proc., Art. 59.01-59.06
Report Form	<a href="https://www.texasattorneygeneral.gov/divisions/law-enforcement/forms-and-reports">https://www.texasattorneygeneral.gov/divisions/law-enforcement/forms-and-reports</a>
Purpose	General Revenue Fund

### Rate

Excess proceeds from the sale of property seized under this act, after liens, storage and court costs have been satisfied. Property includes automobiles, aircraft, vessels, trailers, guns, etc.

### Description

- All forfeited property shall be administered by the attorney representing the state, in accordance with any local agreement entered into between the attorney representing the state and the law enforcement agencies.
- If the local agreement exists, the state may transfer the property to the law enforcement agencies in accordance with the terms of the local agreement and art. 59.06, Tex. Code Crim. Proc.
- If a local agreement does not exist, the property is to be sold at auction, and the proceeds of the sale are to be distributed as follows:
  - To any interest holder to the extent of the interest holder's non-forfeitable interest, and
  - The balance, if any, after deductions for storage and disposal costs, to be deposited not later than the 30th day after the date of sale in the state treasury.
- All law enforcement agencies and attorneys representing the state who receive proceeds or property under this act are to account for the proceeds and property in an audit, which is to be performed annually by the commissioners' court or governing body of the city. If the audit is not conducted as required, the attorney general will notify the law enforcement agency or attorney. If the audit is still not submitted as required, the attorney general will notify the Comptroller. The Comptroller shall then perform the audit required. (Effective 09/01/2001).

### Historical Background

This section was originally created in the Code of Criminal Procedure in 1989 and amended multiple times since. Senate Bill 563, 77th Session (2001), added Article 59.06(g), providing that the Attorney General may request the Comptroller to perform the audit required by subsection (g) if not performed by the commissioners' court or governing body. This provision was effective 09/01/2001.

House Bill 2062, 81st Session (2009), added subsection (c-1) allowing the attorney representing the state to transfer proceeds to a special fund established for the special

ranges of the Texas and Southwestern Cattle Raisers Association. The bill was effective 05/27/2009.

Senate Bill 316, 82nd Session (2011), added Article 59.061 allowing the state auditor authority to audit and conduct investigations of these funds.

### **Discussion**

Senate Bill 563, 77th Session (2001), effective 09/01/2001, amended Code of Criminal Procedure, Article 59.06, to add a provision about the Attorney General requesting the Comptroller to perform the audit if not done by the commissioners' court or governing body. The deadlines were amended by Senate Bill 1106, 80th Session (2007). If such audit is requested by the Attorney General, instructions to the auditor will be provided.

## Excess Highway Fines (EHF)

Courts	Municipalities with a population of less than 5,000 (per last federal census) Counties with a population of less than 5,000 (per last federal census) and the commissioners court of the county by resolution elects to spend the revenue in a manner other than as provided by subsection (a)
Effective	06/20/1975 forward for cities; 09/01/2011 forward for counties
Due date	Quarterly
Collection Fee	None
Statute	Transportation Code, sec. 542.402
Report Form	Form 40-128
Purpose	General Revenue Fund

### Rate

- Using figures from the city's or county's fiscal year, the municipality or county may keep all fines up to an amount **equal to** 30% of its total revenue in the preceding fiscal year (excluding federal funds and bond sale proceeds).

### Description

Only cities or counties with a population of less than 5,000 are subject to this fund. For counties, there is an additional requirement to be subject to the fund. This additional requirement is that the commissioner's court by resolution elects to spend the revenue in a manner other than to construct and maintain roads, bridges and culverts, enforce laws regulating the use of highways by motor vehicles, and to defray the expense of county traffic officers. The population is determined by the publication of the federal census, and the city's or county's designation does not change until the publication of the next census. Cities or counties which changed their population designation on the 2010 census were added effective 01/01/2011 or dropped effective 12/31/2010.

[Table III in Chapter 10](#) lists the cities with a population of less than 5,000. Please note the indicators for the following:

- Cities below 5,000 population on the 2000 census but above on the 2010 census;
- Cities above 5,000 population on the 2000 census but dropped below on the 2010 census.

[Table IV in Chapter 10](#) lists the counties with a population of less than 5,000.

### Calculation

Total city or county revenue for the preceding fiscal year	\$XXX,XXX.XX
Less: federal funds revenue	<X,XXX.XX>
Less: proceeds from bond sales	<X,XXX.XX>
Subtotal: Net revenue	<u>\$XXX,XXX.XX</u>
Multiplied by 30% allowance	X 30%
Subtotal: Amount of fines to be retained by city or county	<u>\$XX,XXX.XX</u>
Add: \$1 per fine	\$X,XXX.XX
Total: Total to be retained by city or county	<u><u>\$XX,XXX.XX</u></u>
Total fines collected in current fiscal year	\$XX,XXX.XX
Less: total to be retained by city or county (from above)	<XX,XXX.XX>
Total: to be remitted to the state	<u><u>\$X,XXX.XX</u></u>

### Definitions

- Fiscal Year: These figures are to be obtained from the city's or county's fiscal year, not the state fiscal year.
- Total City or County Revenue: "Total city or county revenue" includes all sources of revenue for the city or county, from the city's or county's **prior** fiscal year. This includes fines and court costs retained by the city or county, the 10% collection fees retained from timely remittance of state court costs, utility payments, taxes and any other sources of revenue for the city or county. It does not include state court costs, fines remitted to the state or other fees remitted to the state. For municipalities, the calculation should be based upon the revenue as reported in the annual financial audit as required by Local Government Code, Sec. 103.001-103.003. For counties, the calculation should be based upon the revenue as reported in the financial audit as required by Local Government Code, Chapter 115.
- Fines: "Fines" are from the current fiscal year, from offenses in Title 7 of the Transportation Code.
  - Fines include:
    - Fines under Transportation Code, Title 7, Chapters 501-750 (see chart below for applicable periods). Effective 09/01/2009, Subtitle M was added to Title 7. However, no offenses are within Chapters 1001-1005.
    - Special expense fee under Code of Criminal Procedure, Article 45.051(c)
  - Fines **do not** include:
    - Fines remitted to the state
    - Court Costs remitted to the state
    - Peace Officer fees remitted to the state
    - Time Payment Fee
    - Failure to Appear \$30 fee
    - Local court costs
    - Administrative fees for expired registration, inspection or driver's licenses
    - Administrative fees for driving safety courses in Article 45.0511(f)

Use the gross amount of the fine, not net of any expenses of any kind.

The chapters of the Transportation Code included in this calculation have changed as indicated below:

Include in the Calculation Fines from the Following Statutes	09/01/1989 Through 08/27/1995	08/28/1995 Through 08/31/1999	09/01/1999 Forward
Transportation Code, Chapters 501-540	N/A	N/A	X
Transportation Code, Chapters 541-600	X	X	X
Transportation Code, Chapters 601-750	N/A	N/A	X
Code of Criminal Procedure, Article 45.051(c), Special expense fee	N/A	X	X

**Note:**

- A city or county is required to file their financial report with the Comptroller when the calculation reaches the 20% point in the city’s or county’s fiscal year.
- When the city or county reaches the 30% point in the calculation in their fiscal year, quarterly report forms and payments are required to be sent to the Comptroller.
- Refer to [Chapter 7, discussion on Excess Highway Fines](#), for more details on this calculation.

**Historical Background**

The provisions for Excess Highway Fines were originally located in Article 6701d, Vernon’s Texas Civil Statutes, the Uniform Act Regulating Traffic on Highways, Sec. 144, created in 1975. In 1995 it was re-codified into the Transportation Code.

House Bill 840, 74th Session (1995), added the requirement that when the city has reached 20% of fines, they are to send a report of fines collected to the Comptroller. Senate Bill 971, 74th Session (1995), added “special expense” to the calculation of fines. House Bill 352, 76th Session (1999), expanded the chapters in the Transportation Code in which fines are calculated, by changing the wording from “subtitle” to “title.” This expanded the calculation from offenses in chapters 541-600 to chapters 501-750.

House Bill 1517, 82nd Session (2011), added counties with a population of less than 5,000 whose commissioner’s court by resolution elects to spend revenue in a manner other than as provided by subsection (a). Also, the bill added subsection (f) providing a ten-year provision (expires on 09/01/2021) for a municipality to include revenue generated from services provided in the municipality by a utility company operating within the municipality as municipal revenue for a fiscal year if two qualifications are met. First, the municipality must have a population of more than 1,000 but less than 1,200. Second, part of the municipality’s boundary is a river that forms part of the boundary between two counties. The only city meeting these two qualifications is the City of Martindale.

## Excess Motor Carrier Fines (EMC)

Courts	Cities & Counties certified by DPS
Effective	09/01/1995 (but see effective date of each city/county)
Due date	Quarterly through 08/31/2017; annually 09/01/2017 forward
Collection Fee	None
Statute	Transportation Code, Sec. 644.101 and 644.102
Report Forms	Form 40-130 Form 40-134, Cost of Enforcement Worksheet
Purpose	General Revenue Fund

### Rate

- 100% of all fines on motor carrier violations, which exceed 110% of the municipality's actual expenses for enforcement of the Motor Carrier Violations Act. Fines are those in the Transportation Code, Chapter 644, Commercial Motor Vehicle Safety Standards, for the city or county's previous fiscal year.

### Penalty

Effective 09/01/2017, any participating city or county must annually file a detailed report of fine amounts retained and actual expenses claimed. A municipality or county that fails to file the required report shall send an amount equal to the amount retained by municipality or county in the fiscal year the report would cover.

### Description

The city or county must have law enforcement officers certified by the Department of Public Safety (DPS) in order to participate in this program. The department may revoke or rescind the authority of a city or county to participate due to its failure to comply with established standards. Prior to 09/01/2001, only qualifying cities could participate in this program. Effective 09/01/2001, qualifying counties were added. To participate with the Department of Public Safety in this program, the city or county must meet one of the following:

#### City

- Must have a population of 50,000 or more (100,000 prior to 09/01/2007) (*amended by Senate Bill 545, 80th Session, 2007, effective 09/01/2007*); or
- Must have a population of 25,000 or more, and any part of which is located in a county with a population of 500,000 or more (two million prior to 09/01/2007) (*amended by Senate Bill 545, 80th Session, 2007, effective 09/01/2007*); or
- Must be in a county which borders the United Mexican States; or
- Must have a population 34,000 or more and be located in a county that borders two or more states (*Senate Bill 545, 80th Session, 2007, effective 09/01/2007*); or
- Must have a population of less than 25,000, any part of which is located in a county with a population of 2.4 million, and which city contains or is adjacent to an international port; or
- Must have a population of less than 5,000 and be adjacent to a bay connected to the Gulf of Mexico and located in a county adjacent to a county

- with a population greater than 3.3 million. (*House Bill 1638, 80th Session, 2007, effective 09/01/2007*); or
- Municipality with a population of 60,000 or more, any part of which is located in a county with a population of 750,000 or more AND two or more counties with a combined population of one million or more. (*House Bill 2077, 80th Session, 2007, effective 06/15/2007.*)
  - Must have a population of less than 75,000 that is located in three counties, at least one of which has a population greater than 3.3 million (*Senate Bill 636, 86th Session, 2019, effective 09/01/2019*);
  - Must have a population between 14,000 and 17,000 that contains three or more numbered United States highways and is located in a county that adjacent to a county with a population of more than 200,000 (*House Bill 695, 86th Session, 2019, effective 09/01/2019*);
  - Must have a population of less than 50,000 that is located in a county that generated \$20 million or more in tax revenue collected under Chapters 201 and 202, Tax Code, from oil and gas production during the preceding state fiscal year; or a county that is adjacent to two or more counties described in the first criteria (*House Bill 917, 86th Session, 2019, effective 09/01/2019*);

### County

- Must border the United Mexican States;
- Must have a population of less than 1,000, part of which is located within 75 miles of an international border;
- Must have a population of 400,000 or more that borders the county in which the State Capitol is located; or
- Must have a population of 700,000 or more.

See [Table V in Chapter 10](#) for a complete list of participating cities and counties certified by DPS as of 09/18/2017.

The participating cities and counties have to complete a “Costs of Enforcement” Worksheet. **Please contact** Revenue Accounting to obtain the Costs of Enforcement Worksheets if the taxpayer does not have them on file. The information on this Form 40-134 is **not** automated and will **not** appear on the taxpayer history, yet the information is critical for determining whether or not the city or county may owe for this fund. The worksheet includes the following cost categories:

- Major equipment costs: includes vehicles, portable wheel weighers and scale racks. These costs are to be averaged over the life of the equipment.
- Personnel Costs: includes gross salaries/wages and benefits of employees involved in the operation of the Motor Carrier Violations Act. A pro rata portion of these costs should be calculated for employees that are dedicated to motor carrier enforcement less than 100% of the total time.
- Vehicle Maintenance and Fuel Costs: A pro rata portion of these costs should be calculated for vehicles that are used less than 100% in the motor carrier enforcement. Do not include the costs of vehicle purchases.

- Other costs: directly attributable to the enforcement of the Motor Carrier Violations Act, including costs for communication, operating supplies (hand cleaners, calculators, tape measures) and training costs.

Calculation example:

Costs of enforcement from City's/County's Fiscal Year 2017	\$\$\$\$
Multiply by 110%	<u>x 1.10</u>
Amount of fines* to be retained in Fiscal Year 2018	<u>\$\$\$\$\$</u>

\* From Transportation Code, Chapter 644

### Historical Note

Senate Bill 3, 74th Session (1995), created the Excess Motor Carrier Fines in Article 6675d, Texas Revised Civil Statutes. Senate Bill 898, 75th Session (1997), moved it to the Transportation Code, Article 644.102. Senate Bill 1019, 75th Session (1999), amended (a), (b) and added (f). Senate Bill 220, 77th Session (2001), effective 09/01/2001, added counties to the fund. In a county with a population of 2.2 million or more, sheriffs and deputy sheriffs may be trained and certified by DPS. This added the possibility of 16 counties. This bill also reduced the population restriction on a city from 2.4 million to 2 million, adding the possibility of 11 more cities.

House Bill 2077, 80th Session (2007), added a category of eligible cities, effective 06/15/2007. House Bill 1638 and Senate Bill 545, 80th Session (2007), changed the population provisions relating to cities, effective 09/01/2007.

House Bill 2304, 83rd Session (2013), changed the county population from 2.2 million to one million, effective 06/14/2013.

House Bill 2065, 85th Session (2017), added a requirement that all participating cities/counties must annually report the amount of fines retained and the actual expenses claimed; otherwise, the city or county shall send an amount equal to the amount retained in the fiscal year the report would cover.

### Discussion

Fines: When calculating the fines for this fund, Sec. 644.102 says "fines from the enforcement of this chapter." That means all violations in Chapter 644, Transportation Code, Sections 644.001 through 644.203. It is the Commercial Motor Vehicle Safety Standards and has nothing to do with "Rules of the Road."

Costs of enforcement: (ask to see the Cost of Enforcement Worksheet completed by the city/county)

Major equipment costs include vehicles, portable wheel weighers and scale racks. The cost should be averaged over the life of the equipment, using straight-line depreciation. The equipment must be dedicated to the Motor Carrier enforcement, not shared with regular law enforcement.

Personnel Costs include gross salaries/wages and benefits of employees involved in the operation of the Motor Carrier Violations Act. If the employee is not dedicated 100% of the time to this program, the costs should be pro-rated for the time spent on the program.

Vehicle Maintenance and Fuel Costs are to be pro-rated if the vehicle is not used 100% of the time for this program.

Other costs include those that are directly attributable to the program, including costs for communication equipment, operating supplies (calculators, hand cleaners, tape measures) and training costs.

If the cost of enforcement exceeds the fines in a given period, the city/county must file a zero, not a negative figure. Carry-forwards are not allowed.

### Failure to Appear/Pay (FTA)

Courts	Cities & Counties contracted with DPS to deny renewal of driver's license
Effective	09/01/1995 through 12/31/2019 (but see effective date of each city/county)
Due date	Quarterly
Collection Fee	None
Statute	Transportation Code, Chapter 706
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	Half General Revenue Fund Half General Revenue Fund, available for appropriation to the Texas Department of Public Safety

### Rate

As of 01/01/2020 the fee amount decreased and is retained locally only. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/13/2019 should be reported on the quarterly City or County Criminal Costs returns.

- \$30 per violation as described below. Effective 09/01/1995 through 12/31/2019. **(\$20 of the \$30 fee is reported to the state.** The city or county retains the remaining \$10, which includes the fee to the vendor administering the program for DPS.)

Offense	09/01/1995 through 08/31/1997	09/01/1997 through 08/31/1999	09/01/1999 through 08/31/2001	09/01/2001 forward
Violation of a traffic law for which defendant failed to appear	\$30	\$30	\$30	\$30
Offense under Penal Code, Sec. 38.10, bail jumping and failure to appear	n/a	\$30	\$30	\$30
Offense under Transportation Code, Sec. 543.009(b), Violation of Promise to Appear	n/a	\$30	\$30	\$30
Offense under Transportation Code, sec. 543.107(b), Failure to Present Evidence of Course Completion (driving safety courses)	n/a	\$30	\$30	\$30
<b>Any offense</b> under jurisdiction of a justice or municipal court under Code of Criminal Procedure, Art. 4.11 or 4.14	n/a	n/a	\$30	\$30
Failure to pay or satisfy a judgment ordering payment of a fine and costs	n/a	n/a	n/a	\$30

The list of cities and counties participating in this program is shown in [Chapter 10 in Table I](#), along with the date the city or county began participation.

### Historical Background

This fund was created by Senate Bill 1504, 74th Session (1995), as Article 6687d. It was moved to the Transportation Code by Senate Bill 898, 75th Session (1997). The 77th Session (2001), Senate Bill 1371, effective 09/01/2001, changed the wording of this fund substantially, adding provisions for failure to pay as well as failure to appear. This creates the possibility of two \$30 fees, one for failure to appear and another for failure to pay or satisfy a judgment ordering a payment of a fine and cost.

The 78th Session (2003), House Bill 2424, Sec. 79, amended Sec. 706.006(a), to remove the words “violation for which the person failed to appear” and replaced it with “complaint or citation reported to the department under this chapter.” This amendment was to make wording corrections to conform all the sections to the changes in SB 1371. Attorney General Opinion GA-0479, dated October 31, 2006, stated that the failure to appear system is not limited to traffic tickets. It is available for all offenses that arise in a justice or municipal court. On the other hand, unlike the failure to pay fines and costs, the failure to appear system may not be used for offenses that arise in any other court.

House Bill 351 and Senate Bill 1913, 85th Session (2017) added some additional exceptions to when the \$30 fee was due.

Senate Bill 346, 86th Session (2019) repealed the Failure to Appear Fee and made this a locally retained fee. The municipality or county no longer sends a portion to the Comptroller effective 01/01/2020.

### Discussion

In order for a city/county to be allowed to collect this \$30 FTA fee, they must have entered into a contract with DPS and its agent, Omnibase, to participate in this program. If they contract with DPS, they will have a special entry system to use to send Omnibase the data on each defendant that has failed to appear for their offense. When the city/county enters the data on an individual that has failed to appear for their court date, Omnibase sends the individual a letter informing them that DPS will not allow renewal of their driver’s license until this case is cleared up. If the defendant subsequently goes to the court and pays, the city/county will collect the additional \$30 for failure to appear and send Omnibase its fee and report \$20 of the fee to the Comptroller. If the defendant appears in court and is convicted, and fines and court costs are assessed, another \$30 fee for failure to pay will be imposed if it is not all paid by the 31st day after the judgment.

Prior to 09/01/2017, the fee was **not** due if the defendant was **acquitted**. That meant the case was heard and the defendant was determined to be **not guilty**. The fee was also **not** due if the report was sent to Omnibase in error, or if the case had been destroyed. (Some courts destroy their records after five years even if the case has not been adjudicated.) Effective 09/01/2017, some additional exceptions were added by House Bill 351 and Senate Bill 1913. The \$30 fee is not due in the following situations:

1. The person is acquitted of the charges for which the person failed to appear;
2. The charges on which the person failed to appear were dismissed with prejudice by motion of the appropriate prosecuting attorney for lack of evidence;
3. The failure to appear report was sent to the department in error;
4. The case regarding the complaint or citation is closed and the failure to appear report has been destroyed in accordance with the applicable political subdivision's records retention policy.
5. If the court makes a finding that the person is indigent, the person may not be required to pay an administrative fee. A person is presumed to be indigent if the person:
  - a. is required to attend school full time under Section 25.085, Education Code;
  - b. is a member of a household with a total annual income that is below 125 percent of the applicable income level established by the federal poverty guidelines; or
  - c. receives assistance from:
    - i. the financial assistance program established under Chapter 31, Human Resources Code;
    - ii. the medical assistance program under Chapter 32, Human Resources Code;
    - iii. the supplemental nutrition assistance program established under Chapter 33, Human Resources Code
    - iv. the federal special supplemental nutrition program for women, infants and children authorized by 42 U.S.C. Section 1786; or
    - v. the child health plan program under Chapter 62, Health and Safety Code.

The fee **is still due** even if the case is dismissed (case is not heard due to lack of witnesses, no prosecution or a deferral such a driving safety course except for dismissals with prejudice by motion of the appropriate prosecuting attorney for lack of evidence). The FTA fee is also due when there is an appeal or a bond. The fee is also due when an appeal is completed (i.e., there is a judgment in municipal court and the case is appealed to county court.) The fee is due if bond is posted, if the fine and costs are paid or discharged, or the defendant makes other suitable arrangements to pay.

If a defendant is charged with multiple offenses, i.e. three offenses on one ticket, there are three sets of court costs due. If the defendant fails to appear in court to answer the charges, the court can/should add the FTA fee to each of the three offenses for "failure to appear." If the defendant does eventually show up and is ordered to pay, the clock starts again and the court may add the \$30 FTA fee to each of the three dockets for "failure to pay." The court has the option of consolidating several charges and issuing one court order. If that is the case, there is only one \$30 FTA fee because it applies to each "order."

## Indigent Defense Fund (IDF)

Courts	Municipal, Justice, County & District
Effective	01/01/2008 through 12/31/2019
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Local Government Code, Section 133.107
Report Form	Form 40-144 or Form 40-145
Purpose	Fair Defense Account to fund indigent defense representation

### Rate

Senate Bill 346, 86th Session (2019) repealed this fee as of 01/01/2020. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs returns.

\$2.00 upon conviction of any offense, other than those relating to pedestrian or the parking of a motor vehicle.

### Description

- Applies to offenses committed on or after January 1, 2008 through December 31, 2019.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.
- The collection fee the city/county may retain is based upon timely filing of the report.

### Historical Background

This court cost was added by House Bill 1267, 80th Session, (2007). The bill was effective September 1, 2007, but the court cost was delayed by the provisions of Government Code, Section 51.607, making it effective January 1, 2008.

Senate Bill 346, 86th Session (2019) repealed this fee effective 01/01/2020.

## Intoxicated Driver Fine

Courts	County & District
Effective	09/01/2020 forward
Due date	Quarterly
Collection Fee	4% upon timely filing
Statute	Transportation Code, Section 709
Report Form	Form 40-145
Purpose	80% to the General Revenue Fund 20% to the Designated Trauma Facility and Emergency Medical Services Account

### Rate

Offenses related to operating a motor vehicle while intoxicated:

- \$3,000 fine for first conviction within 36 months
- \$4,500 fine for second conviction or subsequent conviction within 36 months
- \$6,000 fine for a first or subsequent conviction if at the trial it is shown that the analysis of the defendant's blood, breath or urine showed an alcohol concentration greater than 0.15 at the time of analysis.

### Description

- Applies to offenses/convictions committed on or after September 1, 2019.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all offenses relating to the operating of a motor vehicle while intoxicated assigned by Penal Code Section 49.09:
  - 49.04: Intoxicated while operating a motor vehicle in a public place
  - 49.045: Intoxicated while operating a motor vehicle in a public place with a passenger 15 years old or younger
  - 49.07: Intoxicated while operating a motor vehicle in a public place and causes serious bodily injury to another
  - 49.08: Intoxicated while operating a motor vehicle in a public place and causes death of another
  - Operating a motor vehicle while intoxicated.
- If the court having jurisdiction over an offense that is the basis for a fine imposed under this section makes a finding that the person is indigent, the court shall waive all the fines and costs imposed on the person under this section.
- Funds collected under this provision are subject to audit by the Comptroller.
- The collection fee the county may retain is 4% based upon timely filing of the report.

### Historical Background

This fine was added by House Bill 2048, 86th Session, (2019) effective 09/01/2019.

Since the types of offenses applicable to this fine would be Class A or higher, municipalities would not have original jurisdiction. Therefore, while the bill allows a municipality to keep a 4% service fee upon timely filing of the collected fine, a City would never assess this fine and report it on the quarterly criminal costs return. In fact, there is no line designated on the City quarterly criminal cost return for this fine.

## Judicial Fund (JF)

Courts	County Courts only
Effective	07/01/1992 through 12/31/2019
Due date	Quarterly
Collection Fee	None
Statute	Government Code, Sec. 51.702-51.704
Report Form	Form 40-145
Purpose	Judicial Fund, administered by Comptroller, used for participating judges' salary supplements

### Rate

This fee is repealed as of 01/01/2020 per Senate Bill 346, 86th Session, (2019) and rolled into the new Consolidated Court Fee (2020) with an allocation percentage of 12.2667% credited to the Judicial Fund. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs return.

(Based on offense date through 06/13/2013; Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.)

#### Statutory County Court

- 08/28/1995 through 12/31/2019: \$15 per conviction of criminal offense
- 07/01/1992 through 08/27/1995: \$10 per conviction of criminal offense

#### Constitutional County Court

- 06/19/1999 through 12/31/2019: \$15 per conviction of criminal offense

See [Table II in Chapter 10](#) for the participating courts and effective dates.

**Effective October 1, 2007 – December 31, 2019**, all statutory county courts collect the \$15 fee and remit it to the Comptroller for deposit into the Judicial Fund. They are not allowed to opt out of the supplemental salary program and keep the \$15 fee.

Between 09/01/2003 and 09/30/2007, **all** statutory county courts were eligible to collect the \$15 fee for the Judicial Fund, but only those participating in the supplemental salary program remitted the fee to the Comptroller. See also "[Judicial Fund](#)" in Description of Local Funds in the Appendix.

**Note:** Prior to 01/01/2004, this fund was due monthly on the 10th of each month. The due date was changed by House Bill 2424, 78th Session (2003), effective 01/01/2004, making it due quarterly on the last day of the month following the calendar quarter.

## Resolutions

Fees in Statutory County Court apply in all counties with Statutory County Courts. Prior to October 1, 2007, the fee was to be remitted to the Comptroller **only if** the county was participating in the supplemental salary program and the commissioner's court had adopted a resolution authorizing the fees. Effective October 1, 2007, all statutory county courts remit the fee to the Comptroller and resolutions are no longer allowed or required.

Resolutions are **not** required for fees in Constitutional County Court.

For years beginning 07/01/1992 through 07/01/1995, the resolution had to be filed with the Comptroller by June 1st of each year for which the county wanted to adopt the additional court costs and fees. Beginning with 07/01/1996, the resolution had to be filed by June 1, and would continue in effect until appropriately rescinded by the county. To rescind the resolution, the county commissioners' court must submit notification to the Comptroller of their desire to rescind by June 1st of the year in which they wish to withdraw.

Also, effective 08/28/1995, a county that was not eligible to participate on July 1st of a year, but that would become eligible to participate later in that year, must submit a resolution to the Comptroller by June 1, and the Comptroller would determine what date the county was to begin collecting the costs and fees.

### Note:

- Excludes Title IV-D cases, for child support, paternity, etc. filed by the Office of the Attorney General. This refers to Part D, Title IV, Social Security Act, relating to the location of an absent parent, determination of parentage, or establishment, modification or enforcement of a child support or medical support obligation. In Texas, the designated Title IV-D agency is the Office of the Attorney General. They file suits for enforcement of child support, establishment of paternity, etc. "UIFSA" cases (Uniform Interstate Family Support Act), which are child support cases from another state, are included in this exemption.
- Section 231.202, Family Code, outlines the authorized costs and fees in a Title IV-D case, including certain filing fees and fees for issuance and service of process as provided by certain sections of the Family Code and Government Code. Section 231.204 is a listing of prohibited fees in Title IV-D cases, and the judicial fund is specifically listed as a prohibited fee.

## Historical Background

Judicial Fund was created by House Bill 66, 72nd Session (1991).

House Bill 3211, 76th Session (1999), added Sec. 51.703 for constitutional county courts participating in the supplemental salary program, effective 06/19/1999.

House Bill 1945, 78th Session (2003), expanded the requirement of the \$15 criminal court cost to all counties, whether they participate in the supplemental salary program or not. The counties not participating in the program get to keep the \$15 locally. See Judicial Fund in “Local Court Costs/Fees” at the end of Chapter 4.

Senate Bill 600, 80th Session (2007), amended Government Code, Section 51.702, so that all statutory county courts collect the \$15 fee and remit it to the Comptroller. They are no longer allowed to retain the \$15 locally.

Senate Bill 346, 86th Session (2019) repealed the Judicial Fund and rolled it into the new Consolidated Court Fee (2020) effective 01/01/2020.

## Discussion

Whether or not an amount is due for judicial fund on criminal cases is determined by the offense date, even though the statutory wording says, “due on conviction.” If the county is now dealing with a case with an offense date prior to the time they entered the judicial fund program, they cannot charge the judicial fund amount to the case. The offense date must fall within the period they are active for the judicial fund. Likewise, if a county withdraws from the program, they may still be responsible for collecting and remitting on offenses during the period they were active. The system will show them OOB for that fund, but Revenue Accounting manually adds the data on such collections.

### Judicial Support Fee (JS)

Courts	Municipal, Justice, County & District
Effective	12/01/2005 through 12/31/2019
Due date	Quarterly
Collection Fee	60 cents of each fee collected
Statute	Local Government Code, section 133.105
Report Form	Form 40-144 or Form 40-145
Purpose	Judicial Fund, administered by Comptroller, used for District Judges salary supplements

#### Rate

This fee is repealed as of 01/01/2020 per Senate Bill 346, 86th Session, (2019). However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs return.

Offense	12/01/2005 through 12/31/2007	01/01/2008 through 12/31/2019
Per conviction	\$4.00	\$6.00

#### Description

- Applies to offenses committed on or after December 1, 2005 through December 31, 2019.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.
- The collection fee the city/county may retain is **not** based upon timely filing of the report. The collection fee is 60 cents of each fee, not a percentage basis. If the city/county remits partial payments, the 60-cent fee is the maximum allowable amount to be retained, and it should not be deducted from each partial payment. Some may deduct the entire 60 cents on the first remittance, and some may use a percentage of the total. Either method is acceptable as long as the city/county does not retain more than 60 cents of each fee.

### Historical Background

This court cost was added by House Bill 11, 79th Session, 2nd Special Session (2005). The bill was effective December 1, 2005 and the court cost was specifically excluded from the provisions of Government Code, Section 51.607, making it effective December 1, 2005.

It is included on the report form for the fourth quarter of 2005, but only for offenses on or after 12/01/2005.

Attorney General Opinion GA-0486, dated November 21, 2006, states that the Judicial Support Fee does not apply to bail bond forfeitures because no one is convicted of an offense.

Senate Bill 600, 80th Session (2007), increased the fee from \$4 to \$6 per offense. The bill was effective September 1, 2007, but the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019) repealed the Judicial Support Fee effective 01/01/2020.

## Jury Reimbursement Fee (JRF)

Courts	Municipal, Justice, County & District
Effective	09/01/2005 through 12/31/2019
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Code of Criminal Procedure, Article 102.0045
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	General Revenue Fund, appropriated to reimburse counties for jury service payments, administered by Comptroller

### Rate

This fee is repealed as of 01/01/2020 per Senate Bill 346, 86th Session, (2019) and rolled into the new Consolidated Court Fee (2020) with an allocation percentage of 6.4090% credited to the Jury Service Fund. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs return.

\$4.00 upon conviction of any offense, other than those relating to pedestrian or the parking of a motor vehicle

### Description

- Applies to offenses on or after September 1, 2005 through December 31, 2019
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

### Historical Background

This court cost was added by Senate Bill 1704, 79th Session (2005). The bill was effective September 1, 2005 and the court cost was specifically excluded from the provisions of Government Code, Section 51.607, making it effective September 1, 2005.

This fund first appears on the report form for the fourth quarter of 2005. It applies to offenses on/after 09/01/2005 and any collections in September 2005 are to be included in the fourth quarter report.

Senate Bill 346, 86th Session (2019) repealed the Jury Reimbursement Fund and rolled it into the new Consolidated Court Fee (2020) effective 01/01/2020.

## Discussion

Even though this is to be collected effective 09/01/2005, it was reported on the fourth quarter report form for 2005. Therefore, XISTAT shows 10/01/2005 as the effective date.

The money coming from all **municipal and county** level courts is to be deposited into the Jury Service Fund. (However, any fund balance in excess of \$10 million is to be transferred to the Fair Defense Account.)

Only county level courts are authorized to pay jurors for jury service. This includes justice, county and district courts. Effective January 1, 2006, each grand juror or petit juror in a civil or criminal case is entitled to receive a reimbursement of not less than \$6 for the first day or fraction of a day served, and not less than \$40 for each day or fraction of a day served after the first day.

Effective January 1, 2006, the Jury Service Fund is to be used to reimburse counties \$34 per day for reimbursements paid to grand jurors or petit jurors for service after the first day. Commissioners Courts may file a reimbursement claim with the Comptroller. Municipalities are not authorized to request reimbursements from the Jury Service Fund because there is no statute allowing municipalities to pay for jury service. Claims for reimbursement will be paid quarterly by the Comptroller.

## Juvenile Probation Diversion Fund (JPD)

Courts	County & District only
Effective	09/01/1987 forward
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Family Code Ann., Sec. 54.0411
Report Form	Form 40-145 (County)
Purpose	Juvenile Probation Diversion Fund for use by the Texas Juvenile Justice Department to provide services to assist “at risk” juveniles

### Rate

\$20 per disposition hearing held, collected only if the child, parent or other person responsible for the child's support is financially able to pay it.

These are disposition hearings in juvenile court. The disposition hearing is separate, distinct and subsequent to the adjudication hearing. The definition of juvenile court is in Government Code, Sec. 23.001, and includes any district court, county court and statutory county court designated as a juvenile court.

### Historical Background

This fund was created in 1987 and the statute was slightly amended in 1989.

### Discussion

Attorney General Letter Opinion #97-0374, dated 08/20/1997, discussed whether a juvenile court may assess a fee for court costs under Family Code Sec. 54.0411 in a modification of prior disposition order when a modification hearing has been **waived**. The Opinion stated that if the hearing was waived, the prerequisites for assessing the fee did not exist, so the court **may not** assess the fee.

## Metal Recycling

Courts	Municipal, Justice, County (on appeal) and District (original on second convictions and on appeal from lower courts)
Effective	09/01/2011 forward
Due date	Quarterly
Collection Fee	10% (timely filing not required)
Statute	Occupations Code, Sec.1956.040
Report Form	Form 40-150
Purpose	General Revenue Fund appropriated to Department of Public Safety for administration of metal recycling regulation and to fund grants distributed under the prevention of scrap metal theft grant program

### Rate

- 90% of the fine assessed on convictions for offenses under Occupations Code, Sec. 1956.040 (a-1).
- The offense is punishable by a fine not to exceed \$10,000 per Occupations Code, Sec, 1956.040 (a-2), unless it is shown on trial of the offense that the person has previously been convicted of a violation of Subsection (a-1), in which event the offense is a state jail felony.

### Description

- Applies to offenses committed on or after September 1, 2011.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- The first offense is punishable by a fine not to exceed \$10,000 and is categorized as a Class C misdemeanor. Per Penal Code 12.41, any fine-only offense outside of the Penal Code is a Class C misdemeanor.
- Occupations Code 1956.040(a-1) references four violations:
  - 1956.021 – registration required of metal recycling entities
  - 1956.023(d) – expired certificate of registration must be renewed to perform collection services
  - 1956.036(a) – a metal recycling entity shall send DPS a report containing required information
  - 1956.039 – a metal recycling entity may not purchase from the general public regulated material more than 15 consecutive hours in one day or later than 9 p.m.

### Historical Background

This was created by Senate bill 694, 82nd Session (2011).

## Motor Carrier Weight Violations (MCW)

Courts	Municipal, Justice, County (on appeal) and District (on appeal)
Effective	09/01/1995 forward
Due date	Quarterly
Collection Fee	None
Statute	Transportation Code, Sec. 621.506
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	General Revenue Fund

### Rate

- 50% of the fine assessed on convictions for offenses under Transportation Code, Sec. 621.506 (Offense of Operating or Loading Overweight Vehicle; Penalty; Defense.) This involves weight restrictions for single axle, tandem axle and gross weight violations.
- Effective 09/01/1999, if the offense occurs within 20 miles of an international border, the entire amount of the fine is retained by the city/county, and no part of the fine is remitted to the state. **This applies to** fines collected on or after 09/01/1999 (regardless of offense date).

### Note:

- This only applies to a fine assessed, and **not** a special expense fee.
- Applies to offenses committed on or after September 1, 1995.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.

### Historical Background

This was created by House bill 1547, 74th Session (1995), and possibly also Senate Bill 971 74th Session (1995), effective 09/01/1995. This was amended by Senate Bill 898, 75th Session (1997). House bill 3467, 76th Session (1999), added the exemption for offenses within 20 miles of an international border so that the locality would keep these fines. Senate Bill 886, 77th Session (2001) effective 09/01/2001, amended the wording of the weight offenses.

## Moving Violation Fees (MVF)

Courts	Municipal, Justice, County and District (on appeal)
Effective	01/01/2010 through 12/31/2019
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Code of Criminal Procedure, Art. 102.022
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	Civil Justice Data Repository fund in the general revenue fund to be used only by the Texas Commission on Law Enforcement to implement duties under Section 1701.162, Occupations Code

### Rate

This fee is repealed as of 01/01/2020 per Senate Bill 346, 86th Session, (2019). However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs returns.

\$0.10 (ten cents) upon conviction of any moving violation

### Description

- Applies to offenses committed on or after January 1, 2010 through December 31, 2019.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Applies to district courts for appealed cases from the lower courts.
- Applies to moving violations defined as an offense that involves the operation of a motor vehicle and is classified as a moving violation by the Department of Public Safety (DPS) under Section 708.052, Transportation Code.
- [Moving violations](#) are listed in Rule 15.89 as published by DPS.
- The Driver Responsibility Points column in Rule 15.89 has no bearing on the determination as to whether the ten-cent court cost is due. Regardless if the column has a “yes” or “no”, the ten-cent court cost is due on any moving violation classified in the Arrest Title column of the rule.
- Includes cases in which deferred disposition, deferred adjudication or community supervision is granted.
- The collection fee the city/county may retain is based upon timely filing of the report.

### Historical Background

This court cost was added by House Bill 3389, 81st Session, (2009). Even though DPS rule 15.89 includes some violations that are felonies, section 30 of the bill omitted “district courts” from having to collect the ten-cent court cost. The bill was effective September 1, 2009, but the court cost was delayed by the provisions of Government Code, Section 51.607, making it effective January 1, 2010

Senate Bill 686, 83rd Session (2013) effective 05/18/2013 changed the name from Commission on Law Enforcement Officer Standards and Education to the Texas Commission on Law Enforcement.

Senate Bill 346, 86th Session (2019) repealed the Moving Violations Fee effective 01/01/2020.

## Non-Suspension Fee

Courts	Justice, County & District
Effective	Unknown as of 02/01/2022
Due date	Quarterly
Collection Fee	None
Statute	Code of Criminal Procedure, Chapter 102.0179 Transportation Code 521.372-.376
Report Form	Form 40-145 (County)
Purpose	Texas Mobility Fund

### Rate

\$100 upon conviction of a misdemeanor drug offense as defined by TC 521.371 whose driver's license is not suspended under TC 521.372 as a result of that conviction.

### Description

- This fine is assessed on an offense that is a misdemeanor offense under TC 521.372, but the defendant has **not** been convicted in the prior 36 months of a drug offense.
- Effective June 14, 2013, district, county and statutory county courts collect criminal costs based on the conviction date rather than on the offense date. Includes convictions on misdemeanor punishable by fine only offenses defined under TC 521.371 where the defendant's driver's license is not suspended.
- The fee shall be waived if the defendant's driver's license is suspended under TC 521.372 or under another provision of that code as a result of the conviction of:
  1. An offense described by TC 521.372(a); or
    - Offense under the Controlled Substance Act;
    - Felony drug offense;
    - Misdemeanor drug offense if the person has been previously convicted of a drug offense committed less than 36 months before the commission of the instant offense; or
    - Felony under Chapter 481 Health and Safety Code that is not a drug offense.
  2. Another offense arising from the same criminal episode
- The fine is due regardless of whether a defendant is granted community supervision in the case.
- The court shall collect the fine in the same manner as court costs are collected in the case.

### Historical Background

This fine was added by Senate Bill 181 87th Regular Session (2021) effective 09/01/2021; however, the effective date for the new fee has yet to be determined.

## Discussion

- Because this fine is to be collected in the same manner as court costs collected in the case, this fine should be included in the proration of court costs if partial payments are made.
- The bill enacting this fine did not specifically designate audit authority for this fine to the Texas Comptroller. However, since this fine is reported to the Comptroller on the quarterly county criminal costs return (Form 40-145) we will include this fee in a local revenue audit of a county.
- This bill has an unusual effective date of 09/01/2021 but certain criteria must be met first:
  - The new fine is effective on the 91st day after the date the office of the attorney general publishes in the Texas Register a finding that:
    - The Texas Legislature has adopted a resolution expressing the legislature's opposition to a law meeting the requirements of 23 U.S.C. Section 159 suspending, revoking or denying the driver's license of a person convicted of a drug offense for a period of 6 months; and
    - The governor has submitted to the US secretary of transportation: a written certification of the governor's **and** legislature's opposition to the enactment or enforcement of a law required under 23 U.S.C. Section 159; and
    - The United States secretary of transportation has responded to the governor's submission and certified that highway funds will not be withheld from this state in response to the modification or full or partial repeal of the law required under 23 U.S.C. Section 159.
  - As of January 2022, the effective date is not known and has not been determined by the Attorney General's office. The effective date will be given to Revenue Accounting once the Attorney General's office has fulfilled its duties.

### Peace Officer Fees

Courts	Municipal, Justice, County & District
Effective	1965 forward
Due date	Quarterly
Collection Fee	None
Statute	Local Government Code, Sec. 133.104 Code of Criminal Procedure, Art. 102.011
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	General Revenue Fund

### Rates

Service	09/01/1989 through 08/31/1999 *	09/01/1999 through 08/31/2007 *	09/01/2007 forward
For issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant (Art. 102.011 (a)(1))	\$5	\$5	\$5
For executing or processing an issued arrest warrant or capias (Art. 102.011 (a)(2))	\$35	\$50 **	\$50
For executing or processing an issued capias pro fine	N/A	N/A	\$50 ***

\* If the service is performed by a peace officer with statewide authority, 20% of the above amount is sent to the state. Officers with state-wide jurisdiction include:

- Rangers and officers commissioned by Department of Public Safety and the Public Safety Commission
- Law enforcement agents of the Texas Alcoholic Beverage Commission
- Members of an arson investigating unit commissioned by the state
- Officers commissioned by the Texas Forestry Commission
- Officers commissioned by the General Services Commission
- Law enforcement officers commissioned by the Parks & Wildlife Commission
- Security officers commissioned as peace officers by the Comptroller
- Investigators commissioned by the Texas Medical Board
- Investigators employed by the Texas Racing Commission
- Officers commissioned by the State Board of Pharmacy
- Investigators commissioned by the Attorney General
- Security officers and investigators commissioned as peace officers by the Lottery Commission
- An officer employed by the Texas Department of State Health Services
- Officers commissioned by the State Fire Marshall
- An investigator commissioned by the Commissioner of Insurance

- Apprehension specialists commissioned by the Texas Juvenile Justice Department as officers
- State University police officers (Education Code, Sec. 51.203)
- Investigators commissioned by the Texas Juvenile Justice Department as officers (*HB 2884, 80th Session, 2007, effective 09/01/2007*)

This list does not include police/security officers for universities other than state universities, or inspectors for barbers, cosmetology or plumbing, etc.

When the service is performed by a local peace officer, nothing is sent to the state.

\*\* The increase for warrant fees applies to those processed on or after 09/01/1999 regardless of date of offense.

\*\*\* The fee for *capias pro fine* applies to those with an offense date on or after 09/01/2007.

### Description

- Arrest Fees:
  - The \$5 arrest fee is for warrantless arrest, citation or ticket.
  - The \$35 writ fee is for other things, such as a summons for a defendant or a juvenile's parents, etc. None of this is remitted to the state.
  - The \$50 warrant fee is for an arrest warrant, *capias* or *capias pro fine*. Effective 09/01/2017, a court may not issue a *capias pro fine* for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing on the defendant's ability to satisfy the judgment and either the defendant fails to appear at the hearing, or based on evidence presented, the court determines that the *capias pro fine* should be issued. The court shall recall a *capias pro fine* if, before the *capias pro fine* is executed the defendant voluntarily appears to resolve the amount owed, and the amount owed is resolved in any manner authorized by the Code of Criminal Procedure.
- Applies to all felonies, Class A, B or C misdemeanors, and municipal ordinances, including deferred disposition and deferred adjudication.
- Offenses relating to pedestrians or the parking of a motor vehicle are not specifically excluded, but if these services are not provided by a peace officer, the fees do not apply.
- The \$5 arrest fee is not due on Failure to Appear or Violation of Promise to Appear because these are not issued or processed by peace officers. If a peace officer processes or serves an arrest warrant for Failure to Appear or Violation of Promise to Appear, the \$50 warrant fee is due.

### Note:

- Between 09/01/1985 and 08/31/1989, the fee to be sent to the state was \$3 for each Class C misdemeanor, and \$10.00 for each misdemeanor conviction other than Class C.

- These fees should be collected whenever the service is performed by a peace officer, but cities and counties occasionally report 100% of the above fees to the state instead of the 20% when performed by a state officer.

### Historical Background

Fees for services of peace officers were originally provided in legislation in 1965. It was originally in Code of Criminal Procedure, Article 53.01. House Bill 1593, 69th Session (1985), effective 09/01/1985, amended Art. 53.01(a)(1) to provide for arrest fees on Class A, B and C misdemeanors. Subsections (b) and (c) were also added. The Code of Criminal Procedure was recodified effective 09/01/1985, and the fees for services of peace officers were put in Code of Criminal Procedure, Art. 102.001. Senate Bill 187, 74th Session (1995), added Art. 102.011(i), relating to overtime paid to a peace officer for time spent testifying in trial or traveling to/from trial. Senate Bill 206, 74th Session (1995), increased the mileage from 21 cents per mile to 29 cents per mile and added expenses for meals and lodging incurred by the peace officer. Senate Bill 163, 76th Session (1999), increased the warrant fee in subsection (a)(2) from \$35 to \$50, effective 09/01/1999.

House Bill 3060, 80th Session (2007), effective 09/01/2007, added capias pro fine to the documents on which the \$50 fee is due under subsection (a) (2). House Bill 2884, 80th Session (2007), made some amendments to the listing of who are peace officers, effective 09/01/2007.

Senate Bill 1913, 85th Session (2017), amended Code of Criminal Procedure, Article 43.05 by adding subsections (a-1) and (a-2) and Article 45.045 (a-2) and (a-3) to require certain pre-requisites before issuing a capias pro fine.

### Discussion

These fees previously were referred to as “Arrest Fees” but over the years, more and more were added to this section of the statute. In 2003 when the forms were changed and the major consolidation was done, the Comptroller took the opportunity to change the name to a more appropriate label, to call it “Peace Officer Fees.”

One of the most common errors on this fund is that the city or county will report 100% of the fund instead of only 20% when a state law enforcement officer is involved.

A warrant or capias needs a judge’s signature before it is considered “issued.”

The statute does not define “processing.” In practice, it generally includes any activity performed by a peace officer after a warrant/capias is issued, related to the purpose the warrant/capias was issued for. For example, after a capias pro fine is issued, if a peace officer makes a phone call, sends a letter or enters the capias in the databank, it is considered “processed.” A court employee’s actions do not constitute processing for this purpose.

If a law enforcement officer arrests someone on the side of the road, for example for a DWI, only the \$5 arrest fee is due for “making an arrest without a warrant.” The \$50

warrant fee is not due unless the court later issues an arrest warrant, i.e. for failure to appear for the court date. In another example, a law enforcement officer completes a complaint form for a retailer for a hot check. When the court sends written notice of this complaint to the defendant, the \$5 arrest fee is not due because this is not a service of a peace officer. If the court skips that step and simply issues an arrest warrant, the \$50 fee is due when the arrest warrant is executed or processed.

On the hot check issue, the date the check was written is the offense date. If the retailer waits some time before going to the court, the date the complaint is written up is irrelevant, but there is a two-year statute of limitations for the complaint to be filed.

If there is an original violation and a secondary offense of “Violation of Promise to Appear”, the court may issue an arrest warrant in each of the two cases and charge a fine, court costs and the \$50 warrant fee on **each** case.

If another law enforcement agency executes a warrant, that agency is entitled to the full \$50 fee if they request it from the court within 15 days of the arrest (but if it was a state peace officer, 20% will be due to the state by the court which collected it). If the other agency does not request the money in the required time period, the warrant fee should be retained by the city (less the 20% if state officer involved).

The Comptroller has authority to make adjustments for over-collections on funds over which the Comptroller has audit authority. The audit authority for peace officer fees is found in Chapter 133, Local Government Code. Even if a state officer is not involved, if the city/county over-collected peace officer fees, they should be scheduled as unjust enrichment unless refunded to the defendant.

## Sexual Assault Program Fund (SAP)

Courts	County and District Courts, County Treasurers, CSCD offices and Pardon & Parole Division of Texas Dept. of Criminal Justice
Effective	08/30/1993 forward
Due date	Quarterly
Collection Fee	None
Statute	Code of Criminal Procedure, Art. 42.12, Sec. 19(e) through 12/31/2016 and Code of Criminal Procedure, Art. 42A.653(a) effective 01/01/2017 Government Code, Art. 420.008 and 508.189
Report Form	Form 40-139 report form and supplement Form 40-140
Purpose	Multiple agencies as outlined in Government Code, Article 420.008, for services related to sexual assault and prevention crisis services

### Rate

- A community supervision fee of \$5 per month during the period of community supervision, when the defendant is granted community supervision under certain sections of the Penal Code (see below). This fee is collected by the Community Supervision Departments. Code of Criminal Procedure, Art. 42.12, Sec. 19(e) through 12/31/2016 and Code of Criminal Procedure, Art. 42A.653(a) effective 01/01/2017.
- A parole supervision fee of \$5 per month during the period of parole supervision, when the person was convicted of an offense under certain sections of the Penal Code (see below). This fee is collected and deposited by the Pardon and Parole Division of the Department of Criminal Justice. Gov. Code, Sec. 508.189.

### Notes:

- The Penal Code sections referenced are:
  - Section 21.08 Indecent exposure.
  - Section 21.02 Continuous Sexual Abuse of Young Child or Children (*HB 8, 80th Session, 2007, effective 01/01/2008*).
  - Section 21.11 Indecency with a child.
  - Section 22.011 Sexual assault.
  - Section 22.021 Aggravated sexual assault.
  - Section 25.02 Prohibited sexual conduct.
  - Section 43.25 Sexual performance by a child.
  - Section 43.26 Possession or promotion of child pornography.
- Fees collected by the Pardon and Parole Division of the Dept. of Criminal Justice are deposited directly into the treasury;
- Fees collected by the Community Supervision Departments are reported by the County Treasurer on a form displayed in Chapter 6 of this manual.
- Prior to 09/01/2003 there was no specific due date in the statute for these fees. Quarterly due dates were established in House Bills 2424 and 2425, 78th Session (2003).

**Notes:**

- Report Form 40-139 encompasses both the Sexual Assault Program and the Substance Abuse program and has two pages: a front page for summary data and a supplement page for case information. The data on the supplement pages is not captured on the computer system; only the summary data is captured. However, the supplement pages are imaged and may be viewed to determine what cases have been reported. The county is to send one check for the total of fees collected for both programs for that quarter.
- A taxpayer may use their own computer printouts or lists instead of the supplement form. The printouts or lists must be 8½ x 11 inches only, front only and include the county's taxpayer number, the quarter being reported, the program for which the fees have been collected, the probationer's case number and name, and the fee amount collected.
- Local Government Code, Section 133.055(b) does not require the County to send zero reports when there is nothing to report.

**Historical Background**

This fund was created by House Bill 2178, 73rd Session (1993).

House Bill 2424, 78th Session (2003), added Section 133.055 to Subchapter B, Local Government Code, requiring the county treasurer, or custodian of the county treasury, to remit the fees collected for the Sexual Assault Program. This bill also established a due date for this fund for the first time. Previously there was no due date so the reports could be sent at any time by the county or CSCD. The first **quarterly** report form was for the third quarter of 2003.

The due date was also established as quarterly by House Bill 2425, 78th Session (2003).

House Bill 8, 80th Session (2007), added Penal Code, Section 21.02, to the listing of offenses. This was effective 09/01/2007 but was delayed to 01/01/2008 by Government Code, Section 51.607. House Bill 1751, 80th Session (2007), amended the provisions for appropriation of the funds, effective 01/01/2008.

House Bill 2299, 84th Session (2015), repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

**Discussion**

The \$5 community supervision fee is collected from the probationer when the probationer appears before their assigned Community Supervision and Corrections Department (CSCD). It is part of a number of fees to be collected monthly, as outlined in the judgment. Prior to 09/01/2003, some CSCDs forwarded the money and information to the County Treasurer, who completed the form and reported it to the Comptroller. Some CSCDs reported the fees directly to the Comptroller, filling out and completing the form without the funds going through the County Treasury. These were typically reported under a taxpayer number assigned to the CSCD.

Beginning with September 2003, the reports for the Sexual Assault Program should appear on XIDATA under the county's taxpayer id number. Data prior to 09/01/2003 was reported under the taxpayer number for the CSCD. However, this was not automated and will not appear on CICS inquiry. Contact Revenue Accounting to get the old data.

**Note:** Revenue Accounting allows the county to have the report form sent to the CSCD for completion, and the report form is sent to the address of the CSCD. However, the taxpayer number on the form will be that of the county, not the CSCD.

Also, CSCD offices may handle more than one county, frequently two or three counties. The data should be separated by county since the CSCD must report the collections for the county for which collected.

### Specialty Court Program (SCP)

Courts	County & District only
Effective	06/15/2007 through 12/31/2019
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Code of Criminal Procedure, Art. 102.0178
Report Form	Form 40-147
Purpose	Drug Court Account in the General Revenue fund to fund drug court programs established under Chapter 469, Health and Safety Code and later transferred to Government Code, Chapter 123.

#### Rate

This fee is repealed as of 01/01/2020 per Senate Bill 346, 86th Session, (2019) and rolled into the new Consolidated Court Fee (2020) with an allocation percentage of 1.0377% credited to the Specialty Court. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should still be reported on the quarterly City or County Criminal Costs return.

Offense	06/15/2007 through 12/31/2009	01/01/2010 through 12/31/2019
Per conviction	\$50.00	\$60.00

- Court cost on offenses punishable as a Class B misdemeanor or any higher category of offense under Penal Code, Chapter 49, or Health and Safety Code, Chapter 481.

If the county has established a drug court program or establishes a drug court program before the expiration of the calendar quarter, they are also allowed to retain, **in addition to** the 10% collection fee, **another 50%** of the funds collected. This is to be used exclusively for the development and maintenance of drug court programs operated within the county.

This means that the County may remit one of the following amounts:

Situation	06/15/2007 through 12/31/2009	01/01/2010 through 12/31/2019
County <b>does not</b> operate a drug court program and files the return late	\$50	\$60
County <b>does not</b> operate a drug court program and files the return timely and retains a 10% collection fee	\$45 (\$50-\$5)	\$54 (\$60-\$6)
County operates a drug court program but files the return late	\$25 (\$50 X ½)	\$30 (\$60 X ½)

Situation	06/15/2007 through 12/31/2009	01/01/2010 through 12/31/2019
County operates a drug court program and files the return timely and retains a 10% collection fee	\$20 (\$50 X ½ = \$25-\$5)	\$24 (\$60 X ½ = \$30-\$6)

### Description

Applies to offenses committed on or after June 15, 2007.

Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.

Chapter 49 sections included:

- Sec. 49.04: Driving while intoxicated (Class B misdemeanor) \*
- Sec. 49.045: Driving while intoxicated with child passenger (felony)
- Sec. 49.05: Flying while intoxicated (Class B misdemeanor) \*
- Sec. 49.06: Boating while intoxicated (Class B misdemeanor)
- Sec. 49.065: Assembling or operating an amusement ride while intoxicated (Class B misdemeanor) \*
- Sec. 49.07: Intoxication assault (felony)
- Sec. 49.08: Intoxication manslaughter (felony)

\* may be enhanced to Class A misdemeanor or felony upon subsequent convictions

These sections are **not** included:

- Sec. 49.02: Public intoxication (Class C misdemeanor)
- Sec. 49.031: Possession of alcoholic beverage in motor vehicle (Class C misdemeanor)

### Historical Background

This fund was added by House Bill 530, 80th Session (2007). The bill provided an effective date of June 15, 2007.

This fund is included on the third quarter return for 2007, but only for offenses on or after June 15, 2007.

House Bill 666, 81st Session (2009), increased the court cost to \$60. The bill was effective 09/01/2009, but the \$60 fee was postponed to January 1, 2010, due to the provisions of Government Code, Sec. 51.607.

Senate Bill 462, 83rd Session (2013), transferred Health & Safety Code, Ch. 469 to Ch. 123 in Government Code effective 09/01/2013. And, the fund is known as Specialty Court Program Fund instead of Drug Court Program Fund.

Senate Bill 346, 86th Session (2019) repealed the Specialty Court Program and rolled it into the new Consolidated Court Fee (2020) effective 01/01/2020. In addition to being rolled into the new CCF (2020) **state** fee, the new CCF (2020) **local** fee has an allocation for the Specialty Court Account of 16.2602% on convictions of Class A or B misdemeanors and 23.8095% on convictions of felonies. The **local** portion may only be allocated by a county to fund specialty court programs established under Subtitle K, Title 2, Government Code.

## State Traffic Fine (STF)

Courts	Municipal, Justice, County & District
Effective	09/01/2003 forward
Due date	Quarterly
Collection Fee	<b>4%</b> upon timely filing for offenses on or after 01/01/2020; 5% for offenses prior to 12/31/2019
Statute	Transportation Code, sec. 542.4031
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	70% to the General Revenue Fund 30% to the Designated Trauma Fund and Emergency Medical Services Account

### Rate

- \$50 upon conviction of an offense under the Transportation Code Subtitle C Rules of the Road, effective 01/01/2020 forward.
- \$30 upon conviction of an offense under Transportation Code, Title 7, Subtitle C, Rules of the Road (Chapters 541-600) effective 09/01/2003 through 12/31/2019.

### Description

- Applies to offenses committed on or after September 1, 2003.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Includes convictions of felonies, Class A, B and C misdemeanors, and municipal ordinances. See [Table VI in Chapter 10](#) for details of offenses subject to the State Traffic Fine.
- **Includes** offenses relating to pedestrians or the parking of motor vehicles. There are no state court costs on parking or pedestrian offenses, except for the State Traffic Fine. This is an exception to the rule when the state gets money from a parking or pedestrian violation. However, it only includes parking and pedestrian offenses under the Rules of the Road, Chapters 541-600, Transportation Code. This **does not include** municipal ordinances, or offenses of handicapped parking, which is in Transportation Code, Chapter 681.

State Traffic Fine applies to all fine-only misdemeanors, as well as Class A/B misdemeanors and felonies listed in the Transportation Code, Subtitle C, Rules of the Road (Chapters 541-600). It, therefore, does **not** include:

- Failure to display registration insignia (Sec. 502.473)
- Expired registration (Sec. 502.407)
- Obscured insignia (Sec. 502.475)
- Expired driver's license (Sec. 521.025, 521.026)
- Failure to change name/address on driver's license (521.054)
- Violation of license restrictions (521.221)
- Driving while license invalid (521.457)
- Commercial driver's licenses (Sec. 522.011)
- Failure to maintain insurance (Sec. 601.051)
- Commercial motor vehicle offenses (Chapter 644)

- Motorcycle headgear offenses (Chapter 661)
- Handicapped parking (Sec. 681.011)

State Traffic Fine also does not apply to civil penalties imposed for photographic traffic signal enforcement.

### Historical Background

This cost was originally added by House Bill 3588, 78th Session (2003), effective 09/01/2003, and it was called “state traffic **fee**.” It was amended in the 78th Session third special session (2003) by House Bill 2, effective 01/11/2004, and was renamed “state traffic **fine**.” It is still considered to be a court cost, and as such, is included along with all other court costs in pro-rations of partial payments.

The State Traffic Fine was due to expire September 1, 2007 (Sec. 542.4031(k) but this expiration was removed by House Bill 2470, 79th Session (2005).

House Bill 2048 86th Session (2019) increased the rate from \$30 to \$50, re-designated the funding of the fee, and decreased the service fee from 5% to 4%. When the bill passed, there was confusion among several agencies whether the STF remained a cost or became a fine. If the STF remained a cost, it would be effective 01/01/2020 due to the delay provisions of Government Code 51.607. However, the Comptroller implemented the rate change to be effective 09/01/2019 and changed the quarterly returns to reflect the higher rate (\$50) and lower service fee (4%). Regardless of how a City or County implements the changes for this fee, if they are consistent in their application of the changes, an audit will not penalize them for the collections of the fee. See Discussion section for additional information.

### Discussion

If a defendant is charged with a Subtitle C offense and fails to appear in court, the prosecutor has the right to charge them with a secondary offense for “violation of promise to appear” which is also in the Transportation Code. Some courts mistakenly use a secondary offense of “failure to appear” which is from the Penal Code, Sec. 38.10. The \$30 State Traffic Fine applies to Transportation Code Sec. 543.009 but does **not** apply to Penal Code Sec. 38.10.

Also, since this is considered to be a court cost, it can be assessed in addition to the maximum fine allowed for the offense. For example, if the maximum fine for the offense is \$200, the court can assess the \$200 fine, plus court cost, including the \$30 STF.

One of the additional quirks on this fund is that only a 5% collection fee is allowed, rather than usual 10%. This may prove to be a common source of error as audits are done on this fund. Effective 01/01/2020 the collection fee is 4%.

With the passage of HB 2048, 86th Session (2019), several agencies reviewing the bill disagreed on the treatment of the STF as a court cost and considered it a fine. SB 891, 86th Session (2019), effective 09/01/2019, transferred the responsibilities of interpreting and publishing the list of court costs from the Comptroller to the Office of Court

Administration (OCA). However, that list must be published by August 1 following the end of the legislative session. Since the Comptroller was still responsible for publishing changes to court costs on 08/01/2019, before responsibility transferred to OCA, we have retained authority over the interpretation of STF until August 1 following the 2021 legislative session, at which time we will defer to OCA's interpretation of STF.

In the summer of 2019 OCA determined STF is a fine and should not be included in the proration of court costs and published this interpretation to the cities and counties in Texas. Due to confusion of how to interpret this bill, effective 09/01/2019, the Comptroller implemented the increased amount of STF in HB 2048 as a cost that is reported on the quarterly criminal costs returns. STF should still be included in the proration of court costs when partial payments are made.

As stated above in the Historical Background, since the cities and counties were receiving conflicting information about STF, when an audit is performed for a city or county during this applicable time period, the auditor should not make any adjustments for STF regarding the rate change or proration of the STF in court costs as long as the city or county was consistent in their application of changes during that time period. However, this fee should still be assessed in an audit if a city or county did not charge STF on an applicable offense.

## Substance Abuse Felony Program (SAF)

Courts	County and District Courts, County Treasurers and CSCD offices
Effective	09/01/1999 forward
Due date	Quarterly
Collection Fee	None
Statute	Code Criminal Procedure, Art. 42.12, Sec. 14 through 12/31/2016; Code of Criminal Procedure, Art. 42A.303, effective 01/01/2017.
Report Form	Form 40-139 and supplement Form 40-140
Purpose	General Revenue Fund

### Rate

A fee established by a judge for residential aftercare required as a part of a treatment plan for substance abuse.

If a judge requires as a condition of community supervision that the defendant serve a term of confinement and treatment in a substance abuse treatment facility, the judge shall also require that upon release from the facility the defendant participate in a drug or alcohol abuse continuum of care treatment plan and pay a fee established by the judge for residential aftercare. The amount of the fee is determined by the judge.

### Notes:

- Prior to 09/01/2003, there was no specific due date in the statute for these fees. Quarterly due dates were established by House Bills 2424 and 2425, 78th Session (2003).
- The report form encompasses both the Sexual Assault Program and the Substance Abuse program and has two pages: a front page for summary data and a supplement page for case information. The data on the supplement pages is not captured on the computer system; only the summary data is captured. However, the supplement pages are imaged and may be viewed to determine what cases have been reported. The county is to send **one** check for the total of fees collected for both programs for that quarter.
- A taxpayer may use their own computer printouts or lists instead of the supplement form. The printouts or lists must be 8.5 x 11 inches only, front only and include the county's taxpayer number, the quarter being reported, the program for which the fees have been collected, the probationer's case number and name, and the fee amount collected.
- Local Government Code, Section 133.055(b) does not require the County to send zero reports when there is nothing to report.

### Historical Background

This fund was created by Senate Bill 365, 76th Session (1999).

House Bill 2424, 78th Session (2003), added Section 133.055 to Subchapter B, Local Government Code, requiring the county treasurer, or custodian of the county treasury, to remit the fees collected for the Substance Abuse Felony Program. This bill also established a due date for this fund for the first time. Previously there was no due date

so the reports could be sent at any time by the county or CSCD. The first quarterly report form was for the third quarter of 2003.

The due date was also established as quarterly by House Bill 2425, 78th Session (2003).

House Bill 2299, 84th Session (2015), repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

### Discussion

The residential aftercare fee is collected from the probationer when the probationer appears before their assigned Community Supervision and Corrections Department (CSCD). Prior to 09/01/2003, some CSCDs forwarded the money and information to the County Treasurer, who completed the form and reported it to the Comptroller. Some CSCDs reported the fees directly to the Comptroller, filling out and completing the form without the funds going through the County Treasury. These were typically reported under a taxpayer number assigned to the CSCD. Beginning with September 2003, the reports for the Substance Abuse Felony Program should appear on XIDATA under the county's taxpayer id number. Data prior to 09/01/2003 was reported under the taxpayer number for the CSCD. However, it was not automated and will not appear on CICS inquiry. Contact Revenue Accounting for old, reported data.

**Note:** Revenue Accounting allows the county to have the report form sent to the CSCD for completion, and the report form is sent to the address of the CSCD. However, the taxpayer number on the form will be that of the county, not the CSCD.

Also, CSCD offices may handle more than one county, frequently two or three counties. The date must be separated by county since the CSCD must report the collections for the county for which collected.

## Time Payment Fee (TP)

Courts	Municipal, Justice, County & District
Effective	09/01/1997 through 12/31/2019
Due date	Quarterly
Collection Fee	None
Statute	Code of Criminal Procedure, Art. 102.030 (Previously Local Government Code, Sec. 133.103) (Previously Government Code, Sec. 51.921, repealed 01/01/2004)
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	General Revenue Fund

### Rate

The State amount of the fee was repealed by Senate Bill 346 86th Session (2019). The fee is still due but only \$15 is due and is retained locally; the fee is no longer reported to the State on the Criminal Report forms effective 01/01/2020. However, for offenses (or convictions in County and District courts) occurring prior to 01/01/2020, the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly city or county criminal return.

\$25 per conviction when the defendant has not paid all fines, fees, costs and restitution by the 31st day after the judgment effective 09/01/1997 through 12/31/2019. One-half is remitted to the state and the other one-half is retained locally.

### Description

- Repealed as a state court cost as of 01/01/2020.
- Applies to offenses committed on or after September 1, 1997.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Includes convictions of felonies, Class A, B and C misdemeanors, and municipal ordinances.
- **Includes** offenses relating to pedestrians or the parking of motor vehicles.
- Applies to each court order to pay a fine, court costs or restitution. If the court consolidates several charges and imposes a single charge on a **single court order**, only one Time Payment Fee applies. If, on the other hand, the court issues more than one order imposing fine, court costs, and/or restitution, a Time Payment Fee is due on **each** court order not satisfied within 30 days. (See Attorney General Opinion DM-464.)
- If a defendant gets a ticket and is granted the right to take a driving safety course, this is a type of deferral, and court costs are due up front. If at the end of the deferral period the defendant **did not** complete the driving safety course, the court will proceed to judgment and impose the fine. The defendant has up to 30 days from the date of the judgment to pay the remaining amounts due. If not paid within 30 days, then the Time Payment Fee will apply on the 31st day.
- The Time Payment Fee does not apply to a special expense fee. This is not a cost, fine or restitution. A special expense may only be assessed after the case is

dismissed and is enforced by a writ of execution. See Attorney General Opinion JM-526 (1986).

**Note:**

- Prior to 01/01/2004, this fee was remitted monthly on the last day of each month.
- From 09/01/1997 through 08/31/1999, the Time Payment Fee was due whenever a defendant paid any part of the fine, court costs or restitution over time rather than immediately.
- Effective 09/01/1999, this was amended to clarify that the Time Payment Fee is due whenever a defendant pays any part of a fine, court cost or restitution on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs or restitution.
- Time Payment Fee does not apply to offenses committed before the effective date of this statute, 09/01/1997.

**Historical Background**

Senate Bill 1417, 75th Session (1997) created the Time Payment Fee, effective 09/01/1997.

Government Code Sec. 51.921 was repealed by House Bill 2424, 78th Session (2003), and the Time Payment Fee became part of Local Government Code, Chapter 133, which included the change in definition of “conviction.”

Senate Bill 346, 86th Session (2019) repealed the Time Payment Fee amount that is reported to the Comptroller effective 01/01/2020. When an offense (or conviction in county and district courts) occurs on or before December 31, 2019, the version of the local government code 133.103 in effect on December 31, 2019 applies regardless of the new date the defendant fails to pay. For an offense (or conviction in county and district courts) committed on or after January 1, 2020, the time payment fee is governed by Code of Criminal Procedure, Art. 102.030.

**Discussion**

If there is no judgment, there are no court costs due and no Time Payment Fee. The clock for the Time Payment Fee begins on the date of judgment. (If the defendant simply mails in a payment, the court generally accepts that as a plea of guilty and the date they accept it and the judge signs off on it becomes the date of judgment.)

If a defendant appears in court and the court enters judgment and approves a pay-out plan that will take longer than 30 days, then the court should not include the Time Payment Fee in the total amount due at that time, but the court should notify the defendant that an additional \$25 will be due if the fines and costs are not paid within 30 days of the judgment. If the amount is included at the date of judgment, and the total amount is paid before the 31st day, the court should reverse the imposition of the Time Payment Fee.

The Time Payment fee is always due when there are unpaid costs, fees or fines more than 30 days after the date of judgment. Whether or not the defendant has entered into

a pay-out plan or not is irrelevant. It also does not matter that the court may have issued a *capias pro fine* for failure to pay the judgment. If the whole thing is not paid within 30 days of the judgment, Time Payment Fee is applicable.

Also, see Tax Code, Sec. 111.053, pertaining to Filing Dates, Weekends and Holidays. If the payments are made to the court and postmarked by the due date, they are accepted as timely. In addition, if the due date falls on a Saturday, Sunday or legal holiday, then the due date is extended to the next ordinary business day. So, if the defendant mailed the payment by the due date (which is the 30th day after the judgment), the Time Payment Fee should not be added.

Appeal to county court: A defendant is charged with an offense in municipal court, found guilty and the defendant appealed to the county court. If the county court dismisses the appeal and remands it back to the municipal court for execution of sentence, the date the county court remands it back is the date the clock starts ticking for the Time Payment Fee.

The Time Payment Fee does not apply to a special expense fee. This is not a cost, fine or restitution. A special expense may only be assessed after the case is dismissed and is enforced by a writ of execution. See Attorney General Opinion JM-5236 (1986).

Attorney General Letter Opinion #98-076, dated September 22, 1998, says that the Time Payment Fee must be assessed once per judgment of conviction when a defendant does not make full payment. The court may not assess a second Time Payment Fee when a payment plan is reinstated after default.

## Truancy Prevention and Diversion Fund (TPDF)

Courts	Municipal and Justice, County (on appeal) and District (on appeal)
Effective	01/01/2014 through 12/31/2019
Due date	Quarterly
Collection Fee	50% per certain requirements
Statute	Code of Criminal Procedure, Article 102.015
Report Form	Form 40-144 (City) or Form 40-145 (County)
Purpose	General Revenue Fund

### Rate

This fee is repealed as of 01/01/2020 per Senate Bill 346, 86th Session, (2019) and rolled into the new Consolidated Court Fee (2020) with an allocation percentage of 2.5956% credited to the Truancy Prevention and Diversion. However, for offenses (or convictions in County and District courts) that occur prior to 01/01/2020 the fee is still applicable, and any fees collected after 12/31/2019 should be reported on the quarterly City or County Criminal Costs return.

\$2

### Description

- Applies to offenses committed on or after January 1, 2014 through December 31, 2019.
- Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
- Includes convictions of Class C misdemeanors, and municipal ordinances.
- **Excludes** offenses relating to pedestrians or the parking of motor vehicles.
- Convicted means a sentence is imposed or the defendant receives deferred disposition in the case
- 50% of funds collected may be retained if the county or municipality has established or is attempting to establish a juvenile case manager program

### Historical Background

This fund was created by Senate Bill 1419, 83rd Session (2013). The effective date was 09/01/2013 but delayed to 01/01/2014 due to the provisions of Government Code, 51.607.

Senate Bill 346, 86th Session (2019) repealed the Truancy Prevention and Diversion Fee and rolled it into the new Consolidated Court Fee (2020) effective 01/01/2020.

## **CHAPTER 3: CRIMINAL COSTS – MUNICIPALITIES**

### **Introduction**

Court costs, fines and fees relating to municipalities (cities) are generated from violations of city ordinances and state laws. These include various misdemeanor convictions punishable by fine only.

The following chart lists the funds applicable in municipal courts by the time period in which each was effective. The name and number of each fund is linked back to the detailed descriptions in Chapter 2.

Municipalities are responsible for the following funds:

### **Applicable Funds by Time Period**

Fund	01/01/2014 through 12/31/2019	01/01/2020 forward
<a href="#">Child Safety Seat and Seat Belt Violations</a>	X	X
<a href="#">Child Safety Seat Court Cost</a>	Not Applicable	Not Applicable
<a href="#">Consolidated Court Fee (2004)</a>	X	Not Applicable
<a href="#">Consolidated Court Fee (2020)</a>	Not Applicable	X
<a href="#">Driving Records Reimbursement Fee</a>	X	X
<a href="#">Excess Highway Fines</a>	X	X
<a href="#">Excess Motor Carrier Fines</a>	X	X
<a href="#">Failure to Appear/Pay</a>	X	Not Applicable
<a href="#">Indigent Defense Fund</a>	X	Not Applicable
<a href="#">Judicial Support Fee</a>	X	Not Applicable
<a href="#">Jury Reimbursement Fee</a>	X	Not Applicable
<a href="#">Metal Recycling</a>	X	X
<a href="#">Motor Carrier Weight Violations</a>	X	X
<a href="#">Moving Violation Fees</a>	X	Not Applicable
<a href="#">Peace Officer Fees</a>	X	X
<a href="#">State Traffic Fine</a>	X	X
<a href="#">Time Payment Fee</a>	X	Not Applicable
<a href="#">Truancy Prevention and Diversion Fund</a>	X	Not Applicable

Note: An X means that the fund was effective for the time periods in the column headings, unless otherwise indicated.

Municipal Court Cost Charts for Offenses Committed

- January 1, 2020 forward
- January 1, 2014 through December 31, 2019

## Abbreviations

The following abbreviations are used on these charts. Each one is linked back to the detailed descriptions of each fund in Chapter 2 for easy reference.

<b>Abbreviation</b>	<b>Fund</b>
CCF (2020)	<a href="#">Consolidated Court Fee (2020)</a>
CCF (2004)	<a href="#">Consolidated Court Fee (2004)</a>
IDF	<a href="#">Indigent Defense Fund</a>
JS	<a href="#">Judicial Support Fee</a>
JRF	<a href="#">Jury Reimbursement Fee</a>
STF	<a href="#">State Traffic Fine</a>
TPDF	<a href="#">Truancy Prevention and Diversion Fund</a>

## Municipal Courts – Court Costs, Fines and Fees for Offenses

Committed on or after January 1, 2020

Offense Category	Offense Description	CCF (2020)	STF *	Total
Municipal Ordinances	All municipal ordinances, excluding parking & pedestrian	\$62	\$0	\$62.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$50	\$50.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$62	\$50	\$112.00
State Law	Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$62	\$0	\$62.00
State Law	All other misdemeanors punishable by fine only	\$62	\$0	\$62.00

\* Effective 09/01/2019 the Office of Court Administration (OCA) determined the State Traffic Fine (STF) is a fine. Due to confusion of STF being a fine or court cost the Comptroller revised the Criminal Cost return for cities and counties to report the STF as \$50 effective 09/01/2019; however, the Comptroller has determined the STF is not a fine and the rate change should be effective 01/01/2020. The STF is still included in the proration of court costs when partial payments are received. See discussion for STF in Chapter 2.

Add the following mandatory fees, when applicable:

- Driving Records Reimbursement Fee (DRF): **Effective January 1, 2008**, a judge may require a defendant to pay \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal Fee. **Between January 1, 2006 and December 31, 2007**, the fee was \$10. Code of Criminal Procedure, Article 45.0511. Reported on quarterly report form.
- Peace Officer Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- Time Payment Fee: **Effective 01/01/2020** the Time Payment fee is a local fee and is no longer reported to the Comptroller; the local fee is \$15.

- Time Payment fee is due **based on the offense date**. If the offense occurred prior to 01/01/2020 but the payment of the fees and fines takes more than 30 days and the payments extend past 01/01/2020 then \$25.00 is due from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Metal Recycling Fines: Effective 09/01/2011, cities collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on quarterly report form.

**Important:** Local Court Costs, Fines and Fees may also apply. See [Table of Local Costs, Fines and Fees](#) at the end of this chapter.

## Municipal Courts – Court Costs and Fees for Offenses

Committed on or after January 1, 2014 through December 31, 2019

Offense Category	Offense Description	CCF (2004)	JRF	STF	JS	IDF	TPDF	Total
Municipal Ordinances	All municipal ordinances, excluding parking & pedestrian	\$40	\$4	\$0	\$6	\$2	\$2	\$54.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$0	\$0	\$30.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$6	\$2	\$2	\$84.00
State Law	Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$6	\$2	\$2	\$54.00
State Law	Education Code, Sec. 25.094, Failure to Attend School (repealed 09/01/2015)	\$40	\$4	\$0	\$6	\$2	\$2	\$54.00
State Law	All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$6	\$2	\$2	\$54.00

Add the following mandatory fees, when applicable:

- Driving Records Fee (DRF): **Effective January 1, 2008**, a judge may require a defendant to pay \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal Fee. Between January 1, 2006 and December 31, 2007, the fee was \$10. Code of Criminal Procedure, Article 45.0511. Reported on quarterly report form.
- Failure To Appear or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.

- Moving Violation Fees (MVF): Effective January 1, 2010, a \$0.10 court cost is assessed on conviction of moving violations. Reported on quarterly report form.
- Peace Officer Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Metal Recycling Fines: Effective 09/01/2011, cities collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on quarterly report form.

**Important:** Local Court Costs, Fines and Fees may also apply. See [Table of Local Costs, Fines and Fees](#) at the end of this chapter.

## Local Costs, Fines and Fees – Municipalities

Abbreviations of Type:

- Admin. Fee: Administrative Fee
- Reimb. Fee: Reimbursement Fee

Effective 01/01/2020, terminology changed for several items in the table below.

The following table shows the description of the statute abbreviations used in the Table of Local Costs, Fines and Fees.

Abbreviation	Statute
AB	Alcoholic Beverage Code
CCP	Code of Criminal Procedure
GC	Government Code
H&S	Health & Safety Code
LGC	Local Government Code
P&W	Parks & Wildlife Code
TC	Transportation Code

Description	Type	Statute	01/01/2016 through 12/31/2019	01/01/2020 forward
AFF – Operation of vehicle without license plate or registration insignia	Fine	TC 502.473	\$10	\$10
AFF – Expired Registration	Fine	TC 502.407(b)	\$20	\$20
AFF – Wrong, fictitious, altered or obscured insignia	Fine	TC 502.475	\$10	\$10
AFF – License to be carried and exhibited on demand	Admin. Fee	TC 521.025	\$10	\$10
AFF – Expired Driver’s License	Fine	TC 521.026	\$20	\$20
AFF – Failure to change name/address	Fine	TC 521.054	\$20	\$20
AFF – Special restrictions or endorsements	Fine	TC 521.221	\$10	\$10
AFF – Unsafe vehicle or prohibited equipment	Fine	TC 547.004	\$10	\$10
AFF – Expired Inspection	Fine	TC 548.605	\$20	\$20
Appellate Court Docket Fee (City of El Paso <b>only</b> )	Admin. Fee	GC 30.00147	\$25	N/A
Child Safety Fund	Fine	CCP 102.014	\$2-\$25	\$2-\$25
Clerk’s Record	Fee	GC 30.00014	\$25	N/A
Consolidated Court Fee (2020) ( <b>local</b> )	Fee	LGC 134.103	N/A	\$14
Driving Safety Course	Reimb. Fee	CCP 45.0511(f)(1)	\$10	\$10
Driving Safety Course	Fine	CCP 45.0511(f)(2)	Up to max. amt. of fine	Up to max. amt. of fine
Expired certificate of number for vessel	Fine	P&W 31.127	\$10	\$10

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Description	Type	Statute	01/01/2016 through 12/31/2019	01/01/2020 forward
Expunction	Reimb. Fee	AB 106.12	\$30	\$30
Expunction	Reimb. Fee	CCP 102.006	X	X
Expunction	Reimb. Fee	CCP 45.0216	\$30	\$30
Expunction	Fee	CCP 45.055	N/A	N/A
Expunction	Reimb. Fee	H&S 161.255	\$30	\$30
Failure to Appear or Pay	Reimb. Fee	TC 702.003	\$20	\$20
Failure to Appear or Pay	Reimb. Fee	TC 706.006	N/A	\$10
Impound Fee	Reimb. Fee	TC 601.263	\$15	\$15
Jury Fee	Fee	CCP 102.004	\$3	N/A
Juvenile Case Manager Fee	Fee	CCP 102.0174	\$5	N/A
Municipal Court Building Security Fee	Fee	CCP 102.017(b)	\$3	N/A
Municipal Court Technology Fund	Fee	CCP 102.0172	Up to \$4	N/A
Peace Officer	Reimb. Fee	CCP 102.011	X	X
Supplementary Fine (Special Expense Fee)	Fine	CCP 45.051	X	X
Teen Court	Reimb. Fee	CCP 45.052	\$10; or \$20 for certain localities	\$10; or \$20 for certain localities
Time Payment	Reimb. Fee	CCP 102.030	N/A	\$15
Traffic Fine	Fine	TC 542.403	\$3	\$3
Witness Fees	Fee	CCP 102.002	X	X

Notes:

A dollar amount means that the amount is specific.

X: the fund was effective for that time period, but the amount varies.

N/A: the fund was not effective for the time period indicated in the column heading.

**Note:** This is not intended to be an all-inclusive list of local court costs, fines and fees that statutes may allow to be collected in a criminal case.

## Description of Local Costs, Fines and Fees for Municipalities

(not intended to be an all-inclusive list)

### Administrative Fee or Fine

- Operation of Vehicle without License Plate or Registration Insignia: Section 502.473, effective 01/01/2008

Municipal court may dismiss the offense of failure to display registration insignia, subsection (a), if the defendant remedies the defect before the defendant's first court appearance. Municipal court may assess a fine not to exceed \$10 when the charge is dismissed.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607. House Bill 2357, 82nd Session (2011), effective 01/01/2012, renumbered Transportation Code Section 502.404 to 502.473.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Expired Registration: Section 502.407, effective 09/01/1995

Municipal court may dismiss the charge of driving with expired motor vehicle registration if the defendant remedies the defect not later than the 20th working day after the date of the offense. Municipal court may assess a fine not to exceed \$20 when the charge is dismissed. The fine may not be collected if the defendant is convicted of the offense of expired registration.

**Historical Note:** The \$10 administrative fee was added by Senate Bill 971, 74th Session (1995), effective 09/01/1995. The fee was increased to \$20 by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the increase in the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

House Bill 1623, 80th Session (2007), amended subsection (b)(1)(A) to the 20th working day instead of the 10th working day.

House Bill 2835, 86th Session (2019) added subsection (c)(1) and (2) to allow a defendant in violation of operating a motor vehicle with an expired vehicle registration, an additional defense to the offense, if at the time of the offense the office of the TAC where they live was closed for a protracted period of time and if the vehicle registration was expired for thirty working days or less.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Wrong, Fictitious, Altered or Obscured Insignia: Section 502.475, effective 01/01/2008

Municipal court may dismiss charge brought under subsection (a)(3), (5), (6) or (7) if the defendant remedies the defect before the defendant's first court appearance. Municipal court may assess a fine not to exceed \$10 when the charge is dismissed.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. The imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607. House Bill 2357, 82nd Session (2011), effective 01/01/2012, renumbered Transportation Code Section 502.409 to 502.475.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- License to be Carried and Exhibited on Demand: Section 521.025, effective 01/01/2008

Municipal court may dismiss charge if defendant produces a driver's license issued to the defendant, appropriate for the type of vehicle operated, and valid at the time of offense. Municipal court may assess an administrative fee not to exceed \$10 when the charge is dismissed.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. The imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- Expired Driver's License: Transportation Code, Sec. 521.026, effective 09/01/1995

Court may dismiss the charge of driving with an expired license if the defendant remedies the defect within 20 working days. The judge may assess the defendant a fine not to exceed \$20 when the charge of driving with an expired driver's license is dismissed. The fine may not be collected if the defendant is convicted of the offense of driving with an expired license.

**Historical Note:** The \$10 administrative fee was added by Senate Bill 971, 74th Session (1995), effective 09/01/1995. The fee was increased to \$20 and the time extended from 10 to 20 days by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Failure to Change Name or Address on License: Section 521.054, effective 01/01/2008

Court may dismiss the charge of failure to change name or address on license if the defendant remedies the defect no later than the 20th working day after the date of the offense and pays a fine not to exceed \$20. The court may waive the fine if the waiver is in the best interest of justice.

**Historical Note:** The \$20 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Special Restrictions or Endorsements: Section 521.221, effective 01/01/2008

Court may dismiss a charge for a violation of this section if the restriction or endorsement was imposed because of a physical condition that was surgically, or otherwise medically corrected, before the date of offense or was in error and that fact is established by the defendant, and the Department of Transportation removes the restriction or endorsement before the defendant's first court appearance. The court shall collect a fine not to exceed \$10 if the charge is dismissed.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Unsafe vehicle or prohibited equipment: Section 547.004, effective 01/01/2008

Court may dismiss a charge under this section if the defendant remedies the defect before the defendant's first court appearance and pays a fine not to exceed \$10.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Expired Inspection: Transportation Code, Sec. 548.605, effective 09/01/1995

The court shall dismiss a charge of driving with an expired inspection certificate if the defendant remedies the defect within 20 working days or before the defendant's first court appearance, whichever is later, and the inspection has not been expired for more than 60 days. The court **shall** assess a fine not to exceed \$20 when the charge of driving with an expired inspection certificate is remedied.

The court **may** dismiss a charge of driving with an expired inspection certificate that has been expired for more than 60 days. Statute is unclear about the application of the administrative fee in this case.

**Historical Note:** The \$10 administrative fee was added by Senate Bill 971, 74th Session (1995). It was amended by House Bill 707, 76th Session (1999), to add "working" day and added subsection (c) about the 60-day limitation. The fee was increased to \$20 and the time increased to 20 working days by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

### Appellate Court Docket Fee

Government Code, Sections 30.00147, effective 09/01/1985 and repealed 01/01/2020 by Senate 346, 86th Session (2019)

- Applies only to the City of El Paso
- Appellate court docket fee of \$25
- Clerk shall collect the fee on behalf of the appellate court

### Child Safety Fund

Code of Criminal Procedure, Art. 102.014, effective 07/01/1991

This is a local fine and is not to be remitted to the state. However, the **Comptroller is given** audit authority over this fund in Local Government Code, Section 106.004.

Applies to all municipal courts effective 07/01/1991. However, see Note below for restriction on first two offenses listed.

**Rate**

<b>Offense</b>	<b>07/01/1991 through 08/31/1997</b>	<b>09/01/1997 through 08/31/2015</b>	<b>09/01/2015 forward</b>
Transportation Code, Title 7, Subtitle C, when the offense occurs in a school crossing zone (Art. 102.014(c))	\$20.00 per conviction	\$25.00 per conviction*	\$25.00 per conviction*
Transportation Code, Section 545.066, Passing A School Bus	\$20 per conviction	\$25 per conviction*	\$25 per conviction*
Education Code, Sec. 25.093 (parent contributing to non-attendance) (art. 102.014(d))	\$20.00 per conviction	\$20.00 per conviction	\$20.00 per conviction
Education Code, Sec. 25.094 (failure to attend school) (art. 102.014(d) (repealed 09/01/2015))	N/A	\$20 per conviction	N/A
Parking violations if governing body has adopted ordinance, regulation or order regulating the stopping, standing or parking of vehicles as allowed by Transportation Code, Sec. 542.202 or Chapter 682, Transportation Code. <ul style="list-style-type: none"> <li>• Cities with population greater than 850,000: (Art. 102.014(a))</li> <li>• Cities with population less than 850,000: (Art. 102.014(b))</li> </ul>	\$2-\$5 court cost  Not to exceed \$5 court cost	\$2-\$5 court cost  Not to exceed \$5 court cost	\$2-\$5 court cost  Not to exceed \$5 court cost

\* **Note:** Between 09/01/1997 and 08/31/2001, the court cost for these two offenses could **only** be imposed in a municipality with a population of 400,000 or more. This population restriction was removed 09/01/2001, allowing it to be imposed in any municipality. Includes cases in which deferred disposition is granted.

**Historical Note:** 72nd Session, (1991), Senate Bill 460, (Session Laws, Chapter 830), added Article 6701d-26 to Texas Revised Civil Statutes, the Child Safety Fund. Section 4 of the bill stated that the “money collected under this article is subject to audit by the comptroller.” That gives the Comptroller audit authority over this local fund. It was also added in the Local Government Code, Section 106.004.

House Bill 1018, 75th Session (1997), removed the references to Uniform Act Regulating Traffic and replaced those references with the applicable Transportation Code sections. House Bill 1553, 75th Session (1997), increased the fee from \$20 to \$25 and limited the school crossing zone offenses to cities with a population of 400,000 or more. It also added Education Code, Section 25.094, to costs in subsection (d).

House Bill 374, 77th Session (2001), effective 09/01/2001, removed “with a population of 400,000 or more” from Art. 102.014(c), making it apply to all cities.

Education Code, Sec. 25.093 was previously called “thwarting compulsory attendance.”

House Bill 2398, 84th Session (2015) repealed Education Code 25.094 effective 09/01/2015.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase court cost to fine.

**Notes:** Audit authority for this fund was given in Senate Bill 460 and was added to Local Government Code, Sec. 106.004 as well.

If an offense occurs in a construction zone when workers are present, and this happens to also be a school crossing zone, the Child Safety Fund is due and the judge has the discretion to double the fine (not the court costs). See Transportation Code, Sec. 542.404.

In 1991, Section 25 of the Education Code was amended, allowing school officials to file a complaint against the parent in either municipal or justice court. If in justice court, it may be filed in either the precinct in which the school is located or in which the parent resides. If filed in the municipal court, it may be filed in the municipal court where the child lives or where the school is located. It also replaces the term “child” with “individual” because a “child” is defined as 17 years or younger. This adds the possibility of prosecuting those who are older than 17 but still defined as students.

A “school crossing zone” is defined in Transportation Code, Sec. 541.302 (13) as “a reduced speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies.”

### **Clerk’s Record**

Government Code, Sec. 30.00014, effective 09/01/1999 and repealed 01/01/2020.

- Fee of \$25 for preparation of the clerk’s record in criminal case
- Applies only in municipal courts of record (*Government Code, Sections 30.00014 and 102.141*)
- If case is reversed on appeal, fee shall be refunded to defendant.
- This fee is in addition to the fee for the actual transcription of the proceedings (aka Reporter’s Record).

**Historical Note:** House Bill 731, 76th Session (1999), added the \$25 fee to this section of the Government Code. It was then called a Transcription Fee. Senate Bill 1014, 79th Session (2005), changed the wording of the \$25 fee to call it a Clerk’s Record. The actual transcript is called a Reporter’s Record fee, previously called the statement of facts.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, repealed this fee.

### Consolidated Court Fee (Local)

Local Government Code 134, Subchapter C, Sec. 134.103, effective 01/01/2020

- Fee of \$14 for nonjailable misdemeanors in addition to all other applicable fees.
- The Treasurer shall allocate the fee to the following funds:

County or Municipal Local Fund	Percentage
Courthouse Security Fund or Municipal Court Building Security Fund	35%
Local Truancy Prevention and Diversion Fund	35.7143%
Justice Court Technology Fund or Municipal Court Technology Fund	28.5714%
County or Municipal Jury Fund	0.7143%

**Historical Note:** Senate Bill 346, 86th Session (2019), added the new **local Consolidated Court Fee**. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above.

In addition, SB346 has an effective date of 01/01/2020. OCA and CPA determined the bill is effective 01/01/2020; Government Code, Section 51.607 does not apply to the bill since the bill effective date is 01/01/2020. Thus, Cities and Counties should implement this new local Consolidated Court Fee on 01/01/2020, along with other legislative changes. Many jurisdictions disagree and have taken a position the changes in SB346 are not effective until 01/01/2021. An AG opinion was requested on 11/20/2019 by Navarro County.

### Driving Safety Course Reimbursement Fee/Fine

Code of Criminal Procedure, Art. 45.0511(f), effective 1975

- Article 45.0511(f)(1) provides that the court may require a person requesting a driving safety course under Subsection (b) to pay a reimbursement fee at an amount of not more than \$10 to cover the cost of administering the statute.
- Article 45.0511(f)(2) provides that a defendant requesting a driving safety course under 45.0511(d) may pay a fine set by the court not to exceed the maximum amount of the fine for the offense committed by the defendant.

**Historical Note:** This \$10 fee for driving safety courses was added in 1975 (Section 143A, Article 6701d, VACS). It was re-codified in 1995 to Section 143.106, Subtitle C, Rules of the Road, Transportation Code. It was re-codified again in 1999 to become Article 45.0511, Code of Criminal Procedure.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to reimbursement fee in Code of Criminal Procedure, Art. 45.0511(f)(1) and changed the term fee to fine in Code of Criminal Procedure, Art. 45.0511(f)(2) effective 01/01/2020.

**Note:** The fee in Art. 45.0511(f)(2) is **not** a special expense fee like the one in Art. 45.051(c). It is an “administrative fee” only and the amount cannot exceed the maximum amount of the fine allowed by law. The amount of the fine the court assessed is

irrelevant, whereas under Art. 45.051, the amount of the fine set by the court limits the amount of the special expense that can be imposed.

Also, these administrative fees are **not** included when calculating fines for Excess Highway Fines. The statute for Excess Highway Fines only refers to Article 45.051, not to Art. 45.0511 for traffic. Therefore, these administrative fees are not included.

### Expired Certificate of Number for Vessel

Parks and Wildlife, Section 31.127, effective 01/01/2008

- Court may dismiss a charge of operating a vessel with an expired certificate of number if the certificate of number has not been expired for more than 60 days, and the defendant remedies the defect not later than the 10th working day after the date of offense, and pays a fine not to exceed \$10.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

### Expunction Reimbursement Fee

- Alcoholic Beverage Code, Sec. 106.12: A reimbursement fee of \$30 for each application for expungement, effective 01/01/2006.
- Code of Criminal Procedure, Art. 45.0216: A reimbursement fee in justice court and municipal court in the amount of \$30, effective 01/01/2006.
- Code of Criminal Procedure, Art. 45.055: A fee of \$30 for each application for expungement, effective 01/01/2006 through 08/31/2015.
- Code of Criminal Procedure, Art. 102.006, fees for certified copies, effective 09/01/1985. The reimbursement fee will be the total for filing an ex parte petition in a civil action in district court (varies by county), \$1 plus postage for each certified mailing of notice of the hearing date and \$2 plus postage for each certified mailing of certified copies of an order of expunction.
- Health and Safety Code, Section 161.255: A reimbursement fee of \$30 for each application for expungement, effective 01/01/2006.

**Historical Note:** Senate Bill 1426, 79th Session (2005), added the \$30 fee under the Alcoholic Beverage Code, the \$30 fees under the Code of Criminal Procedure, Art. 45.0216 and 45.055 and the \$30 fee under the Health & Safety Code. House Bill 2398 repealed Code of Criminal Procedure, Art. 45.055, effective 09/01/2015. Senate Bill 346, 86th Session (2019) changed the term fee to the phrase reimbursement fee effective 01/01/2020.

### Failure to Appear or Pay

Transportation Code, Section 702.003, effective 01/01/2012

- A county assessor-collector or the Department of Motor Vehicles (DMV) may refuse to **register a motor vehicle** until the owner satisfies certain obligations.
- A municipality having a contract with the county assessor-collector in the county in which the municipality is located or with the DMV may impose an additional \$20 reimbursement fee to a person who has an outstanding warrant for failure to appear or pay a fine that involves the violation of a traffic law.
- A municipality shall notify the county assessor-collector or the DMV regarding a person for whom vehicle registration was denied once all fines and costs are paid, an appeal has been perfected, or charges have been dismissed.
- The \$20 fee may be used only to reimburse the DMV or the county assessor-collector for its expenses associated in providing services under the contract.

**Historical Note:** Senate Bill 971, 74th Regular Session (1995) added Transportation Code, Section 702.003 to allow for a municipality to contract with a county to deny the vehicle registration of a person who had an outstanding warrant related to a traffic law. Senate Bill 1386, 82nd Regular Session (2011) added subsection (e-1) to allow a municipality to charge the \$20 fee.

Senate Bill 346, 86th Session (2019) changed the term fee to the phrase reimbursement fee effective 01/01/2020.

### Failure to Appear or Pay

Transportation Code, Section 706, effective 01/01/2020

- Formerly a **state** court cost but the portion of the fee remitted to the Comptroller was repealed by Senate Bill 346, 86th Session (2019).
- A political subdivision may contract with the Department of Public Safety (DPS) to provide information necessary for the department to deny **renewal of the driver's license** of a person who fails to appear for a complaint or citation or fails to pay or satisfy a judgement ordering payment of a fine and cost in the manner ordered by the court in a matter involving any offense the court has jurisdiction of under Chapter 4, Code of Criminal Procedure.
- A political subdivision collecting this fee must be contracted with DPS and its agent Omnibase.
- When the city/county enters the data on an individual that has failed to appear for their court date, Omnibase sends the individual a letter informing them that DPS will not allow renewal of their driver's license until this case is cleared up.
  - If the defendant subsequently goes to the court and pays, the city/county will collect the additional \$10 for failure to appear and send Omnibase its fee.
  - If the defendant appears in court, is convicted and fines and court costs are assessed, another \$10 fee for failure to pay will be imposed if it is not all paid by the 31st day after the judgment.
  - The fee **is still due** even if the case is dismissed (case is not heard due to lack of witnesses, no prosecution or a deferral such a driving safety

course except for dismissals with prejudice by motion of the appropriate prosecuting attorney for lack of evidence).

- The FTA fee is also due when there is an appeal or a bond. The fee is also due when an appeal is completed (i.e., there is a judgment in municipal court and the case is appealed to county court.)
- The fee is due if bond is posted, if the fine and costs are paid or discharged, or the defendant makes other suitable arrangements to pay.
- If a defendant is charged with multiple offenses, i.e. three offenses on one ticket, there are three sets of court costs due. If the defendant fails to appear in court to answer the charges, the court can/should add the FTA fee to each of the three offenses for “failure to appear.”
- If the defendant does eventually show up and is ordered to pay, the clock starts again and the court may add the \$10 FTA fee to each of the three dockets for “failure to pay.” The court has the option of consolidating several charges and issuing one court order. If that is the case, there is only one \$10 FTA fee because it applies to each “order.”
- The \$10 fee may only be used to reimburse the vendor administering the program for the DPS.
- See Chapter 10, Table I for a list of cities and counties participating on the Omnibase program, along with the date the city or county began participation.

**Historical Note:** Senate Bill 346, 86th Session (2019) repealed the **state** Failure to Appear fee and made it a local fee to be assessed in addition to the existing Failure to Appear **local** fees.

### Impound Reimbursement Fee

Transportation Code, Section 601.263, effective 09/01/1995

- Impound reimbursement fee of \$15 per day for each day of impoundment of the defendant’s vehicle
- Vehicle shall be impounded on a second or subsequent conviction under Transportation Code, Section 601.191, failure to maintain insurance on the vehicle (case must be filed as a second or subsequent offense).

**Historical Note:** The impound fee was added by Senate Bill 971, 74th Session (1995), effective 09/01/1995.

Senate Bill 346, 86th Session (2019) changed the term fee to the phrase reimbursement fee.

## Jury Fee

Code of Criminal Procedure, Art. 102.004, effective 09/01/1999 for cities

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
  - The allocated percentage in the Consolidated Court Fee (**local**) is:
    - 0.7143% for nonjailable misdemeanors
  - The new fee is applicable to offenses occurring on or after 01/01/2020.
- A defendant convicted by a jury in a trial before a municipal court shall pay a jury fee of \$3.
- A defendant who requests a trial by jury and who withdraws the request not earlier than 24 hours before the time of trial shall pay a jury fee of \$3, if the defendant is convicted of the offense or final disposition of the defendant's case is deferred.
- If two or more defendants are tried jointly, only one jury fee of \$3 may be imposed. If the defendants sever and are tried separately, each defendant convicted shall pay the jury fee.

**Historical Note:** The \$3 jury fee was enacted in 1965 for counties (Article 45.08, Code of Criminal Procedure, which was subsequently re-codified into Article 102.004, CCP). Art. 102.004 originally did not apply to municipalities. Senate Bill 1230, 76th Session (1999), added municipalities, effective 09/01/1999.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Cost (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

**Note:** Under CCP, Art. 102.011(a)(7), there is a \$5 fee for summoning a jury. It could be in addition to the \$3 jury fee under Art. 102.004. However, the \$5 fee in Art. 102.011 can only be applied if the summoning of a jury was performed by a peace officer. If it was a court clerk or staff performing this function, the \$5 fee cannot be applied.

## Juvenile Case Manager Fee

Code of Criminal Procedure, Art. 102.0174, effective 01/01/2006

- a fee not to exceed \$5 as a court cost on the conviction of a fine-only misdemeanor offense in municipal court. Effective 09/01/2011, a municipality must employ a juvenile case manager in order to assess the \$5.
- fee must be adopted by the municipality
- adoption of fee must authorize the judge to waive the fee in a case of financial hardship
- to be used to finance the salary and benefits of a juvenile case manager employed under Article 45.056, Code of Criminal Procedure.

**Historical Note:** This fee was added by House Bill 1575, 79th Session (2005), effective 09/01/2005. However, imposition of the fee was postponed to January 1, 2006, by

Government Code, Section 51.607. Senate Bill 1489, 82nd Session (2011), effective 09/01/2011, added the condition of employing a juvenile case manager in order to assess the \$5 cost.

### **Municipal Court Building Security Fee**

Code of Criminal Procedure, Art. 102.017, effective 08/28/1995

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
  - The allocated percentage in the Consolidated Court Fee (**local**) is:
    - 35% for nonjailable misdemeanors
  - The new fee is applicable to offenses occurring on or after 01/01/2020.
- Governing body by ordinance may create the Municipal Court Building Security Fee.
- Defendant convicted of misdemeanor to pay \$3 security fee as cost of court.
- Fee is imposed if sentence is imposed, or defendant receives deferred adjudication or deferred disposition.
- Clerks shall collect the costs and pay them to the municipal treasurer for deposit into the Municipal Court Building Security Fund.
- Fund may be used to finance items for the purposes of security personnel, services and items relating to buildings housing a municipal court. Examples of appropriate uses are listed in the statute.

**Historical Note:** This fee was added by Senate Bill 349, 74th Session (1995), effective 08/28/1995. Subsection (f), which stated that this fund was to expire on 09/01/2005, was repealed by House Bill 1066, 78th Session (2003). House Bill 1380, 80th Session (2007), amended the purposes for use of the money.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Fee (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

### **Municipal Court Technology Fund**

Code of Criminal Procedure, Art. 102.0172, effective 09/01/1999

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
  - The allocated percentage in the Consolidated Court Fee (**local**) is:
    - 28.5714% for nonjailable misdemeanors
  - The new fee is applicable to offenses occurring on or after 01/01/2020.
- Governing body by ordinance may create the Municipal Court Technology Fund.
- May require defendant convicted of a misdemeanor offense to pay a technology fee not to exceed \$4 as cost of court.
- Fee is imposed if sentence is imposed, or defendant receives deferred adjudication or deferred disposition.

- Clerks shall collect the costs and pay them to the municipal treasurer for deposit into the Municipal Court Technology fund.
- Fund may be used to finance the purchase of technological enhancements for a municipal court or municipal court of record. Examples of appropriate uses are listed in the statute.

**Historical Background:** This fee was created by Senate Bill 601, 76th Session (1999), effective 09/01/1999. It was set to expire on 09/01/2005. House Bill 1066, 78th Regular Session (2003), eliminated the expiration clause.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Fee (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

### Peace Officer Reimbursement Fees

Code of Criminal Procedure, Art. 102.011, effective 09/01/1987 with multiple amendments (see statute for details of each category below). These services must be performed by a peace officer for the fee to be applicable.

- \$5 for issuing written notice to appear in court \*
- \$5 for making an arrest without a warrant \*
- \$50 for executing or processing an issued arrest warrant or *capias* \*
- \$5 for summoning a witness
- \$35 for serving a writ not otherwise listed in this article
- \$10 for taking and approving a bond
- \$5 for commitment or release
- \$5 for summoning a jury
- \$8 for each day's attendant of a prisoner in a habeas corpus case
- \$0.29 per mile for mileage required of an officer to perform a service
- \$10 for each day spent by an officer attaching a witness outside the county
- Costs of overtime paid to a peace officer for time spent testifying in the trial of the case and for traveling to/from testifying in the trial of the case

\* If this service is performed by a peace officer with statewide authority, 20% of the amount is to be remitted to the state.

**Historical Note:** Fees for services of peace officers actually originated in 1965. It was re-codified in 1985.

Senate Bill 346, 86th Session (2019, changed the term fee to the phrase reimbursement fee.

### Supplementary Fine (Special Expense Fee)

Code of Criminal Procedure, Article 45.051, effective 1981 (previously Code Crim. Proc. Art 45.54)

- Under Art. 45.051, Suspension of Sentence and Deferral of Final Disposition, if the complaint is dismissed, a supplementary fine not to exceed the amount of the fine assessed may be imposed.

**Historical Note:** The special expense fee was enacted in 1981 (Article 45.54, CCP). It was recodified in 1999 to become Article 45.051, CCP.

Senate Bill 346, 86th Session (2019), changed the phrase “special expense fee” to “fine”. In order to distinguish from the original fine assessed, the phrase “supplementary fine” is used.

**Note:** This fine in 45.051 is a supplementary fine. It cannot exceed the amount of the fine that was assessed by the court. For example, if the maximum amount of the fine was \$200, but the court assessed a \$100 fine which was deferred, then at the end of the deferral period, the court can only impose a supplementary fine not to exceed the \$100. This supplementary fine **is included** in calculations for fines when calculating Excess Highway Fines. Prior to 01/01/2020, the special expense fee was not the same as administrative fees for driver safety course deferrals; as those driver safety course administrative fees were retained locally and not included in the calculation of Excess Highway Fines. As of 01/01/2020, “administrative fees” are considered “fines” for driving safety course deferrals and are included in the calculation of Excess Highway Fines if the offense was under Title 7 of the Transportation Code.

### Teen Court

Code of Criminal Procedure, Article 45.052

- A municipal court may defer proceedings against a defendant who is under the age of 18 or who is enrolled full time in an accredited program leading toward a high school diploma. If the defendant has not completed a Teen Court program in the previous two years and makes an oral or written request to attend the Teen Court program, the court may defer proceedings for up to 180 days.
- Subsection (e) states that the court may require the defendant requesting the Teen Court program to pay a reimbursement fee not to exceed \$10 to pay for the costs of administering this statute. A person who requests the Teen Court program and fails to complete it is not entitled to a refund of the \$10 reimbursement fee.
- Subsection (g) states that, in addition to the \$10 reimbursement fee, the court may also require the defendant pay a \$10 fee to pay for the costs of the Teen Court for performing its duties. This \$10 fee is to be paid to the Teen Court. A person who requests the Teen Court program and fails to complete it is not entitled to a refund of the \$10 fee.
- A court that is located in the Texas-Louisiana border region, as defined by Section 2056.002, Government Code, may charge a reimbursement fee of \$20 instead of \$10 in each of the above two sections. This applies to 18 counties:

Bowie, Camp, Bass, Delta, Franklin, Gregg, Harrison, Hopkins, Lamar, Marion, Morris, Panola, Red River, Rusk, Smith, Titus, Upshur and Wood. Effective 01/01/2008.

**Historical Note:** The fee under subsection (g) was added by House Bill 120, 74th Session (1995).

House Bill 2949, 80th Session (2007), allows the counties in the Texas-Louisiana border region to charge \$20 for subsections (e) and (g), effective 09/01/2007. However, the fee increase was delayed to 01/01/2008 by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the term fee to the phrase reimbursement fee.

### Time Payment Reimbursement Fee

Code of Criminal Procedure 102.030, effective 01/01/2020

- Time Payment fee **is a local fee** and **no longer reported** to the Comptroller;
- The **local fee** is \$15.
- The Time Payment Reimbursement Fee is a local fee for offenses **committed on or after 01/01/2020** in Municipal and Justice Courts; and based on **conviction date on or after 01/01/2020** in County and District Courts.
- When an offense (or conviction in county and district courts) occurs on or before December 31, 2019, the version of the local government code 133.103 in effect on December 31, 2019, applies regardless of the new date the defendant fails to pay. For an offense (or conviction in county and district courts) committed on or after January 1, 2020, the time payment fee is governed by Code of Criminal Procedure, Art. 102.030. Prior to 01/01/2020, Local Government Code 133.103 applied to time payment fee for both state and local.

**Historical Note:** Senate Bill 346, 86th Session (2019), repealed the amount of the Time Payment Fee that was remitted to the state. SB 346 kept in place the local portion of the fee and increased it to \$15. The fee is to be used locally to improve collection of outstanding court costs, fees and fines. See the Time Payment Fee explanation in Chapter 2 State Criminal Costs for more historical information.

### Traffic Fine

Transportation Code, Sec. 542.403, effective 09/01/1991

- Defendant convicted of a misdemeanor under Transportation Code, Title 7, Subtitle C, Rules of the Road, shall pay \$3 as a fine.
- The officer who collects the fine shall deposit it in the municipal treasury.

**Historical Note:** The local \$3 Traffic Fee was added by House Bill 70, 72nd Session (1991), added to Sec. 143, Uniform Act Regulating Traffic. It was recodified into the Transportation Code by Senate Bill 971, 74th Session (1995).

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase cost of court to fine.

**Notes:** Transportation code, Title 7, Subtitle C, Rules of the Road, includes chapters 541-600 only. This includes moving violations (Chapter 545) and inspections of vehicles (Chapter 548), but **does not** include expired registration (Chapter 502), driver's licenses (Chapter 521) or insurance (Chapter 601). See [Chapter 10, Table VI](#), for offenses under the Rules of the Road.

It is possible to find that the court is charging this local Traffic Fine on violations for commercial motor vehicles, such as equipment, brakes, lights, etc. If the offense is being filed as a Chapter 547 offense, then the local Traffic Fine would apply. If the offense is being filed as a federal safety motor carrier offense in Chapter 644, the local Traffic Fine does not apply. There may be offenses that fall under both, so the auditor may have to determine how it was filed.

### **Witness Fees**

Code of Criminal Procedure, Article 102.002, effective 09/01/1985

- Clerks shall keep records of witnesses in the case
- Defendant, upon conviction, is liable for costs of witnesses

**Historical Note:** This was added in 1985. Senate Bill 577, 76th Session (1999), repealed subsections (a), (b) and (c) of Art. 102.002.

## **CHAPTER 4: CRIMINAL COSTS – COUNTIES**

### **Introduction**

Court costs, fines and fees relating to counties are generated from violations of state laws. These include various misdemeanor convictions punishable by fine only, Class A and B misdemeanors, and felonies.

The following chart lists the funds applicable in county courts by the time period in which each was effective. The name and number of each fund is linked back to the detailed descriptions in Chapter 2.

### **Applicable Funds by Time Period**

Counties are responsible for the following funds:

FUND	01/01/2014 through 12/31/2019	01/01/2020 forward
<a href="#">Bail Bond Fees</a>	X	X
<a href="#">Child Safety Seat and Seat Belt Violations</a>	X	X
<a href="#">Child Safety Seat Court Cost</a>	Not Applicable	Not Applicable
<a href="#">Compensation to Victims of Crime Auxiliary Fund</a>	X	X
<a href="#">Consolidated Court Fee (2004)</a>	X	Not Applicable
<a href="#">Consolidated Court Fee (2020)</a>	Not Applicable	X
<a href="#">DNA Testing Fee – Convictions</a>	X	Not Applicable
<a href="#">DNA Testing Fee – Community Supervision</a>	X	Not Applicable
<a href="#">DNA Testing Fee – Juvenile</a>	X	Not Applicable
<a href="#">Driving Records Reimbursement Fee</a>	X	X
<a href="#">Electronic Filing Fee</a>	X	Not Applicable
<a href="#">EMS Trauma Fund</a>	X	X
<a href="#">Excess Funds from Sale of Property Forfeited</a>	X	X
<a href="#">Excess Highway Fines</a>	X	X
<a href="#">Excess Motor Carrier Fines</a>	X	X
<a href="#">Failure to Appear/Pay</a>	X	X
<a href="#">Indigent Defense Fund</a>	X	Not Applicable
<a href="#">Intoxicated Driver Fine</a>	Not Applicable	X
<a href="#">Judicial Fund</a>	X	Not Applicable
<a href="#">Judicial Support Fee</a>	X	Not Applicable
<a href="#">Jury Reimbursement Fee</a>	X	Not Applicable
<a href="#">Juvenile Probation Diversion Fund</a>	X	X
<a href="#">Metal Recycling</a>	X	X
<a href="#">Motor Carrier Weight Violations</a>	X	X
<a href="#">Moving Violation Fees</a>	X	Not Applicable
<a href="#">Non-Suspension Fine</a>	Not Applicable	Effective ?
<a href="#">Peace Officer Fees</a>	X	X
<a href="#">Sexual Assault Program Fund</a>	X	Not Applicable

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

FUND	01/01/2014 through 12/31/2019	01/01/2020 forward
<a href="#">Specialty Court Program</a>	X	Not Applicable
<a href="#">State Traffic Fine</a>	X	X
<a href="#">Substance Abuse Felony Program</a>	X	X
<a href="#">Time Payment Fee</a>	X	Not Applicable
<a href="#">Truancy Prevention and Diversion Fund</a>	X	Not Applicable

**Note:** An X means that the fund was effective for the time periods in the column headings, unless otherwise indicated.

### Abbreviations

The following abbreviations are used on these charts. Each one is linked back to the detailed descriptions of each fund in Chapter 2 for easy reference.

Abbreviation	Fund
CCF (2020)	<a href="#">Consolidated Court Fee (2020)</a>
CCF (2004)	<a href="#">Consolidated Court Fee (2004)</a>
EFF	<a href="#">Electronic Filing Fee</a>
IDF	<a href="#">Indigent Defense Fund</a>
JS	<a href="#">Judicial Support Fee</a>
JRF	<a href="#">Jury Reimbursement Fee</a>
NSF	<a href="#">Non-Suspension Fine</a>
SCP	<a href="#">Specialty Court Program</a>
STF	<a href="#">State Traffic Fine</a>
TPDF	<a href="#">Truancy Prevention and Diversion Fund</a>

## Justice Courts – Court Costs, Fines and Fees for Offenses

Committed on or after January 1, 2020

Offense Description	CCF (2020)	STF *	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking and pedestrian	\$0	\$50	\$50.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking and pedestrian	\$62	\$50	\$112.00
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$62	\$0	\$62.00
All other misdemeanors punishable by fine only	\$62	\$0	\$62.00

\* Effective 09/01/2019 the Office of Court Administration (OCA) determined the State Traffic Fine (STF) is a fine. Due to confusion of STF being a fine or court cost the Comptroller revised the Criminal Cost return for cities and counties to report the STF as \$50 effective 09/01/2019; however, the Comptroller has determined the STF is not a fine and the rate change should be effective 01/01/2020. The STF is still included in the proration of court costs when partial payments are received. See discussion for STF in Chapter 2.

Add the following mandatory fees, when applicable:

- Driving Records Reimbursement Fee (DRF): **Effective January 1, 2008**, a judge may require a defendant to pay \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal Fee. **Between January 1, 2006 and December 31, 2007**, the fee was \$10. Code of Criminal Procedure, Article 45.0511. Reported on quarterly report form.
- Non-Suspension Fine: Effective sometime in 2022, this fine will be assessed on an offense that is a misdemeanor offense under TC 521.372, but the defendant's driver's license is not suspended as a result of the conviction and has **not** been convicted in the prior 36 months of a drug offense. The fine amount will be \$100 and reported on the quarterly criminal costs report form.
- Peace Officer Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.

- Time Payment Fee: Effective 01/01/2020 the Time Payment fee is a local fee and is no longer reported to the Comptroller; the local fee is \$15.
  - Time Payment fee is **due based on the offense date**. If the offense occurred prior to 01/01/2020 but the payment of the fees and fines takes more than 30 days and the payments extend past 01/01/2020 then \$25.00 is due from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Metal Recycling Fines: Effective 09/01/2011, cities collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506  
Reported on quarterly report form.

**Important:** Local Court Costs, Fines and Fees may also apply. See Table of [Local Costs, Fines and Fees](#) at the end of this chapter.

## Justice Courts – Court Costs and Fees for Offenses

Committed January 1, 2014 through December 31, 2019

Offense Description	CCF (2004)	JRF	STF	JS	IDF	TPDF	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$0	\$0	\$30.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$6	\$2	\$2	\$84.00
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$6	\$2	\$2	\$54.00
Education Code, Sec. 25.094, Failure to Attend School (repealed 09/01/2015)	\$40	\$4	\$0	\$6	\$2	\$2	\$54.00
All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$6	\$2	\$2	\$54.00

Add the following mandatory fees, when applicable:

- Child Safety Seat Court Cost (CSS CC): **Effective January 1, 2010** (unless qualifying under warning provision prior to 06/01/2010) **through September 27, 2011**, a \$0.15 court cost is assessed for criminal conviction of child safety seat requirements. Children under the age of 8 (unless taller than 4 feet, 9 inches in height) must be secured by a child safety seat. Reported monthly.
- Driving Records Fee (DRF): **Effective January 1, 2008**, a judge may require a defendant to pay \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 Texas OnLine Fee. **Between January 1, 2006 and December 31, 2007**, the fee was \$10. Code of Criminal Procedure, Article 45.0511. Reported on quarterly report form.
- Failure to Appear or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Moving Violation Fees (MVF): Effective January 1, 2010, a \$0.10 (ten cents) court cost is assessed on conviction of moving violations. Reported on quarterly report form.
- Peace Officer Fees: Reported on quarterly report form.

- Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
- Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Metal Recycling Fines: Effective 09/01/2011, counties collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See Table of [Local Costs and Fees](#) later in this chapter.

## County and District Courts – Court Costs and Fees for Convictions

on or After January 1, 2020

Offense Description	CCF (2020)	EMS	STF	Total
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$62	\$0	\$0	\$62.00
Education Code, Sec. 25.094, Failure to Attend School (repealed 09/01/2015)	\$62	\$0	\$0	\$62.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$50	\$50.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors punishable by fine only	\$62	\$0	\$50	\$112.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, Class A and B misdemeanors	\$147	\$0	\$50	\$197.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, Felonies	\$185	\$0	\$50	\$230.00
Penal Code, Sec. 21.07 – Public lewdness	\$147	\$0	\$0	\$147.00
Penal Code, Sec. 21.08 – Indecent Exposure	\$147	\$0	\$0	\$147.00
Penal Code, Sec. 20.04(a)(4) – Aggravated kidnapping	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 21.11 – Indecency with a child	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 22.011 – Sexual Assault	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 22.021 – Aggravated sexual assault	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 25.02 – Prohibited Sexual Conduct	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 30.02(d) – Burglary	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 43.05 – Compelling prostitution	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 43.25 – Sexual performance by a child	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 43.26 – Possession or promotion of child pornography	\$185	\$0	\$0	\$185.00
Penal Code, Sec. 49.02, Public intoxication, Class C misdemeanor	\$62	\$0	\$0	\$62.00
Penal Code, Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	\$62	\$0	\$0	\$62.00
Penal Code, Sec. 49.04, driving while intoxicated, Class A/B misdemeanor	\$147	\$100	\$0	\$247.00
Penal Code, Sec. 49.04, driving while intoxicated, Felony	\$185	\$100	\$0	\$285.00
Penal Code, Sec. 45.045, driving while intoxicated with child passenger, Felony	\$185	\$100	\$0	\$285.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Description	CCF (2020)	EMS	STF	Total
Penal Code, Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor	\$147	\$100	\$0	\$247.00
Penal Code, Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor, Felony	\$185	\$100	\$0	\$285.00
Penal Code, Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor	\$147	\$100	\$0	\$247.00
Penal Code, Sec. 49.06, Boating while intoxicated, Felony	\$185	\$100	\$0	\$285.00
Penal Code, Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor	\$147	\$100	\$0	\$247.00
Penal Code, Sec. 49.065, assembling/operating amusement ride while intoxicated, Felony	\$185	\$100	\$0	\$285.00
Penal Code, Sec. 49.07, Intoxication assault, felony	\$185	\$100	\$0	\$285.00
Penal Code, Sec. 49.08, Intoxication manslaughter, Felony	\$185	\$100	\$0	\$285.00
Health & Safety Code, Chapter 481, Class B	\$147	\$0	\$0	\$147
Health & Safety Code, Chapter 481, Felonies	\$185	\$0	\$0	\$185
All other Class C, punishable by fine only	\$62	\$0	\$0	\$62.00
All other Class A/B	\$147	\$0	\$0	\$147.00
All other Felonies	\$185	\$0	\$0	\$185.00

\* Effective 09/01/2019 the Office of Court Administration (OCA) determined the State Traffic Fine (STF) is a fine. Due to confusion of STF being a fine or court cost the Comptroller revised the Criminal Cost return for cities and counties to report the STF as \$50 effective 09/01/2019; however, the Comptroller has determined the STF is not a fine and the rate change should be effective 01/01/2020. The STF is still included in the proration of court costs when partial payments are received. See discussion for STF in Chapter 2.

Add the following mandatory fees, when applicable:

- Bail Bond Fee: \$15.00 from a surety posting a bail bond for an offense other than a misdemeanor punishable by fine only, not to exceed \$30 per person per surety per incident. Not required on the posting of a personal or cash bond. Reported on quarterly report form.
- Driving Records Fee (DRF): **Effective January 1, 2008**, a judge may require a defendant to pay a fee of \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal fee. Between January 1, 2006 and December 31, 2007, the fee was \$10. Reported on quarterly report form.

- Intoxicated Driver Fine: Effective January 1, 2020. Reported quarterly on the County Criminal Court Costs return. The service fee is 4% upon timely filing of the collected fine.
  - \$3,000 fine for first conviction within 36 months
  - \$4,500 fine for second conviction or subsequent conviction within 36 months
  - \$6,000 fine for a first or subsequent conviction if at the trial it is shown that the analysis of the defendant's blood, breath or urine showed an alcohol concentration greater than 0.15 at the time of analysis.
- Description:
  - Applies to offenses/convictions committed on or after January 1, 2020 forward.
  - Effective June 14, 2013, district, county and statutory county courts collect criminal court costs based on conviction date rather than offense date.
  - Applies to all offenses relating to the operating of a motor vehicle while intoxicated assigned by Penal Code Section 49.09:
    - 49.04: Intoxicated while operating a motor vehicle in a public place
    - 49.045: Intoxicated while operating a motor vehicle in a public place with a passenger 15 years old or younger
    - 49.07: Intoxicated while operating a motor vehicle in a public place and causes serious bodily injury to another
    - 49.08: Intoxicated while operating a motor vehicle in a public place and causes death of another
    - Operating a motor vehicle while intoxicated.
  - If the court having jurisdiction over an offense that is the basis for a fine imposed under this section makes a finding that the person is indigent, the court shall waive all the fines and costs imposed on the person under this section.
  - Funds collected under this provision are subject to audit by the Comptroller.
  - The collection fee the county may retain is based upon timely filing of the report.
  - Transportation Code, Section 709.
- Non-Suspension Fine: Effective sometime in 2022, this fine will be assessed on an offense that is a misdemeanor offense under TC 521.372, but the defendant's driver's license is not suspended as a result of the conviction and has **not** been convicted in the prior 36 months of a drug offense. The fine amount will be \$100 and reported on the quarterly criminal costs report form.
- Peace Officer Fees: Reported on quarterly report form.
- Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
- Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.

- Juvenile Probation Diversion Fund: \$20 fee if a disposition hearing is held, collected only if the child, parent or other person responsible for the child's support is financially able to pay the fee. Reported on quarterly report form.
- Time Payment Fee: Effective 01/01/2020 the Time Payment fee is a **local fee and is no longer reported to the Comptroller**; the local fee is \$15. \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund. Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund. Reported on Form 40-139.
- Substance Abuse Felony Program Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See Table of [Local Costs and Fees](#) later in this chapter.

## County and District Courts – Court Costs and Fees for Convictions

June 14, 2013 – December 31, 2019

Offense Description	CCF (2004)	DNA	EMS	JRF	STF	JS	IDF	SCP	EFSF (Effective 9/1/13)	Total
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$0	\$0	\$4	\$	\$6	\$2	\$0	\$5	\$57.00
Education Code, Sec. 25.094, Failure to Attend School (repealed 9/1/15)	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$57.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$0	\$0	\$30	\$0	\$0	\$0	\$5	\$35.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors punishable by fine only	\$40	\$0	\$0	\$4	\$30	\$6	\$2	\$0	\$5	\$87.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, Class A and B misdemeanors	\$83	\$0	\$0	\$4	\$30	\$6	\$2	\$0	\$5	\$130.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, Felonies	\$133	\$0	\$0	\$4	\$30	\$6	\$2	\$0	\$5	\$180.00
Penal Code, Sec. 21.07 – Public lewdness	\$83	\$50	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$150.00
Penal Code, Sec. 21.08 – Indecent Exposure	\$83	\$50	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$150.00
Penal Code, Sec. 20.04(a)(4) – Aggravated kidnapping	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00
Penal Code, Sec. 21.11 – Indecency with a child	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00
Penal Code, Sec. 22.011 – Sexual Assault	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00
Penal Code, Sec. 22.021 – Aggravated sexual assault	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00
Penal Code, Sec. 25.02 – Prohibited Sexual Conduct	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00
Penal Code, Sec. 30.02(d) – Burglary	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00
Penal Code, Sec. 43.05 – Compelling prostitution	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00
Penal Code, Sec. 43.25 – Sexual performance by a child	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Description	CCF (2004)	DNA	EMS	JRF	STF	JS	IDF	SCP	EFSF (Effective 9/1/13)	Total
Penal Code, Sec. 43.26 – Possession or promotion of child pornography	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$400.00
Penal Code, Sec. 49.02, Public intoxication, Class C misdemeanor	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$57.00
Penal Code, Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$57.00
Penal Code, Sec. 49.04, driving while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$260.00
Penal Code, Sec. 49.04, driving while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$310.00
Penal Code, Sec. 45.045, driving while intoxicated with child passenger, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$310.00
Penal Code, Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$260.00
Penal Code, Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$310.00
Penal Code, Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$260.00
Penal Code, Sec. 49.06, Boating while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$310.00
Penal Code, Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$260.00
Penal Code, Sec. 49.065, assembling/operating amusement ride while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$310.00
Penal Code, Sec. 49.07, Intoxication assault, felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$310.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Description	CCF (2004)	DNA	EMS	JRF	STF	JS	IDF	SCP	EFSF (Effective 9/1/13)	Total
Penal Code, Sec. 49.08, Intoxication manslaughter, felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$60	\$5	\$310.00
Health & Safety Code, Chapter 481, Class B	\$83	\$0	\$0	\$4	\$0	\$6	\$2	\$60	\$5	\$160
Health & Safety Code, Chapter 481, Felonies	\$133	\$0	\$0	\$4	\$0	\$6	\$2	\$60	\$5	\$210
All other Class C, punishable by fine only	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$57.00
All other Class A/B	\$83	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$100.00
All other Felonies	\$133	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$5	\$150.00

Add the following mandatory fees, when applicable:

- Bail Bond Fee: \$15.00 from a surety posting a bail bond for an offense other than a misdemeanor punishable by fine only, not to exceed \$30 per person per surety per incident. Not required on the posting of a personal or cash bond. Reported on quarterly report form.
- DNA Testing Fee – Community Supervision (DNA CS): **Effective January 1, 2010**, a \$34 fee on placement of a person convicted of a felony on community supervision, including deferred adjudication community supervision, but excluding offenses listed for the \$250 fee in Code of Criminal Procedure 102.020(a)(1). Reported on quarterly report form.
- DNA Testing Fee – Juvenile (DNA JV): **Effective January 1, 2010**, a \$50 fee for a child adjudicated of certain felonies if committed to a Texas Juvenile Justice Department (TJJD) facility or a \$34 fee for a child adjudicated of certain felonies not committed to a TJJD facility. Reported on quarterly report form.
- Driving Records Fee (DRF): **Effective January 1, 2008**, a judge may require a defendant to pay a fee of \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal fee. Between January 1, 2006 and December 31, 2007, the fee was \$10. Reported on quarterly report form.
- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Moving Violation Fees (MVF): Effective January 1, 2010, a \$0.10 court cost is assessed on conviction of moving violations. It does not apply to district courts. Reported on quarterly report form.
- Peace Officer Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an

arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.

- Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Judicial Fund: \$15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court. This is mandatory for all statutory county courts as of October 1, 2006, but optional for constitutional county courts IF the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See [Table II in Chapter 10](#) for participating courts and effective dates.) Reported on quarterly report form.
- Juvenile Probation Diversion Fund: \$20 fee if a disposition hearing is held, collected only if the child, parent or other person responsible for the child's support is financially able to pay the fee. Reported on quarterly report form.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Intoxicated Driver Fine: Effective 09/01/2019 an additional fine per Transportation Code, Section 709 requires additional fines to be assessed. Reported on Form 40-145.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund. Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund. Reported on Form 40-139.
- Substance Abuse Felony Program Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See Table of [Local Costs and Fees](#) later in this chapter.

## Local Court Costs, Fines and Fees – Justice, County and District Courts

(See [descriptions](#) later in this chapter)

Not intended to be an all-inclusive listing of all possible local costs and fees.

Abbreviations of Court:

- J: Justice Court
- C: County Court
- D: District Court

Abbreviations of Description:

- AFF: Administrative Fee or Fine

Abbreviations of Type:

- Admin. Fee: Administrative Fee
- Reimb. Fee: Reimbursement Fee

Effective 01/01/2020, terminology changed for several items in the chart below.

Abbreviations of Statute:

- AB: Alcoholic Beverage Code
- CCP: Code of Criminal Procedure
- FC: Family Code
- GC: Government Code
- H&S: Health & Safety Code
- HR: Human Resources Code
- P&W: Parks & Wildlife Code
- TC: Transportation Code

<b>Court</b>	<b>Description</b>	<b>Type</b>	<b>Statute</b>	<b>01/01/2016 through 12/31/2019</b>	<b>01/01/2020 forward</b>
J, C, D	AFF – Operation of vehicle without license plate or registration insignia	Fine	TC 502.473	\$10	\$10
J, C, D	AFF – Expired Registration	Fine	TC 502.407(b)	\$20	\$20
J, C, D	AFF – Wrong, fictitious, altered or obscured insignia	Fine	TC 502.475	\$10	\$10
J, C, D	AFF – License to be carried and	Admin. Fee	TC 521.025	\$10	\$10

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Court</b>	<b>Description</b>	<b>Type</b>	<b>Statute</b>	<b>01/01/2016 through 12/31/2019</b>	<b>01/01/2020 forward</b>
	exhibited on demand				
J, C, D	AFF – Expired Driver’s License	Fine	TC 521.026	\$20	\$20
J, C, D	AFF – Failure to change name/address	Fine	TC 521.054	\$20	\$20
J, C, D	AFF – Special restrictions or endorsements	Fine	TC 521.221	\$10	\$10
J, C, D	AFF – Unsafe vehicle or prohibited equipment	Fine	TC 547.004	\$10	\$10
J, C, D	AFF – Expired Inspection	Fine	TC 548.605	\$20	\$20
C, D	Animal Cruelty	Cost	H&S 821.023(e)	X	X
C, D	Bail Fees	Reimb. Fee	CCP 17.42, 17.43, 17.441	X	X
J, C, D	Certified Copy Fee	Fee	CCP 102.005(d)	X	N/A
J, C, D	Child Safety Fund	Fine	CCP 102.014 (d) only	\$20	\$20
C, D	Child Sexual Assault	Fine	CCP 102.0186	\$100	\$100
C, D	Clerk Fee	Fee	CCP 102.005 (a)	\$40	N/A
C, D	Community Supervision Fees	Fine / Reimb. Fee	CCP 42.12/42A	X	X
C, D	Community Supervision Fees	Reimb. Fee	GC 76.015	\$25-\$60	\$25-\$60
J	Consolidated Court Fee (2020) (LOCAL)	Fee	LGC 134.103	N/A	Class C: \$14
C	Consolidated Court Fee (2020) (LOCAL)	Fee	LGC 134.102	N/A	Class A or B: \$123
D	Consolidated Court Fee (2020) (LOCAL)	Fee	LGC 134.101	N/A	Felony: \$105
J, C, D	County Transaction	Fee	CCP 102.072	Up to \$2	Up to \$2

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Court</b>	<b>Description</b>	<b>Type</b>	<b>Statute</b>	<b>01/01/2016 through 12/31/2019</b>	<b>01/01/2020 forward</b>
C, D	Court Reporter – Dallas County	Fee	GC 25.0593	\$3	N/A
C, D	Court Reporter – McLennan County	Fee	GC 25.1572	\$3	\$3
C, D	Court Reporter Tarrant County	N/A	GC 25.2223	\$3	N/A
J	Courthouse Security Fund, Justice court only	Fee	CCP 102.017(b)	\$4	N/A
C, D	Courthouse Security Fund, misdemeanor	Fee	CCP 102.017 (b)	\$3	N/A
D	Courthouse Security Fund, felony	Fee	CCP 102.017 (a)	\$5	N/A
D	Crime Stopper's Fund	Fine	CCP 37.073	X	X
J, C, D	Deferred Disposition	Reimb. Fee	CCP 45.051 (b)(7)	X	X
J, C, D	Driving Safety Course	Reimb. Fee	CCP 45.0511(f)(1)	\$10	\$10
J, C, D	Driving Safety Course	Fine	CCP 45.0511(f)(2)	X	X
C, D	Evaluation	Reimb. Fee	CCP 102.018(b)	X	X
J, C, D	Expired certificate of number for vessel	Fine	P&W 31.127	\$10	\$10
J, C, D	Expunction	Reimb. Fee	AB 106.12	\$30	\$30
J, C, D	Expunction	Reimb. Fee	CCP 102.006	X	X
J, C, D	Expunction	Reimb. Fee	CCP 45.0216	\$30	\$30
J, C, D	Expunction	Fee	CCP 45.055	N/A	N/A
J, C, D	Expunction	Reimb. Fee	H&S 161.255	\$30	\$30
J, C, D	Failure to Appear or Pay	Reimb. Fee	TC 502.010 (prev. 502.185)	\$20	\$20
J, C, D	Failure to Appear or Pay	Reimb. Fee	TC 706	N/A	\$10
J, C, D	Impound	Reimb. Fee	TC 601.263	\$15 per day	\$15 per day
J, C, D	Insufficient funds checks	Reimb. Fee	CCP 102.007	X	X
J	Jury Fee	Fee	CCP 102.004	\$3	N/A

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Court</b>	<b>Description</b>	<b>Type</b>	<b>Statute</b>	<b>01/01/2016 through 12/31/2019</b>	<b>01/01/2020 forward</b>
C, D	Jury Fee	Fee	CCP 102.004	\$40	N/A
J	Justice Court Technology Fund	Fee	CCP 102.0173	\$4	N/A
J, C, D	Juvenile Case Manager Fee	Fee	CCP 102.0174	\$5	N/A
C, D	Juvenile Delinquency Prevention Fund (Graffiti Eradication Fund),	Fine	CCP 102.0171	\$50	\$50
C, D	Juvenile Justice and Teen Court	Fee, Reimb. Fee, Fee	FC 53.03, 54.032, 54.061	X	X
C, D	Juvenile Probation Fee	Fee	FC 54.061	\$15 per month	\$15 per month
C, D	Magistrate's Fee (Brazos County only)	Fee	GC 54.1116	N/A	N/A
J	Misdemeanor Fee	Fee	CCP 102.009	N/A	N/A
J, C, D	Peace Officer	Reimb. Fee	CCP 102.001, 102.011	X	X
C, D	Pre-trial Diversion Fee (El Paso County only)	Fee	GC 54.745	\$100	N/A
C, D	Pretrial Intervention Program under Gov. Code Sec. 76.011 (06/18/1990)	Reimb. Fee	CCP 102.012	up to \$60	up to \$60
J, C, D	Prosecutor's Fee (misdemeanor or gambling)	Fee	CCP 102.008	\$25	N/A
C, D	Records Management and Preservation Fund	Fee	CCP 102.005 (f)	\$25	N/A
C, D	Regional Veterans Program Fee	Fee	CCP 102.0178	\$60	N/A
C, D	Restitution Fee	Fee	CCP 42.037	\$12	N/A
J, C, D	Supplementary Fine (Special Expense Fee)	Fine	CCP 45.051	X	X

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Court	Description	Type	Statute	01/01/2016 through 12/31/2019	01/01/2020 forward
C, D	Technology Fund	Fee	CCP 102.0169	\$4	N/A
J	Teen Court	Reimb. Fee	CCP 45.052	\$10; or \$20 for certain localities	\$10; or \$20 for certain localities
C	Teen Dating Violence	Fee	FC 54.0325	\$10	\$10
J, C, D	Time Payment	Reimb. Fee	CCP 102.030	N/A	\$15
J, C, D	Toll Fees	Fine	TC 284.0701, 284.2031, 284.208, 452.0613	X	X
J, C, D	Traffic Fine	Fine	TC 542.403	\$3	\$3
C, D	Unlawful Possession	Expense	P&W 12.110(b)	X	
C, D	Visual Recording	Reimb. Fee	CCP 102.018	\$15	\$15
J, C, D	Witness Fees	Fee	CCP 102.002	X	X

Notes:

- A dollar amount means that the amount is specific.
- X: the fund was effective for that time period, but the amount varies.
- N/A: the fund was not effective for the time period indicated in the column heading.

**Note:** This is not intended to be an all-inclusive list of local court costs, fines and fees that statutes may allow to be collected in a criminal case.

## Description of Local Costs, Fines and Fees for Counties

(Not intended to be an all-inclusive listing of all local costs and fees)

### Administrative Fee or Fine

- Operation of Vehicle without License Plate or Registration Insignia: Section 502.473, effective 01/01/2008

Court may dismiss the offense of failure to display registration insignia (subsection (a) if the defendant remedies the defect before the defendant's first court appearance. Court may assess a fine not to exceed \$10 when the charge is dismissed.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607. House Bill 2357, 82nd Session (2011), effective 01/01/2012, renumbered Transportation Code Section 502.404 to 502.473. Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Expired Registration: Section 502.407, effective 09/01/1995

Court may dismiss the charge of driving with expired motor vehicle registration if the defendant remedies the defect not later than the 20th working day after the date of the offense. Court may assess a fine not to exceed \$20 when the charge is dismissed. The fine may not be collected if the defendant is convicted of the offense of expired registration.

**Historical Note:** The \$10 administrative fee was added by Senate Bill 971, 74th Session (1995), effective 09/01/1995. The fee was increased to \$20 by House Bill 1623, 80th Session (2007), effective 09/01/1997. However, the increase in the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

House Bill 1623, 80th Session (2007), amended subsection (b)(1)(A) to the 20th working day instead of the 10th working day.

House Bill 2835, 86th Session (2019), added subsection (c)(1) and (2) to allow a defendant in violation of operating a motor vehicle with an expired vehicle registration, an additional defense to the offense, if at the time of the offense the office of the TAC where they live was closed for a protracted period of time and if the vehicle registration was expired for thirty working days or less.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Wrong, Fictitious, Altered or Obscured Insignia: Section 502.475, effective 01/01/2008

Court may dismiss charge brought under subsection (a)(3), (5), (6) or (7) if the defendant remedies the defect before the defendant's first court appearance. Court may assess a fine not to exceed \$10 when the charge is dismissed.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. The imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607. House Bill 2357, 82nd Session (2011), effective 01/01/2012, renumbered Transportation Code Section 502.409 to 502.475.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- License to be Carried and Exhibited on Demand: Section 521.025, effective 01/01/2008

Court may dismiss charge if defendant produces a driver's license issued to the defendant, appropriate for the type of vehicle operated, and valid at the time of offense. Court may assess an administrative fee not to exceed \$10 when the charge is dismissed.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. The imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

- Expired Driver's License: Transportation Code, Sec. 521.026, effective 09/01/1995

Court may dismiss the charge of driving with an expired license if the defendant remedies the defect within 20 working days. The judge may assess the defendant a fine not to exceed \$20 when the charge of driving with an expired driver's license is dismissed. The fine may not be collected if the defendant is convicted of the offense of driving with an expired license.

**Historical Note:** The \$10 administrative fee was added by Senate Bill 971, 74th Session (1995), effective 09/01/1995. The fee was increased to \$20 and the time extended from 10 to 20 days by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Failure to Change Name or Address on License: Section 521.054, effective 01/01/2008

Court may dismiss the charge of failure to change name or address on license if the defendant remedies the defect no later than the 20th working day after the date of the offense and pays a fine not to exceed \$20. The court may waive the fine if the waiver is in the best interest of justice.

**Historical Note:** The \$20 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Special Restrictions or Endorsements: Section 521.221, effective 01/01/2008

Court may dismiss a charge for a violation of this section if the restriction or endorsement was imposed because of a physical condition that was surgically, or otherwise medically corrected, before the date of offense or was in error and that fact is established by the defendant, and the Department of Transportation removes the restriction or endorsement before the defendant's first court appearance. The court shall collect a fine not to exceed \$10 if the charge is dismissed.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Unsafe vehicle or prohibited equipment: Section 547.004, effective 01/01/2008

Court may dismiss a charge under this section if the defendant remedies the defect before the defendant's first court appearance and pays a fine not to exceed \$10.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

- Expired Inspection: Transportation Code, Sec. 548.605, effective 09/01/1995
  - The court **shall** dismiss a charge of driving with an expired inspection certificate if the defendant remedies the defect within 20 working days or before the defendant's first court appearance, whichever is later, and the inspection has not been expired for more than 60 days. The court **shall** assess a fine not to exceed \$20 when the charge of driving with an expired inspection certificate is remedied.
  - The court **may** dismiss a charge of driving with an expired inspection certificate that has been expired for more than 60 days. Statute is unclear about the application of the administrative fee in this case.

**Historical Note:** The \$10 administrative fee was added by Senate Bill 971, 74th Session (1995). It was amended by House Bill 707, 76th Session (1999), to add "working" day and added subsection (c) about the 60-day limitation. The fee was increased to \$20 and the time increased to 20 working days by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the fee increase was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

### Animal Cruelty

Health & Safety Code, Sec. 821.023(e), effective 09/01/2003

- Applies to defendant guilty of offense under Penal Code, Sec. 42.09, Cruelty to Animals
- Defendant may be ordered to pay actual costs of investigation, expert witnesses, housing and care of the animal(s), public sale and humane destruction of the animal(s).
- Applies in county or district court.

**Historical Note:** These costs were added by House Bill 1119, 78th Session (2003), effective 09/01/2003.

### Bail Reimbursement Fees

Code of Criminal Procedure, Art. 17.42, 17.43 and 17.441(d)

- Art. 17.42, Sec. 4, provides for a personal bond reimbursement fee of \$20 or 3% of the amount of bail fixed for the accused, whichever is greater. The court may waive the fee or assess a lesser fee if good cause is shown. Effective 09/01/2017, a court that requires a defendant to give a personal bond under Article 45.016 may not assess a personal bond fee under this subsection.
- Art. 17.43, provides for the defendant to pay as reimbursement fees the cost of home curfew and electronic monitoring
- Art. 17.441(d) provides for the defendant to pay a reimbursement fee not to exceed \$10 to cover the cost of verification or monitoring motor vehicle ignition interlock

**Historical Note:** Sec. 17.42 and Sec. 17.43 were added in 1989. Sec. 17.441(d) was added by Senate Bill 205, 76th Session (1999), effective 09/01/1999. Section 17.42(4)(a) was amended by House Bill 351, 85th Session (2017), effective 09/01/2017.

Senate Bill 346, 86th Session (2019), changed the terminology from fees or court costs to reimbursement fees effective 01/01/2020.

### Certified Copy Fee

Code of Criminal Procedure, Art. 102.005(d), effective 09/01/1995 and repealed 01/01/2020

- The fee imposed by law for issuing a certified or noncertified copy is in addition to the fee imposed by Art. 102.005(a).
- The clerk may issue a copy only if a person requests the copy and pays the appropriate fee as required by Sections 118.011, 118.014, 118.0145, 118.052, 118.060 and 118.0605, Local Government Code and Sections 51.318 and 51.319, Government Code.

**Historical Note:** Art. 102.005(d) was added by Senate Bill 349, 74th Session (1995). Previously, a fee of \$1 per page for certified copy was required in Art. 102.005. This appears to have been effective 09/01/1985 but is not verified.

Senate Bill 346, 86th Session (2019) repealed this fee effective 01/01/2020.

### Child Safety Fund

Code of Criminal Procedure, Art. 102.014, effective 07/01/1991.

This is a local fine and is not to be remitted to the state. However, the **Comptroller is given audit authority** over this fund in Local Government Code, Section 106.004.

#### Rate

Offense	07/01/1991 through 08/31/1997	09/01/1997 through 08/31/2015	09/01/2015 forward
Education Code, Sec. 25.093 (parent contributing to non-attendance) (art. 102.014(d))	\$20.00 per conviction	\$20.00 per conviction	\$20.00 per conviction
Education Code, Sec. 25.094 (failure to attend school) (art. 102.014(d))	N/A	\$20 per conviction	N/A

**Historical Note:** 72nd Session (1991), Senate Bill 460, (Session Laws, Chapter 830), added Article 6701d-26 to Texas Revised Civil Statutes. It added the Child Safety Fund. Section 4 stated that the “money collected under this article is subject to audit by the comptroller.” That gives the Comptroller audit authority over this local fund. It was also added in the Local Government Code, Section 106.004.

House Bill 2398, 84th Session (2015) repealed Education Code 25.094 effective 09/01/2015.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase court cost to fine.

**Notes:** Senate Bill 460 included the audit authority for the Comptroller, and it was also added into the Local Government Code, Section 106.004.

If an offense occurs in a construction zone when workers are present, and this happens to also be a school crossing zone, the Child Safety Fund is due and the judge has the discretion to double the fine (not the court costs). See Transportation Code Sec. 542.404.

In 1991, Section 25 of the Education Code was amended, allowing school officials to file a complaint against the parent in either municipal or justice court. If in justice court, it may be filed in either the precinct in which the school is located or in which the parent resides. It also replaces the term “child” with “individual” because a “child” is defined as 17 years or younger. This adds the possibility of prosecuting those who are older than 17 but still defined as students.

### Child Sexual Assault

Code of Criminal Procedure, Art. 102.0186, effective 01/01/2006.

- Fine of \$100 on conviction of certain sections of Penal Code
- Only applies to Penal Code:
  - Sec. 21.02, Continuous Sexual Abuse of Young Child/Children (effective 09/01/2007)
  - Sec. 21.11, Indecency with a child
  - Sec. 22.011(a)(2), Sexual assault
  - Sec. 22.021(a)(1)(B), Aggravated sexual assault
  - Sec. 43.25, Sexual performance by a child
  - Sec. 43.251, Employment harmful to children
  - Sec. 43.26, Possession or promotion of child pornography
- For deposit into county child abuse prevention fund, administered by or under direction of commissioners' court.

**Historical Note:** Senate Bill 6, 79th Session (2005), created this fee, effective 09/01/2005, but it was postponed to 01/01/2006 under Government Code, Section 51.607. House Bill 8, 80th Session (2007), added one category of offenses to those subject to the \$100 court cost, for Sec. 21.02, effective 09/01/2007.

Senate Bill 346 changed the terminology from courts costs to fine effective 01/01/2020.

### Clerk Fee

Code of Criminal Procedure, Art. 102.005(a), effective 09/01/1985, amended 1989.

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Cost (**local**).
  - The allocated percentage in the Consolidated Court Cost (**local**) is:
    - 32.5203% for Class A or Class B misdemeanors
    - 38.0953% for felonies
  - The new fee is applicable to offenses occurring on or after 01/01/2020; or convictions in County and District Courts that occur on or after 01/01/2020.
- Applies to offenses in a county court, county court at law or a district court
- Defendant shall pay for the services of the clerk of the court a fee of \$40
- To be used for the clerical duties of the clerk

**Historical Note:** Senate Bill 577, 76th Session (1999), repealed subsection (e) of art. 102.005.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Cost. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Cost (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

### Community Supervision Fines/Reimbursement Fees

Code of Criminal Procedure, Art. 42.12 through 12/31/2016; Code of Criminal Procedure, Chapter 42A, effective 01/01/2017

- Court may order a variety of costs and fees to be paid by defendant under Art. 42.12/Ch. 42A. A partial list includes the following:
  - Sec. 11 (a)(18)/42A.301(17), reimbursement to General Revenue fund for payments to victims
  - Sec. 11 (a)(21)/42A.301(20), fine amount for crime stoppers organization
  - Sec. 11 (g)/42A.455, payment to children's advocacy center
  - Sec. 11 (h)/42A.504(b), payment to family violence shelter center. Effective 01/01/2010, the judge shall require a fine of \$100. Prior to this date, the judge had discretion to allow a fine not to exceed \$100.
  - Sec. 11 (i)/42A.452, costs of treatment, supervision and rehabilitation for sex offenders
  - Sec. 19 (a)/42A.652, community supervision monthly reimbursement fee of \$25-\$60
  - Sec. 19 (e)/42A.653, additional community supervision monthly fine for certain offenses

**Historical Note:** Sec. 19(a) was amended by House Bill 598, 77th Session (2001), increasing the maximum fee from \$40 to \$60. All the fees were enacted sometime prior to 1995.

Section 11(h) was amended by Senate Bill 81, 81st Session (2009). A judge granting community supervision to a person convicted of an offense under Title 5, Penal Code involving family violence shall require the person to pay \$100 to a family violence center.

House Bill 2299, 84th Session (2015) repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

Senate Bill 346, 86th Session (2019), modified the terminology of fees to either fines or reimbursement fees effective 01/01/2020.

### Community Supervision Fee

Government Code, Sec. 76.015, effective 09/01/1997

- May apply if a defendant is not paying a supervision fee under Art. 42.12, Sec. 19, Code of Criminal Procedure through 12/31/2016 and under Art. 42A.652 effective 01/01/2017.
- Applies to an individual who participates in a CSCD program or receives department services
- Administrative fee of not less than \$25 or more than \$40 per month through 08/31/2011.
- Administrative fee of not less than \$25 or more than \$60 per month effective 09/01/2011.

**Historical Note:** This fee was enacted by Senate Bill 898, 75th Session (1997), effective 09/01/1997. Senate Bill 880, 82nd Session (2011) increased the upper range from \$40 to \$60. The bill specifically stated that Government Code 51.607 does not apply; therefore, the fee increase was effective 09/01/2011 and not delayed until 01/01/2012. Senate Bill 953, 82nd Session (2011) also increased the upper range from \$40 to \$60.

### Consolidated Court Fee (Local)

Local Government Code 134, Subchapter C, effective 01/01/2020

- Fee of \$14 for nonjailable misdemeanors in addition to all other applicable fees. The Treasurer shall allocate the fee to the following funds:

County or Municipal Local Fund	Percentage
Courthouse Security Fund or Municipal Court Building Security Fund	35%
Local Truancy Prevention and Diversion Fund	35.7143%
Justice Court Technology Fund or Municipal Court Technology Fund	28.5714%
County or Municipal Jury Fund	0.7143%

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

- Fee of \$123 for Class A or Class B misdemeanors in addition to all other applicable fees. The County Treasurer shall allocate the fee to the following funds:

<b>County Local Fund</b>	<b>Percentage</b>
Clerk of the Court Account	35.5203%
County Records Management and Preservation Fund	20.3252%
Account for Prosecutor's Fees	16.2602
County Jury Fund	0.8130%
Courthouse Security Fund	8.1301%
County and District Court Technology Fund	3.2520%
Court Reporter Service Fund	2.4390%
County Specialty Court Account	16.2602%

- Fee of \$105 for felonies in addition to all other applicable fees. The County Treasurer shall allocate the fee to the following funds:

<b>County Local Fund</b>	<b>Percentage</b>
Clerk of the Court Account	38.0953%
County Records Management and Preservation Fund	23.8095%
County Jury Fund	0.9524%
Courthouse Security Fund	9.5238%
County and District Court Technology Fund	3.8095%
County Specialty Court Account	23.8095%

**Historical Note:** Senate Bill 346, 86th Session (2019), added the new LOCAL Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above.

In addition, SB346 has an effective date of 01/01/2020. OCA and CPA determined the bill is effective 01/01/2020; Government Code, Section 51.607 does not apply to the bill since the bill effective date is 01/01/2020. Thus, Cities and Counties should implement this new local Consolidated Court Fee on 01/01/2020, along with other legislative changes. Many jurisdictions disagree and have taken a position the changes in SB346 are not effective until 01/01/2021. An AG opinion was requested on 11/20/2019 by Navarro County.

### County Transaction Fee

Code of Criminal Procedure, Art. 102.072, effective 05/23/1995.

- Fee may be collected by officers listed in Code of Criminal Procedure, Art. 103.003 or community supervision and corrections departments.
- Fee not to exceed \$2 per transaction.
- Between 05/23/1995 and 09/01/1999, this applied only to a county with a population of 2.8 million or more.
- Does not apply to a transaction related to the collection of child support. (This provision added 09/01/1999).

**Historical Note:** The fee was originally created in House Bill 2265, 74th Session (1995), effective 05/23/1995. It was amended by House Bill 662, 76th Session (1999), to eliminate the restriction to counties with a population of 2.8 million or more.

### Court Reporter Fee

Government Code, Sec. 25.0593, 25.1572, 25.2223

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Cost (**local**).
  - The allocated percentage in the Consolidated Court Cost (**local**) is:
    - 2.4390% for Class A or Class B misdemeanors
  - The new fee is applicable to offenses occurring on or after 01/01/2020; or convictions in County and District Courts that occur on or after 01/01/2020.
  - **Except:** the fee is still assessed in McLennan County for civil and probate cases
- Applies only to statutory county courts in Dallas, McLennan and Tarrant Counties
- If court reporter is required to take testimony, fee of \$3 applies

**Historical Note:** All three of these fees were added at least by 1991.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Cost. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Cost (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee. SB 346 repealed the Court Reporter Fee from Government Code Sec.25; but the fee is allowed in McLennan County Court at Law for civil and probate cases.

### Courthouse Security Fund

Code of Criminal Procedure, Art. 102.017, effective 09/01/1993.

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Cost (**local**).
  - The allocated percentage in the Consolidated Court Cost (**local**) is:
    - 35% for nonjailable misdemeanors
    - 8.1301% for Class A or Class B misdemeanors
    - 9.5238% for felonies

- The new fee is applicable to offenses occurring on or after 01/01/2020; or convictions in County and District Courts that occur on or after 01/01/2020.
- A defendant convicted of a felony in district court shall pay a \$5 security fee, effective 09/01/1993.
- A defendant convicted of a misdemeanor in county court, county court at law or district court shall pay a \$3 security fee, effective 09/01/1993.
- A defendant convicted of a misdemeanor in JP court shall pay a \$4 security fee, effective 01/01/2006. Prior to 01/01/2006, the fee in JP court was \$3.
- Conviction includes deferred disposition and deferred adjudication.

**Historical Note:** The fee was originally added in 1993 by Senate Bill 243 and amended in 1995 by Senate Bill 349 and Senate Bill 959, 74th Session (1995). In Senate Bill 182 75th Session (1997), added JP courts with a \$3 fee, effective 09/01/1997. House Bill 1177, 76th Session (1999), amended some of the specified uses for the money. The fee in justice court was increased from \$3 to \$4 by House Bill 1934, 79th Session (2005), effective 09/01/2005, but the increase was postponed to 01/01/2006 by Government Code, Section 51.607. Senate Bill 550, 79th Session (2005), amended the purposes of the money collected. House Bill 1380, 80th Session (2007), amended the purposes for the use of the money.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Cost. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Cost (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

### Crime Stopper's Fine

Code of Criminal Procedure, Art. 37.073, effective 09/01/1989

- Applies only to convictions of felonies
- Court may order defendant to repay all or part of a reward to a crime stopper's organization
- Court may consider financial hardship on defendant in determining amount to be repaid

**Historical Note:** Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

### Deferred Disposition Reimbursement Fee

Code of Criminal Procedure, Art. 45.051(b)(7)

- Applies only to misdemeanors punishable by fine only with deferred disposition
- Court may order defendant to pay costs of any diagnostic testing, psychosocial assessment or participation in a treatment or education program

**Historical Note:** Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

### Driving Safety Course Reimbursement Fee/Fine

Code of Criminal Procedure, Art. 45.0511(f), effective 1975

- Article 45.0511(f)(1) provides that the court may require a person requesting a driving safety course under Subsection (b) to pay a reimbursement fee at an amount of not more than \$10 to cover the cost of administering the statute.
- Article 45.0511(f)(2) provides that a defendant requesting a driving safety course under 45.0511(d) may pay a fine set by the court not to exceed the maximum amount of the fine for the offense committed by the defendant.

**Historical Note:** This \$10 fee for driving safety courses was added in 1975 (Section 143A, Article 6701d, VACS). It was re-codified in 1995 to Section 143.106, Subtitle C, Rules of the Road, Transportation Code. It was re-codified again in 1999 to become Article 45.0511, Code of Criminal Procedure.

Senate Bill 346, 86th Session (2019), changed the phrase administrative fee to reimbursement fee in Code of Criminal Procedure, Art. 45.0511(f)(1) and changed the term fee to fine in Code of Criminal Procedure, Art. 45.0511(f)2 effective 01/01/2020.

**Note:** The fee in 45.0511(f)(2) is **not** a special expense fee like the one in 45.051(c). It is an “administrative fee” only and the amount cannot exceed the maximum amount of the fine allowed by law. The amount of the fine the court assessed is irrelevant, whereas under 45.051, the amount of the fine set by the court limits the amount of the special expense that can be imposed.

Also, these administrative fees are **not** included when calculating fines for Excess Highway Fines. The statute for Excess Highway Fines only refers to Article 45.051, not to 45.0511 for traffic. Therefore, these administrative fees are not included.

### Evaluation Reimbursement Fee

Code of Criminal Procedure, Art. 102.018 (b), effective 09/01/1994

- Relates only to the conviction of an offense relating to the driving or operating of a motor vehicle punishable under Penal Code, Sec. 49.04(b), Driving While Intoxicated
- Reimbursement Fee is an amount equal to the cost of an evaluation of the defendant performed under Code of Criminal Procedure, Art. 42.12, Sec. 13(a) through 12/31/2016 and Code of Criminal Procedure, Art. 42A.402(a) effective 01/01/2017.
- Reimbursement fees are due in addition to other court costs, and is also due on probation
- Court may waive reimbursement fee when defendant is determined to be indigent

**Historical Note:** This was created in 1993 as Art. 102.017 (effective 09/01/1994) and renumbered to Art. 102.018 by Senate Bill 959, 74th Session (1995). House Bill 2299, 84th Session (2015) repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

Senate Bill 346, 86th Session (2019), changed the term cost to the phrase reimbursement fee effective 01/01/2020.

### Expired Certificate of Number for Vessel

Parks and Wildlife, Section 31.127, effective 01/01/2008

- Court may dismiss a charge of operating a vessel with an expired certificate of number if the certificate of number has not been expired for more than 60 days, and the defendant remedies the defect not later than the 10th working day after the date of offense and pays a fine not to exceed \$10.

**Historical Note:** The \$10 administrative fee was added by House Bill 1623, 80th Session (2007), effective 09/01/2007. However, the imposition of the fee was delayed to January 1, 2008, by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase administrative fee to fine.

### Expunction Reimbursement Fees

- Alcoholic Beverage Code, Sec. 106.12: A reimbursement fee of \$30 for each application for expungement, effective 01/01/2006.
- Code of Criminal Procedure, Art. 45.0216: A reimbursement fee in justice court in the amount of \$30, effective 01/01/2006.
- Code of Criminal Procedure, Art. 45.055: A fee of \$30 for each application for expungement, effective 01/01/2006 through 08/31/2015.
- Code of Criminal Procedure, Art. 102.006, fees for certified copies, effective 09/01/1985. Effective 09/01/2017, the fees in Art. 102.006(a) apply only to a district court, and a court granting a petition for expunction may waive any of those fees or a portion of a fee. Additionally, House Bill 557, 85th Session (2017) added Art. 102.006(a-1) requiring a \$100 filing fee in a justice or municipal court for an ex parte petition for expunction under Chapter 55.
- Health and Safety Code, Section 161.255: A fee of \$30 for each application for expungement, effective 01/01/2006.

**Historical Note:** Senate Bill 1426, 79th Session (2005), added the \$30 fee under the Alcoholic Beverage Code, the \$30 fees under the Code of Criminal Procedure, Art. 45.0216 and 45.055, and the \$30 fee under the Health & Safety Code.

House Bill 2398 repealed Code of Criminal Procedure, Art. 45.055, effective 09/01/2015.

House Bill 557, 85th Session (2017), amended Art. 102.006(a) and (c) and added (a-1).

Senate Bill 346, 86th Session (2019) changed the term fee to the phrase reimbursement fee effective 01/01/2020.

### Failure to Appear or Pay

Transportation Code, Section 502.185, effective 09/01/1997 is transferred and redesignated to Transportation Code, Section 502.010, effective 01/01/2012.

- A county assessor-collector or the Department of Motor Vehicles (DMV) may refuse to register a motor vehicle until the owner satisfies certain obligations.
- The county must have a contract with the DMV.
- Effective 09/01/1997 and prior to 01/01/2012, a county was allowed to charge a fee of an unspecified amount to a person who owed the county money for a fine, fee or tax that was 90 or more days past due.
- Effective 01/01/2012, the statute was amended by adding subsection (a)(2) for failing to appear in connection with a complaint, citation, information or indictment in a court in the county in which a criminal proceeding is pending against the owner of a vehicle owner. Additionally, subsection (f) was amended to specify the fee amount of \$20 allowed to be charged by the county.

**Historical Note:** House Bill 1532, 75th Regular Session (1997) added Transportation Code, Section 502.185.

Senate Bill 1386, 82nd Regular Session (2011) amended the section effective 09/01/2011; however, due to the delay provisions of Government Code 51.607, the fee was effective 01/01/2012. Also, Senate Bill 1386, 82nd Session (2011) transferred, redesignated and amended Transportation Code, Section 501.185 to Section 502.010 effective 01/01/2012.

### Failure to Appear or Pay

Transportation Code, Section 706, effective 01/01/2020

- Formerly a state court cost but the portion of the fee remitted to the Comptroller was repealed by Senate Bill 346, 86th Session (2019).
- A political subdivision may contract with the Department of Public Safety (DPS) to provide information necessary for the department to deny **renewal of the driver's license** of a person who fails to appear for a complaint or citation or fails to pay or satisfy a judgement ordering payment of a fine and cost in the manner ordered by the court in a matter involving any offense the court has jurisdiction of under Chapter 4, Code of Criminal Procedure.
- A political subdivision collecting this fee must be contracted with DPS and its agent Omnibase.
- When the city/county enters the data on an individual that has failed to appear for their court date, Omnibase sends the individual a letter informing them that DPS will not allow renewal of their driver's license until this case is cleared up.
  - If the defendant subsequently goes to the court and pays, the city/county will collect the additional \$10 for failure to appear and send Omnibase its fee.
  - If the defendant appears in court and is convicted, and fines and court costs are assessed, another \$10 fee for failure to pay will be imposed if it is not all paid by the 31st day after the judgment.

- The fee **is still due** even if the case is dismissed (case is not heard due to lack of witnesses, no prosecution or a deferral such a driving safety course except for dismissals with prejudice by motion of the appropriate prosecuting attorney for lack of evidence).
- The FTA fee is also due when there is an appeal or a bond. The fee is also due when an appeal is completed (i.e., there is a judgment in municipal court and the case is appealed to county court.)
- The fee is due if bond is posted, if the fine and costs are paid or discharged, or the defendant makes other suitable arrangements to pay.
- If a defendant is charged with multiple offenses, i.e. three offenses on one ticket, there are three sets of court costs due. If the defendant fails to appear in court to answer the charges, the court can/should add the FTA fee to each of the three offenses for “failure to appear.”
- If the defendant does eventually show up and is ordered to pay, the clock starts again, and the court may add the \$10 FTA fee to each of the three dockets for “failure to pay.” The court has the option of consolidating several charges and issuing one court order. If that is the case, there is only one \$10 FTA fee because it applies to each “order.”
- The \$10 fee may only be used to reimburse the vendor administering the program for the DPS.
- See Chapter 10, Table I for a list of cities and counties participating on the Omnibase program, along with the date the city or county began participation.

**Historical Note:** Senate Bill 346, 86th Session (2019) repealed the **state** Failure to Appear fee and made it a local fee to be assessed in addition to the existing Failure to Appear **local** fees.

### Graffiti Eradication Fee

See Juvenile Delinquency Prevention Fund.

### Impound Reimbursement Fee

Transportation Code, Section 601.263, effective 09/01/1995

- Impound reimbursement fee of \$15 per day for each day of impoundment of the defendant’s vehicle
- Vehicle may be impounded on a second or subsequent conviction under Transportation Code, Section 601.191, failure to maintain insurance on the vehicle

**Historical Note:** The impound fee was added by Senate Bill 971, 74th Session (1995), effective 09/01/1995.

Senate Bill 346, 86th Session (2019) changed the term fee to the phrase reimbursement fee.

### Insufficient Funds Checks Reimbursement Fee

Code of Criminal Procedure, Art. 102.007 and 102.0071

- County and District Court fee, Art. 102.007, effective 1985
- County or District Attorney may apply the reimbursement fee to offenses under the following Penal Code sections:
  - Sec. 31.03, Theft
  - Sec. 31.04, Theft of service
  - Sec. 32.21, Forgery
  - Sec. 32.41, Issuance of bad check

**Historical Note:** Amounts were increased under Art. 102.07 by Senate Bill 174, 75th Session (1997), and Senate Bill 284, 76th Session (1999). House Bill 351, 85th Session (2017) added forgery to the list of JP offenses.

Senate Bill 346, 86th Session (2019) changed the term fee to the phrase reimbursement fee.

**Discussion:** The date the check was written is the offense date. If the retailer waits some time before going to court to file a complaint, the date they do that is irrelevant. The date of the offense is the date the hot check was written. There is a two-year statute of limitations for the retailer to file a complaint for a hot check.

### Jury Fee

Code of Criminal Procedure, Art. 45.026 and 102.004, effective 09/01/1985

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
  - The allocated percentage in the Consolidated Court Fee (**local**) is:
    - 0.7143% for nonjailable misdemeanors
    - 0.8130% for Class A or Class B misdemeanors
    - 0.9524% for felonies
  - The new fee is applicable to offenses occurring on or after 01/01/2020; or convictions in County and District Courts that occur on or after 01/01/2020.
- A defendant convicted by a jury in a trial before a justice court shall pay a jury fee of \$3.
- A defendant who requests a trial by jury in justice court and who withdraws the request not earlier than 24 hours before the time of trial, shall pay a jury fee of \$3 if the defendant is convicted of the offense or final disposition of the defendant's case is deferred.
- A defendant who requests a trial by jury in justice court and who fails to appear may be required to pay the costs on impaneling the jury (Art. 45.026)
- If two or more defendants are tried jointly, only one jury fee of \$3 may be imposed in the justice court. If the defendants sever and are tried separately, each defendant convicted shall pay the jury fee.

- A defendant convicted by a jury in a county court, county court at law or a district court shall pay a jury fee of \$40, effective 01/01/2016. Prior to 01/01/2016, the fee was \$20.

**Historical Note:** This \$3 fee was enacted in 1965 as Article 45.08, Code of Criminal Procedure. It was subsequently recodified to become Article 102.004. Senate Bill 1060, 74th Session (1995), added the provision that the fee is due in justice court when a jury has been requested and withdrawn less than 24 hours before trial. It also added Section 30.007 to Civil Practice and Remedies Code about “Demand for Jury Trial in Justice Court; Failure to Appear.” A defendant who fails to appear may be charged with the costs of impaneling the jury. Effective 09/01/1995. House Bill 2182, 84th Session (2015) increased the fee from \$20 to \$40 for a county court, a county court at law or a district court. The increase is effective 01/01/2016 due to the delay provisions of Government Code 51.607.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Cost (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

**Note:** Under CCP, Art. 102.011(a)(7), there is a \$5 fee for summoning a jury. It could be in addition to the jury fee under Art. 102.004. However, the \$5 fee in Art. 102.011 can only be applied if the summoning of a jury was performed by a peace officer. If it was a court clerk or staff performing this function, the \$5 fee cannot be applied.

### Justice Court Technology Fund

Code of Criminal Procedure, Art. 102.0173, effective 09/01/2001

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
  - The allocated percentage in the Consolidated Court Fee (**local**) is:
    - 28.5714% for nonjailable misdemeanors
- a defendant convicted of a misdemeanor offense in a justice court is to pay a technology fee not to exceed \$4 as a cost of court.
- Fee was discretionary when created 09/01/2001 but became mandatory on 01/01/2006.
- Fee applies to convictions, including deferred disposition
- Money collected is to be deposited to the Justice Court Technology Fund in the county treasury, for specific purposes outlined in the statute.

**Historical Note:** This fee was created by House Bill 177, 77th Session (2001), effective 09/01/2001. It contained a provision for this fee to expire on September 1, 2005. However, House Bill 1418, 79th Regular Session (2005), repealed the expiration clause and made the fee mandatory rather than discretionary. Attorney General Opinion GA-0560, dated August 6, 2007, said the fund may not be used to finance continuing education and training for a constable.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Cost (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

### Juvenile Case Manager Fee

Code of Criminal Procedure, Art. 102.0174, effective 01/01/2006

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
  - The allocated percentage is in the Consolidated Court Fee (**local**) as the Local Truancy Prevention and Diversion Fund:
    - 35.7143% for nonjailable misdemeanors
    - 16.2602% for Class A or Class B misdemeanors
    - 23.8095% for felonies
  - The new fee is applicable to offenses occurring on or after 01/01/2020; or convictions in County and District Courts that occur on or after 01/01/2020.
- Fee is not to exceed \$5 as a court cost on the conviction of a fine-only misdemeanor offense in justice or county court. Effective 09/01/2011, a county must employ a juvenile case manager in order to assess the \$5.
- Fee must be adopted by the commissioners court and must authorize the judge to waive the fee in a case of financial hardship
- The fund is to be used to finance the salary and benefits of a juvenile case manager employed under Article 45.056, Code of Criminal Procedure.

**Historical Note:** This fee was added by House Bill 1575, 79th Session (2005), effective 09/01/2005. However, imposition of the fee was postponed to January 1, 2006, by Government Code, Section 51.607. Senate Bill 1489, 82nd Session (2011), effective 09/01/2011 added the condition of employing a juvenile case manager in order to assess the \$5 cost.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Fee (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

### Juvenile Delinquency Prevention Fund (Formerly Graffiti Eradication Fee)

Code of Criminal Procedure, Art. 102.0171, effective 09/01/1997.

- Applies to county court, county court at law or District court
- \$50 fine for conviction under Penal Code, Sec. 28.08, Graffiti. Prior to 01/01/2008, the fee was \$5.
- To be deposited into the County Juvenile Delinquency Prevention Fund
- Effective 09/01/1997, named changed on 09/01/2003

**Historical Background:** This fee was created by Senate Bill 758, 75th Session (1997), effective 09/01/1997. House Bill 1828, 78th Regular Session (2003), changed the name of this fee from the Graffiti Eradication Fee to the Juvenile Delinquency Prevention Fund. Not to be confused with the Juvenile Crime and Delinquency Fund or the Juvenile Probation Diversion Fund.

House Bill 2151, 80th Session (2007), increased the fee from \$5 to \$50, effective 09/01/2007. The increase was delayed to 01/01/2008 by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019) changed the phrase court costs to the term fine effective 01/01/2020.

### Juvenile Justice and Teen Court

Family Code, Section 53.03, 54.032 and 54.061

- Sec. 53.03(d), court may require fee of \$15 per month for deferred prosecution services, effective 1979
- Sec. 54.032(e), court may require a reimbursement fee of \$10 to pay for costs of administering this section, effective 09/01/1989
- Sec. 54.032(g), court may also require a reimbursement fee of \$10 to cover the cost of the Teen Court's duties, effective 09/01/1995
- Sec. 54.061(a), court may require fee of \$15 per month for probation.

**Historical Note:** The fee in Sec. 53.03 was adopted in 1973.

The fee in Sec. 54.032 was added in 1989 and amended by House Bill 120, 74th Session (1995), to add the second \$10 fee under subsection (g). House Bill 822, 77th Session (2001), changed some of the timelines allowed in subsections (a) and (c). House Bill 2319, 78th Session (2003), amended some stipulations under subsections (a) and (f).

The fee in Sec. 54.061 was added either in 1979, 1981 or 1987.

Senate Bill 346, 86th Session (2019), changed the term fee to the phrase reimbursement fee in Family Code Section 54.032 effective 01/01/2020.

### Juvenile Placement Fund

Human Resources Code, Sec. 152.0522, effective 09/01/1989

- Effective 01/01/2020 this fee is repealed
- Applies only to Comal County (see statute Sec. 152.0522)
- Criminal court cost of \$4 in District or Statutory County Court
- Criminal court cost \$1.50 in Justice court

**Historical Note:** Senate Bill 346 Session (2019) repealed this fee.

### Juvenile Probation Fee

Family Code, Section 54.061

- Applies if juvenile is placed on probation under Family Code, Section 54.04(d)(1)
- Court shall order child or parents to pay a \$15 probation fee per month
- To be deposited to a fund for juvenile probation or community based juvenile corrections services or facilities
- Court may waive collection of the fee upon a finding of financial hardship

**Historical Note:** Fee was added in 1979, amended in 1981 and 1987.

### Misdemeanor Fee

Code of Criminal Procedure, Art. 102.009, effective 09/01/1983, amended 2001, repealed 06/19/2015.

- Applies only to counties with a population of 3.3 million or more
- Applies only to Class C misdemeanors in Justice Courts
- Cost may not exceed \$7 for each conviction

**Historical Note:** House Bill 2810, 77th Session (2001), changed the population restriction from 2 million to 3.3 million, effective 09/01/2001. Senate Bill 287 repealed this fee effective 06/19/2015.

### Peace Officer Reimbursement Fees

Code of Criminal Procedure, Art. 102.001 and 102.011, effective 09/1/1987 with multiple amendments (see statute for details of each category below). These services must be performed by a peace officer for the fee to be applicable.

- \$5 for issuing written notice to appear in court \*
- \$5 for making an arrest without a warrant \*
- \$50 for executing or processing an issued arrest warrant or capias \*
- \$5 for summoning a witness
- \$35 for serving a write not otherwise listed in this article
- \$10 for taking and approving a bond
- \$5 for commitment or release
- \$5 for summoning a jury
- \$8 for each day's attendant of a prisoner in a habeas corpus case
- \$0.29 per mile for mileage required of an officer to perform a service
- \$10 for each day spent by an officer attaching a witness outside the county
- Costs of overtime paid to a peace officer for time spent testifying in the trial of the case or for traveling to/from testifying in the trial of the case

\* If this service is performed by a peace officer with statewide authority, 20% of the amount is to be remitted to the state.

**Historical Note:** Fees for services of peace officers actually originated in 1965. It was re-codified in 1985.

Senate Bill 346, 86th Session (2019, changed the term fee to the phrase reimbursement fee.

### Pretrial Diversion Fee (El Paso County Only)

Government Code, Sec. 54.745, effective 09/01/1989 and repealed 01/01/2020.

- Applies only to El Paso County
- Fee of \$100 for defendant's request for speedy trial
- Fee is nonrefundable
- Court may waive the fee for good cause

**Historical Note:** Senate Bill 346, 86th Session (2019) repealed this fee.

### Pretrial Intervention Program

Code of Criminal Procedure, Art. 102.012, effective 06/18/1990, amended 1995 and 2005.

- Supervision reimbursement fee of not more than \$60 per month as a condition of participating in the pretrial intervention program
- In lieu of, or in addition to, the \$60 monthly fee, defendant may be ordered to pay or reimburse CSCD for any other expense incurred as a result of defendant's participation in the pretrial intervention program, other than an expense described by Article 102.0121. \*
- Prior to 09/01/2005, the fee was not to exceed \$500 for supervision of defendant in pretrial intervention program by Community Supervision and Corrections Department.

\* Effective 09/01/2007, Article 102.0121 is added, providing that a district attorney, criminal district attorney or county attorney may collect a fee in an amount not to exceed \$500 to be used to reimburse a county for expenses, including expenses of the district attorney's, criminal district attorney's or county attorney's office, related to a defendant's participation in a pretrial intervention program offered in that county. The district attorney, criminal district attorney or county attorney may collect the fee from any defendant who participates in a pretrial intervention program administered in any part by the attorney's office. Fees collected under this article shall be deposited in the county treasury in a special fund to be used solely to administer the pretrial intervention program.

- Applies in County and District Courts

**Historical Note:** Senate Bill 1006, 79th Session (2005), amended the fee from an amount not to exceed \$500, to a monthly supervision fee of \$60. Article 102.0121 was added by House Bill 2385, 80th Session (2007), effective 09/01/2007.

Senate Bill 346, 86th Session (2019) changed the term fee to the phrase reimbursement fee.

### Prosecutor's Fee (District Attorney Fee)

Code of Criminal Procedure, Art. 102.008, effective 09/01/1985

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
  - The allocated percentage in the Consolidated Court Cost (**local**) is:
    - 16.2602% for Class A or Class B misdemeanors

- The new fee is applicable to offenses occurring on or after 01/01/2020; or convictions in County and District Courts that occur on or after 01/01/2020.
- Applies to convictions of misdemeanors or gambling offenses
- Fee of \$25 for the trying of the case by the district or county attorney
- If the court appoints an attorney to represent the state in the absence of the district or county attorney, the appointed attorney is entitled to the fee otherwise due.
- No fee for the trying of a case may be charged against a defendant prosecuted in a justice court for violation of a penal statute or of the Uniform Act Regulating Traffic on Highways.
- If two or more defendants are tried jointly, only one fee may be charged under this article. If the defendants sever and are tried separately, each defendant shall pay the fee.
- A defendant is liable for fees imposed by Subsection (a) if the defendant is convicted of an offense and the defendant does not appeal the conviction or the conviction is affirmed on appeal.

**Historical Note:** This fee was added in 1985 and amended in 1989.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Fee (2020) **local**, SB346 repealed some local costs and consolidated them into this new local fee.

### Records Management and Preservation Fund

Code of Criminal Procedure, Art. 102.005(f), effective 09/01/1993

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
- The allocated percentage in the Consolidated Court Fee (**local**) is:
  - 20.3252% for Class A or Class B misdemeanors
  - 23.8095% for felonies
- The new fee is applicable to offenses occurring on or after 01/01/2020; or convictions in County and District Courts that occur on or after 01/01/2020.
- Applies to county court (statutory or constitutional) or District court
- The current \$25 fee is split, \$22.50 for records management in various county offices and \$2.50 for records management and preservation services performed by the clerk of the court
- Rate:

Prior to 1999	09/01/1999 through 06/16/2005	06/17/2005 forward
\$10	\$20	\$25

**Historical Note:** This fee was created 09/01/1993. House Bill 2968, 76th Session (1999), increased the records management fee in county and district courts from \$10 to \$20, effective 09/01/1999. Senate Bill 526, 79th Session (2005), increased the fee from \$20 to \$25, effective 06/17/2005.

Senate Bill repealed this fee effective 01/01/2020. See Note section below.

**Note:** See Attorney General Letter Opinion 92-77, dated 11/20/1992, which says that if a county clerk imposes this fee on documents filed in the county clerk's office, it must be imposed on all of them, without any exempted, and the same amount must be imposed on all of them without variance.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Fee (2020) **local**, SB346 repealed some local costs and consolidated them into this new local fee.

### Regional Veterans Program Fee

Code of Criminal Procedure, Article 102.0178, effective 09/01/2013

- Effective 01/01/2020 this fee is repealed
- Allows the county to retain \$60 fee
- Not necessary to participate in a regional program to collect the fee

**Historical Note:** This fee was added by Senate Bill 462, 83rd Session (2013), effective 09/01/2013.

Senate Bill 346 repealed this fee effective 01/01/2020.

### Restitution Fee

Code of Criminal Procedure, Article 42.037(g), effective 01/01/2006 and repealed 01/01/2020

- allows the court to impose a one-time restitution fee of \$12 if the court allows a defendant to make restitution in specified installment payments
- one-half of the fee if to be retained by the county
- one-half is to be remitted to the Compensation to Victims of Crime Fund.

**Historical Note:** This fee was added by House Bill 1751, 79th Session (2005), effective 09/01/2005. Due to the provisions of Government Code, Section 51.607, the fee is postponed until January 1, 2006.

Senate Bill 346, 86th Session (2019) repealed these fees effective 01/01/2020.

### Supplementary Fine (Special Expense Fee)

Code of Criminal Procedure, Article 45.051, effective 1981

- Under suspension of sentence and deferral of final disposition, if the complaint is dismissed, a supplementary fine not to exceed the amount of the fine assessed may be imposed.

**Historical Note:** The special expense fee was enacted in 1981 (Article 45.54, CCP). It was re-codified in 1999 to become Article 45.051, CCP.

Senate Bill 346, 86th Session (2019), changed the phrase “special expense fee” to “fine”. In order to distinguish from the original fine assessed, the phrase “supplementary fine” is used.

### Technology Fund

Code of Criminal Procedure, Article 102.0169, effective 01/01/2010

- Effective 01/01/2020 this fee is repealed and is included in the new Consolidated Court Fee (**local**).
  - The allocated percentage in the Consolidated Court Fee (**local**) is:
    - 28.5714% for nonjailable misdemeanors
    - 3.2520% for Class A or Class B misdemeanors
    - 3.8095% for felonies
  - The new fee is applicable to offenses occurring on or after 01/01/2020; or convictions in County and District Courts that occur on or after 01/01/2020.
- A defendant convicted of a criminal offense in a county court, statutory county court or district court shall pay a \$4 county and district court technology fee.
- This fee may be used only to finance the cost of continuing education and training for county court, statutory county court or district court judges and clerks regarding technological enhancements for those courts and the purchase and maintenance of technological enhancements for a county court, statutory county court or district court including computer systems, computer networks, computer hardware, computer software, imaging systems, electronic kiosks and docket management systems.
- The fund shall be administered by or under the direction of the commissioners court of the county.

**Historical Note:** This fee was added by House Bill 3637, 81st Session (2009), effective 09/01/2009. Due to the provisions of Government Code, Section 51.607, the fee is postponed until January 1, 2010.

Senate Bill 346, 86th Session (2019), added the new **local** Consolidated Court Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Court Fee (2020) **local** SB346 repealed some local costs and consolidated them into this new local fee.

## Teen Court

Code of Criminal Procedure, Article 45.052

- A Justice court may defer proceedings against a defendant who is under the age of 18 or who is enrolled full time in an accredited program leading toward a high school diploma. If the defendant has not completed a Teen Court program in the previous two years and makes an oral or written request to attend the Teen Court program, the court may defer proceedings for up to 180 days.
- Subsection (e) states that the court may require the defendant requesting the Teen Court program to pay a reimbursement fee not to exceed \$10 to pay for the costs of administering this statute. A person who requests the Teen Court program and fails to complete it is not entitled to a refund of the \$10 fee.
- Subsection (g) states that, in addition to the \$10 reimbursement fee, the court may also require the defendant pay a \$10 fee to pay for the costs of the Teen Court for performing its duties. This \$10 fee is to be paid to the Teen Court. A person who requests the Teen Court program and fails to complete it is not entitled to a refund of the \$10 fee.
- A court that is located in the Texas-Louisiana border region, as defined by Section 2056.002, Government Code, may charge a reimbursement fee of \$20 instead of \$10 in each of the above two sections. This applies to 18 counties: Bowie, Camp, Bass, Delta, Franklin, Gregg, Harrison, Hopkins, Lamar, Marion, Morris, Panola, Red River, Rusk, Smith, Titus, Upshur and Wood. Effective 01/01/2008.

**Historical Note:** The fee under subsection (g) was added by House Bill 120, 74th Session (1995).

House Bill 2949, 80th Session (2007), allows the counties in the Texas-Louisiana border region to charge \$20 for subsections (e) and (g), effective 09/01/2007. However, the fee increase was delayed to 01/01/2008 by Government Code, Section 51.607.

Senate Bill 346, 86th Session (2019) changed the term fee to the phrase reimbursement fee.

## Teen Dating Violence

Family Code, 54.0325

- A county that has approved a teen dating violence program allows a juvenile court, on the recommendation of the prosecuting attorney, to defer adjudication proceedings for not more than 180 days if a child is a first offender who is alleged to have engaged in conduct that violated a misdemeanor penal law that involved dating violence.
- A child must complete the program not later than the last day of the deferral period and appear in court once a month for monitoring purposes.
- Subsection (g) allows the court to assess a fee not to exceed \$10 to cover the administrative costs.
- Subsection (h) allows the court to assess a fee not to exceed \$10 to cover program costs.

**Historical Note:** Family Code, 54.0325 was added by House Bill 2496, 82nd Session (2011) effective 09/01/2011. Due to the provisions of Government Code, Section 51.607, the fee is postponed until January 1, 2012.

### Time Payment Reimbursement Fee

Code of Criminal Procedure, Art. 102.030 effective 01/01/2020

- Time Payment fee is a **local fee** and **no longer reported to the Comptroller**;
- The **local fee** is \$15.
- The Time Payment Reimbursement Fee is a local fee for **offenses committed on or after 01/01/2020** in Municipal and Justice Courts; and **based on conviction date** on or after 01/01/2020 in County and District Courts.
- When an offense (or conviction in county and district courts) occurs on or before December 31, 2019, the version of the local government code 133.103 in effect on December 31, 2019, applies regardless of the new date the defendant fails to pay. For an offense (or conviction in county and district courts) committed on or after January 1, 2020, the time payment reimbursement fee is governed by Code of Criminal Procedure, Art. 102.030.

**Historical Note:** Senate Bill 346, 86th Session (2019), repealed the amount of the Time Payment Fee that was remitted to the state. SB 346 kept in place the local portion of the fee and increased it to \$15. The fee is to be used locally to improve collection of outstanding court costs, fees and fines. See the Time Payment Fee explanation in Chapter 2 State Criminal Costs for more historical information.

### Toll Fees

Transportation Code, Sec. 228.055, 284.0701, 284.2031 and 284.208

- Sec. 228.055 provides for an administrative cost up to \$100 for offenses under Sec. 228.054 for failure or refusal to pay toll, effective 06/14/2005 and repealed 09/01/2017.
- Chapter 284 offenses apply only to certain jurisdictions as outlined in Transportation Code, Sec. 284.002, effective 01/01/2004.
- Sec. 284.0701 provides for an administrative cost up to \$100 for offenses under Transportation Code, Sec. 284.070 (Nonpayment of Toll)
- Sec. 284.2031 provides for a \$1 fine on conviction of an offense under Transportation Code, Sec. 284.070 (Nonpayment of Toll), Sec. 284,0701 (Administrative Cost) or Sec. 284.203 (Violation of Order).
- Sec. 284.208 provides for a \$1 court cost for a hearing if the defendant is found liable for violation of the order prohibiting operation of a motor vehicle on a toll project (Sec. 284.202).
- Sec. 452.0613 provides for a penalty up to \$100 if a person does not pay within 30 days for offenses related to high occupancy vehicle lanes operated by a regional transportation authority.

**Historical Note:** House Bill 2702, 79th Regular Session (2005) added the fees in Sec. 228.055, effective 06/14/2005. Senate Bill 1464, 78th Regular Session (2003), adds

these fees under Chapter 284. The effective date was September 1, 2003, but due to Gov. Code Sec. 51.607, the effective date was postponed to January 1, 2004. Senate Bill 990, 82nd Session (2011) added Section 452.0613, effective September 1, 2011. House Bill 1672, 79th Session (2005) repealed the administrative costs in Transportation Code Section 284.208.

Senate Bill 312, 85th Regular Session (2017) repealed the administrative costs in Transportation Code Sec. 228.055.

Senate Bill 356, 86th Session (2019), changed the phrase court cost to fine in Transportation Code Section 284.2031.

### Traffic Fine

Transportation Code, Sec. 542.403, effective 09/01/1991

- Defendant convicted of misdemeanor under Transportation Code, Title 7, Subtitle C, Rules of the Road, shall pay \$3 as a fine.

**Historical Note:** The local \$3 Traffic Fee was added by House Bill 70, 72nd Session, 1991, added to Sec. 143, Uniform Act Regulating Traffic. In 1995, it was recodified into the Transportation Code by Senate Bill 971, 74th Session.

Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the phrase cost of court to fine.

**Notes:** Transportation Code, Title 7, Subtitle C, Rules of the Road, includes only chapters 541-600. This includes moving violations (Chapter 545) and inspections of vehicles (Chapter 548), but **does not include** expired registration (Chapter 502), driver's licenses (Chapter 521) or insurance (Chapter 601). See [Table VI in Chapter 10](#) for details on offenses included in the Rules of the Road.

It is possible to find that the court is charging this local Traffic Fin on violations for commercial motor vehicles, such as equipment, brakes, lights, etc. If the offense is being filed as a Chapter 547 offense, then the local Traffic Fine would apply. If the offense is being filed as a federal safety motor carrier offense in Chapter 644, the local Traffic Fine does not apply. There may be offenses that fall under both, the court should determine how it was filed.

### Unlawful Possession

Parks & Wildlife Code, Section 12.110(b), effective 06/18/2005 and repealed 01/01/2020

- Requires that the actual expense of any storage, care, feeding, cold storage or processing that may be necessary for an unlawfully possessed game bird, fowl, animal, game fish or exotic animal shall be assessed against the violator on the violator's conviction.

**Historical Note:** This section was added by House Bill 2026, 79th Session (2005), effective on June 18, 2005.

Senate Bill 346, 86th Session (2019), effective 01/01/2020 repealed subsection (b).

### Visual Recording Reimbursement Fee

Code of Criminal Procedure, Art. 102.018, effective 09/01/1994

- Applies to Penal Code, Sec. 49.04 convictions (Driving while intoxicated)
- Applies only in county and district courts
- Reimbursement fee of \$15 applies if law enforcement agency visually recorded the defendant with an electronic device

**Historical Note:** Senate Bill 346, 86th Session (2019), effective 01/01/2020, changed the term fee to the phrase reimbursement fee.

### Witness Fees

Code of Criminal Procedure, Article 102.002, effective 09/01/1985

- Applies to JP, county and district courts
- Clerks shall keep records of witnesses in the case
- Defendant, upon conviction, is liable for costs of witnesses

**Historical Note:** This was added in 1985. Senate Bill 577, 76th Session (1999), repealed subsections (a), (b) and (c) of Art. 102.002.

## **CHAPTER 5: CIVIL FEES – MUNICIPALITIES AND COUNTIES**

### **Introduction**

There are several state fees collected in civil cases and on other records in the offices of the county and district clerks, and local registrars for birth certificates.

All of the fees listed in this chapter apply to county offices. The Birth Certificate Fee also applies to a local registrar in a municipality.

All of these fees are to be remitted **quarterly**, by the last day of the month following a calendar quarter, on the Civil Fees [Form 40-141](#), with the exception of the Photographic Traffic Signal fee, which is remitted annually on [Form 40-146](#) and the Electronic Filing Fee, which is remitted quarterly on [Form 40-151](#).

### Civil Fees by Time Period

Fund	09/01/2003 through 08/31/2005	09/01/2005 through 08/31/2007	09/01/2007 through 08/31/2013	09/01/2013 through 08/31/2017	09/01/2017 through 12/31/2021	01/01/2022 forward
<a href="#">Birth Certificate Fee</a>	X	X	X	X	X	X
<a href="#">Consolidated Civil Filing Fee</a>	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	X
<a href="#">Electronic Filing Fee</a>	Not Applicable	Not Applicable	Not Applicable	X	X	R
<a href="#">Filing Fee for Legal Services for Indigents</a>	X	X	X	X	X	R
<a href="#">Judicial and Court Personnel Training Fee</a>	Not Applicable	Not Applicable	Not Applicable	Not Applicable	X	R
<a href="#">Judicial Fund</a>	X	X	X	X	X	R
<a href="#">Judicial Support Fee</a>	Not Applicable	12/01/2005	X	X	X	R
<a href="#">Juror Donations</a>	X	X	X	X	X	X
<a href="#">Marriage License Fees</a>	X	X	X	X	X	X
<a href="#">Nondisclosure Fees</a>	X	X	X	X	X	X
<a href="#">Photographic Enforcement Systems</a>	Not Applicable	Not Applicable	X	X	Repealed 06/02/2019	R

- An 'X' means the fund was effective for the time periods indicated in the column headings, unless otherwise noted.
- An 'R' means the fund was repealed for the time period indicated in the column headings, unless otherwise noted.

## Birth Certificate Fee

Reported by	County Clerks and Local Registrars
Effective	09/01/1995
Due Date	Quarterly
Collection Fee	None
Statute	Local Gov. Code, Sec. 118.011, 118.015, 133.004 Health & Safety Code, Sec. 191.0045, 191.022
Purpose	Work and Family Policies Fund

### Rate

\$2 per certified copy of birth certificate, of which

- 90%, or \$1.80, is remitted to the state, and
- 10%, or 20 cents, is retained locally.

### Description

The \$2 fee is in addition to other fees required by the Bureau of Vital Statistics for certified copies of birth certificates. It is reported by the county clerks to the county treasurer for remittance to the Comptroller, or by the local registrars in the municipalities.

### Reporting After 01/01/2004

Effective January 1, 2004, Birth Certificate Fees are included on the [Civil Fees Report, 40-141](#), line 1. The number of birth certificates will be reported in Column 1 and the total collected in Column 2 (\$1.80 times the number in Col 1.). Column 4, "Amount Due", should be the same as Column 2.

### Exemptions

- Law enforcement agency or child fatality review team (Health & Safety Code, Sec. 191.0046). This is effective May 3, 2005.
- Individual requesting a birth certificate for the purpose of obtaining an election identification certificate under Section 521A.001, Transportation Code. This is effective May 27, 2015.

### Historical Background

The birth certificate fees were added by House Bill 1341, 74th Session (1995), effective 09/01/1995.

The exemption for the law enforcement agency or child fatality review team was added by Senate Bill 239, 79th Session (2005), effective 05/03/2005.

The exemption for the individual seeking an election identification certificate was added by Senate Bill 983, 84th Session (2015), effective 05/27/2015.

## Discussion

Local Registrars are defined in Health & Safety Code, Sec. 191.022. This includes JP's and municipal clerks or secretaries. Revenue Accounting had numerous JP's and municipal clerks/secretaries that were set up on the computer with their own taxpayer numbers for reporting Birth Certificate Fees, instead of using the city's or county's taxpayer number. These have now been changed to the appropriate city or county taxpayer numbers, but the auditor should look for Birth Certificate Fees to be sure that they are properly reported.

The fees charged by the Bureau of Vital Statistics are found in the Health & Safety Code, Sec. 191.0045. Local Registrars may charge an additional \$2 and \$1 fee as provided in 191.0045 (e) and (h). Senate Bill 1524, 79th Session (2005), effective 01/01/2006, allows **county clerks** to charge the same fee charged by the Bureau of Vital Statistics for issuing a certified copy of a birth or death certificate. County clerks may also charge an additional \$1 for preserving vital statistics of birth, death, fetal death, marriage and divorce and annulment records.

The statutes regarding fees for birth certificates does not list any exemptions\* and the Department of Health has not issued any to this effect. However, they cannot control what the county clerks or local registrars do. If the clerk/registrar chooses to give a birth certificate for free, TDH does not intervene. If the clerk/registrar used the TDH internet system to obtain the certificate, they will still owe TDH the fee (\$1.83) regardless; they also should collect the regular fees from the customer and remit \$1.80 to the Comptroller.

\* There are a couple of exemptions from the birth certificate fees. Government Code, Section 603.003(a)(1) exempts veterans when needed for filing claims against the US Government and Local Government Code, Sec. 118.011(d) exempts Immigration and Naturalization Service (INS) when the request is related to a criminal history. Otherwise, no exemptions for senior citizens, juveniles, Little League, etc.

**Consolidated Civil Filing Fee – State**

Reported by Justice, County, Statutory County, Statutory Probate and District Courts  
 Effective 01/01/2022  
 Due Date Quarterly  
 Collection Fee None  
 Statute Local Government Code, Sec. 133.151  
 Purpose See various funds and percentages below

**Rate**

Depending on which court and the filing type, there are several different rates:

- Fee of \$21 on the filing of any civil case and on any action other than an original action for a civil case, including an appeal and any counterclaim, cross-action, intervention, contempt action, interpleader, motion for new trial or third-party action. The Comptroller shall allocate the fee to the following funds (LGC 133.151(a-1)):

<b>Justice Court State Civil Funds</b>	<b>Percentage</b>
Basic Legal Services for Indigents Account	28.5714%
Statewide Electronic Filing System Fund	47.6191%
Judicial and Court Personnel Training Fund	23.8095%

- Fee of \$137 on filing any civil, probate, guardianship or mental health case. The Comptroller shall allocate the fee to the following funds (LGC 133.151(a)(1)):

<b>District Court, Statutory County Court or County Court State Civil Funds</b>	<b>Percentage</b>
Judicial Fund	59.854%
Basic Legal Services for Indigents Account	14.5985%
Statewide Electronic Filing System Fund	21.8978%
Judicial and Court Personnel Training Fund	3.6497%

- Fee of \$45 on any other than an original action for a case above, including an appeal and any counterclaim, cross-action, intervention, contempt action, adverse probate action, interpleader, motion for new trial or third-party action. The Comptroller shall allocate the fee to the following funds (LGC 133.151(a)(2)):

<b>District Court, Statutory County Court or County Court State Civil Funds</b>	<b>Percentage</b>
Basic Legal Services for Indigents Account	22.2222%
Statewide Electronic Filing System Fund	66.6667%
Judicial and Court Personnel Training Fund	11.1111%

### Description

- Applies to civil filings on or after January 1, 2022
  - If a filing was made prior to 01/01/2022, but paid after 01/01/2022, the prior statutes and rates are in effect.
- The new fees shall be collected and remitted either:
  - To the Office of Court Administration (OCA) using the electronic filing system established under GC 72.031.
    - This electronic filing system allows a party to file civil actions using an online portal and the fees paid go directly to the OCA.
    - The OCA will then report the funds they receive through the electronic filing system to the Comptroller to deposit and allocate into the appropriate accounts/funds.
  - To the Comptroller.
    - If a party files civil actions directly with a county clerk, the county treasurer will report the collected funds on the State Civil Fees Form 40-141

### Historical Note

Senate Bill 41, 87th Regular Session (2021), added the new State and Local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages. In creating the new Consolidated Civil Fee, SB 41 repealed many state and local civil costs and consolidated them into the new state and local civil filing fees.

## Electronic Filing Fees

Reported by	Justice, County, Statutory County, Statutory Probate and District Courts
Effective	09/01/2013 through 12/31/2021
Due Date	Quarterly
Collection Fee	None (per LGC 133.058(d)(3))
Statute	Government Code, Sec. 51.851
Purpose	Office of Court Administration, support a statewide electronic filing technology project for courts in this state

### Rate

This fee is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021), and rolled into the new State Consolidated Civil Fee with an allocation percentage of:

- District court, statutory county court, statutory probate court or county court filings of any civil, probate, guardianship or mental health case: 21.8978%
- District court, statutory county court, statutory probate court or county court filings of any action other than an original action subject to the previous list including an appeal and any counterclaim, cross-action, intervention, contempt action, adverse probate action, interpleader, motion for new trial or third-party action: 66.6667%
- Judicial courts filings of any civil case, including an appeal and any counterclaim, cross-action, intervention, contempt action, interpleader, motion for new trial or third-party action: 47.61911%

Court	09/01/2013 through 08/31/2015	09/01/2015 through 12/31/2021
District, County, Statutory County, Statutory Probate	\$20	\$30
Justice	\$10	\$10

### Description

The fees apply to the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader or third-party action requiring a filing fee to be used as provided by Section 51.852 of the Government Code.

A court may waive payment of the fee for an individual the court determines is indigent.

### Historical Note

House Bill 2302, 83rd Session (2013), effective 09/01/2013 created the electronic filing fee. The bill specifically stated that Government Code 51.607 did not apply, so the effective date was not delayed to 01/01/2014.

Senate Bill 1139, 84th Session (2015), effective 09/01/2015 increased the electronic filing fee to \$30 for district, county, statutory county and statutory probate courts. The

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

bill specifically stated that Government Code 51.607 did not apply, so the effective date was not delayed to 01/01/2016.

Senate Bill 41, 87th Regular Session (2021), effective 01/01/2022, repealed the Electronic Filing Fee and rolled it into the new Consolidated State Civil Filing Fee.

## Filing Fee for Legal Services for Indigents

Reported by	Justice, County and District Courts
Effective	09/01/1997 through 12/31/2021
Due Date	Quarterly
Collection Fee	5%
Statute	Local Government Code, Sec. 133.151-133.153
Purpose	Supreme Court, for providing basic legal services to indigent individuals

### Rate

(based on the date of the filing of the document)

This fee is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021), and rolled into the new State Consolidated Civil Fee with an allocation percentage of:

- District court, statutory county court, statutory probate court or county court filings of any civil, probate, guardianship or mental health case: 14.5985%
- District court, statutory county court, statutory probate court or county court filings of any action other than an original action subject to the previous list including an appeal and any counterclaim, cross-action, intervention, contempt action, adverse probate action, interpleader, motion for new trial or third-party action: 22.2222%
- Judicial courts filings of any civil case, including an appeal and any counterclaim, cross-action, intervention, contempt action, interpleader, motion for new trial or third-party action: 28.5714%

Court	Prior to 01/01/2010	01/01/2010 through 12/31/2021
Justice of the Peace (Sec. 133.153)	\$2	\$6
Statutory and Constitutional County Courts (Sec. 133.153)	\$5	\$10
District Court in divorce and family law matters (Sec. 133.151 and 133.152)*	\$5	\$5
District Court in matters other than divorce and family law (Sec. 133.151 and 133.152)*	\$10	\$10

\* Section 133.151 applies to District Courts, for the original filing of a civil suit only. It directs the District Court to collect \$45 for divorce and family law cases, and \$50 for any other cases. Of the \$45 collected, \$5 applies to the Filing Fund for Legal Services for Indigents and \$40 applies to the Judicial Fund. Of the \$50 fee, \$10 applies to the Filing Fund for Legal Services for Indigents and \$40 to the Judicial Fund. (This \$40 fee was previously separately identified as the District Clerk Filing Fee in Government Code, Section 51.701, which was repealed effective January 1, 2004 and replaced by Local Government Code, Section 133.151. See “Judicial Fund Filing Fees” in this chapter.)

Section 133.152 applies to District Courts, for the filing of any civil action or proceeding requiring a filing fee, including appeals, counterclaims, cross-actions, interventions, interpleaders or third-party actions requiring a filing fee. This fee is:

- **\$5 for family law cases and proceedings** as defined by Government Code, Section 25.0002, and
- **\$10 in any case other than** family law cases and proceedings defined by Government Code, Section 25.0002.

This fee is to be collected **in addition** to the fee collected in Section 133.151 and is to be reported on line 10c of the report form. See Attorney General Opinion GA-0491, dated December 4, 2006, for more details.

To allow courts time to change their procedures, the Comptroller **did not require** the collection of the Section 133.152 fee on original filings before April 1, 2007.

Prior to the issuance of the Attorney General Opinion, the fee in Section 133.152 was for the filing of a document **other than** the original filing of a civil suit. This includes appeals and the filing of any counterclaim, cross-action, intervention, interpleader or third-party action requiring a filing fee. It **was not** to be added to the fee provided for in Section 133.151.

Section 133.153 **applies to all such filings** in the justice court and statutory and constitutional county courts, including the original filing of the civil case.

Appellate Courts: Government Code, Sec. 51.941, applies to the Texas Supreme Court and Courts of Appeals. These courts shall collect a \$25 fee on the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader or third-party action requiring a filing fee. These court fees are to be collected in the same manner as other fees, fines or costs in the case, and remitted to the Comptroller not later than the last day of the month following each calendar quarter.

Effective 09/01/2007, Government Code, Section 51.0051, requires the Supreme Court and the courts of appeals to collect an additional fee on the filing of any application or proceeding otherwise requiring a filing fee, including an appeal. The additional fee is set by order or rule of the Supreme Court in an amount necessary to defray costs and expenses incurred in the operation of the court, not to exceed \$50. This was added by Senate Bill 1182, 80th Session (2007).

These two courts report on Form 40-136 under subtype 62.

### Exclusions

- This statute **does not** apply to municipal courts.
- Excludes Title IV-D cases, for child support, paternity, etc., filed by the Office of the Attorney General.
  - This refers to Part D, Title IV, Social Security Act, relating to the location of an absent parent, determination of parentage, or establishment, modification, or enforcement of a child support or medical support obligation. In Texas, the designated Title IV-D agency is the Office of the Attorney General. They file suits for enforcement of child support,

establishment of paternity, etc. "UIFSA" cases (Uniform Interstate Family Support Act), which are child support cases from another state, are included in this exemption.

- Section 231.202, Family Code, outlines the authorized costs and fees in a Title IV-D case, including certain filing fees, and fees for issuance and service of process as provided by certain sections of the Family Code and Government Code. Section 231.204 is a listing of prohibited fees in Title IV-D cases and the judicial fund is specifically listed as a prohibited fee, and that includes the Filing Fee for Legal Services for Indigents, District Clerk Filing Fees and Judicial Fund Filing Fees.

Reporting after 01/01/2004:

As of 01/01/2004, these fees are included on the [Civil Fees report form 40-141](#). These fees are reported by the following:

- Justice Courts on Line 6,
- Statutory Probate Courts on Line 7a,
- Statutory County Courts on Line 8a, and
- Constitutional County Courts on Line 9a.
- District Courts:
  - If this is the **original filing** of a Divorce or Family Law Case, this \$5 fee is added to the \$40 Judicial Fund fee and the entire \$45 is reported on Line 10a.
  - If this is the **original filing** of a case other than Divorce or Family Law, this \$10 fee is added to the \$40 Judicial Fund fee and the entire \$50 is reported on Line 10b.
  - Effective 04/01/2007, if this is for the filing of an original or subsequent or additional document in a case that was previously filed:
    - The \$5 fee for Divorce or Family Law is reported on Line 10c
    - The \$10 fee for cases other than Divorce or Family Law is reported on Line 10c.
  - Prior to 04/01/2007, if this is for the filing of a subsequent or additional document in a case that was previously filed:
    - The \$5 fee for Divorce or Family Law is reported on Line 10c
    - The \$10 fee for cases other than Divorce or Family Law is reported on Line 10c.

### **District Court – Civil Cases Filed 04/01/2007 and After**

#### **Original Filing, Divorce & Family Law**

**Note:** Of the \$45 reported on Line 10a, \$40 goes to the Judicial Fund and \$5 for Filing Fee for Legal Services for Indigents. Per AG Opinion GA-0491, the District Clerk is to collect an additional \$5 fee for Filing Fee for Legal Services for Indigents and report it on Line 10c.

- Filing Fee for Legal Services for Indigents:
  - Form: 40-141
  - Report Line: 10a & 10c
  - Amount: \$10

- Judicial Fund:
  - Form: 40-141
  - Report Line: 10a
  - Amount: \$40
- Total: \$50

### **Original Filing, Other Than Divorce/Family law**

**Note:** Of the \$50 reported on Line 10b, \$40 goes to the Judicial Fund and \$10 for Filing for Legal Services for Indigents. Per AG Opinion GA-0491, the District Clerk is to collect an additional \$10 for Filing Fee for Legal Services for Indigents and report it on Line 10c.

- Filing Fee for Legal Services for Indigents:
  - Form: 40-141
  - Report Line: 10b & 10c
  - Amount: \$20
- Judicial Fund:
  - Form: 40-141
  - Report Line: 10b
  - Amount: \$40
- Total: \$60

### **Subsequent Filing, Divorce & Family Law**

- Filing Fee for Legal Services for Indigents
  - Form: 40-141
  - Report Line: 10c
  - Amount: \$5

### **Subsequent Filing, Other Than Divorce/Family Law**

- Filing Fee for Legal Services for Indigents
  - Form: 40-141
  - Report Line: 10c
  - Amount: \$10

### **Historical Note**

The Filing Fee for Legal Services for Indigents was created by Senate Bill 1534, 75th Session (1997), effective 09/01/1997. Attorney General Opinion GA-0491, dated December 4, 2006, determined that the fee in Section 133.152 was to be collected **in addition to** the fee in Section 133.151 in all cases.

House Bill 3637, 81st Session (2009), effective 09/01/2009, amended Local Government Code Section 133.152(a) to add clarifying language to indicate that the fees in this section were in addition to the fee in Section 133.151.

House Bill 4718, 81st Session (2009), effective 09/01/2009, amended Government Code Section 25.0702 by adding Subsection (c) allowing Ector County courts at law having concurrent civil jurisdiction with the district courts to assess the same fees that would be assessed in the district court for that case.

Senate Bill 41, 87th Regular Session (2021), effective 01/01/2022, repealed the Filing Fee for Legal Services for Indigents and rolled it into the new Consolidated State Civil Filing Fee.

### **Discussion**

This applies to civil cases, so there is no fine. If the county fails to collect the filing fee, there is no fine money from which to take the filing fee. The county is not responsible for paying it out of county funds, so there is no audit adjustment. We should, however, advise the county in writing, that this needs to be corrected. This should also be documented in the audit plan and the letter included as an exhibit in the audit package.

On tax cases, they collect the fees on the back end, which the property owner pays up or when the property is auctioned. They just need to be sure the filing fees are included in the papers.

This fund should not be confused with the portion of the Consolidated Court Fee that goes to the Fair Defense Fund. These fees are unrelated.

## Judicial and Court Personnel Training Fee

Reported by	Justice, County, Statutory County, Statutory Probate and District
Effective	09/01/2017 through 12/31/2021
Due Date	Quarterly
Collection Fee	None
Statute	Government Code, Subchapter N, Chapter 51, Section, 51.971
Purpose	Judicial and court personnel training fund

### Rate

This fee is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021), and rolled into the new State Consolidated Civil Fee with an allocation percentage of:

- District court, statutory county court, statutory probate court or county court filings of any civil, probate, guardianship or mental health case: 3.6497%
- District court, statutory county court, statutory probate court or county court filings of any action other than an original action subject to the previous list including an appeal and any counterclaim, cross-action, intervention, contempt action, adverse probate action, interpleader, motion for new trial or third-party action: 11.1111%
- Judicial courts filings of any civil case, including an appeal and any counterclaim, cross-action, intervention, contempt action, interpleader, motion for new trial or third-party action: 23.8095%

\$5 fee on the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader or third-party action requiring a filing fee.

### Exclusions

- Family Code §110.002(a)(1)-(7) filings
- Inventories and Appraisements – (Delayed)
- Annual or Final Accounts
- Applications for Sale of Property
- Annual or Final Reports of the Guardian of a Person
- Lengthy Delayed Probate Documents
- Claims Against Estimate
- Records Management and Preservation Fee
- Basic Civil Legal Services for Indigents
- Statewide Electronic Filing Fee

### Historical Note

Senate Bill 42, 85th Session (2017), effective 09/01/2017 created the Judicial and Court Personnel Training fee. The bill specifically stated that Government Code 51.607 did not apply, so the effective date was not delayed to 01/01/2018.

Senate Bill 41, 87th Regular Session (2021), effective 01/01/2022, repealed the Judicial and Court Personnel Training Fee and rolled it into the new Consolidated State Civil Filing Fee

## Judicial Fund Filing Fees

Reported by	County, Probate and District Courts
Effective	09/22/1986 through 12/31/2021
Due Date	Quarterly
Collection Fee	None
Statute	Local Government Code, Sec. 133.151 Government Code, Sections 51.702, 51.703 and 51.704
Purpose	Judicial Fund, administered by Comptroller, used for District Judges salaries, administration, etc.

### Rates

This fee is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021), and rolled into the new State Consolidated Civil Fee with an allocation percentage of District court, statutory county court, statutory probate court or county court filings of any civil, probate, guardianship or mental health case: 59.854%

effective January 1, 2004:

- a \$40 filing fee:
- In all District Courts, on the original filing of a civil suit (Local Gov. Code, Section 133.151) (This is combined with the Filing Fee for Legal Services for Indigents in Section 133.151.)
- In Constitutional County Courts that qualify under Government Code, Section 26.006 and Section 51.703 on or after June 19, 1999 (see [Chapter 10, Judicial fund chart](#) for participating counties and dates).
- In all Statutory County Courts as of 10/01/2007. Prior to 10/01/2007, in Statutory County Courts that qualified under Government Code, Section 51.702 on or after July 1, 1992 (see [Chapter 10, Judicial fund chart](#) for participating counties and dates). \*
- In all Statutory Probate Courts as of 09/01/2007. Prior to 09/01/2007, in Statutory Probate Courts that qualified under Government Code, Section 51.704 on or after October 1, 1999 (see [Chapter 10, Judicial fund chart](#) for participating counties and dates). \*

\* Resolutions:

- Fees in Statutory County Courts prior to 10/01/2007, and
- Statutory Probate Courts prior to 09/01/2007:  
Apply **only if** the county commissioner's court has adopted a resolution authorizing the fees. Resolutions are not required for fees in Constitutional County Court.

For years beginning 07/01/1992 through 07/01/1995, the resolution had to be filed with the Comptroller by June 1 of each year for which the county wanted to adopt the additional court costs and fees. Beginning with 07/01/1996, the resolution had to be filed by June 1 and would continue in effect until appropriately rescinded by the county. To rescind the resolution, the county

commissioners' court must submit notification to the Comptroller of their desire to rescind by June 1st of the year in which they wish to withdraw.

Also, effective 08/28/1995, a county that was not eligible to participate on July 1 of a year, but that would become eligible to participate later in that year, must submit a resolution to the Comptroller by June 1 and the Comptroller would determine what date the county was to begin collecting the costs and fees.

**Note:** Resolutions are not required for Statutory County Courts after 10/01/2007 or for Statutory Probate Courts after 09/01/2007.

### Exclusions

- Actions taken by the Department of Aging and Disability Services for guardianship. (Human Resources Code, Sec. 161.107, as added by Senate Bill 6, 79th Session (2005)).
- Excludes Title IV-D cases, for child support, paternity, etc. filed by the Office of the Attorney General.
  - This refers to Part D, Title IV, Social Security Act, relating to the location of an absent parent, determination of parentage, or establishment, modification, or enforcement of a child support or medical support obligation. In Texas, the designated Title IV-D agency is the Office of the Attorney General. They file suits for enforcement of child support, establishment of paternity, etc. "UIFSA" cases (Uniform Interstate Family Support Act), which are child support cases from another state, are included in this exemption.
  - Section 231.202, Family Code, outlines the authorized costs and fees in a Title IV-D case, including certain filing fees, and fees for issuance and service of process as provided by certain sections of the Family Code and Government Code. Section 231.204 is a listing of prohibited fees in Title IV-D cases and the judicial fund is specifically listed as a prohibited fee, and that includes the Filing Fee for Legal Services for Indigents, District Clerk Filing Fees and Judicial Fund Filing Fees.
  - This statute does not apply to municipal courts.

### Reporting After 01/01/2004

- As of 01/01/2004, they are included on the [Civil Fees Report Form 40-141](#):
- Statutory Probate Courts report this on Line 7b,
- Statutory County Courts report this on Line 8b,
- Constitutional County Courts report this on Line 9b.
- District Courts
  - If this is the **original filing** of a Divorce or Family Law Case, this \$40 fee is added to the \$5 fee for Filing Fee for Legal Services for Indigents and the entire \$45 is reported on Line 10a.
  - If this is the **original filing** of a case other than Divorce or Family Law, this \$40 fee is added to the \$10 Filing Fee for Legal Services for Indigents and the entire \$50 is reported on Line 10b.

- If this is for the filing of a **subsequent or additional document** in a case that was previously filed, there is no Judicial Fund filing fee to be collected. Only the \$5 or \$10 Filing Fee for Legal Service for Indigents is to be reported on Line 10c.

### Historical Note

House Bill 2837, 75th Session (1997), increased the fee from \$30 to \$40 and allocated the \$40 to the statutory county court when assigned from District Court. Effective 09/01/1997

House Bills 1123 and 3211, 76th Session (1999), added Sec. 51.703 for constitutional county courts participating in the supplemental salary program, effective 06/19/1999.

House Bill 1123 also added Sec. 51.704 for Statutory Probate courts, effective 10/01/1999.

Senate Bill 600, 80th Session (2007), amended Government Code, Section 51.702, and makes participation mandatory for all Statutory County Courts, effective 10/01/2007.

House Bill 2359, 80th Session (2007), amended Government Code, Section 51.704, and makes participation mandatory for all Statutory Probate Courts effective 09/01/2007.

House Bill 4718, 81st Session (2009), effective 09/01/2009, amended Government Code Section 25.0702 by adding Subsection (c) allowing Ector County courts at law having concurrent civil jurisdiction with the district courts to assess the same fees that would be assessed in the district court for that case.

Senate Bill 41, 87th Regular Session (2021) effective 01/01/2022, repealed the Judicial Fund and rolled it into the new Consolidated State Civil Filing Fee.

### Discussion

Attorney General Opinion JC-0196 dated March 17, 2000, stated that a commissioners court may not end its participation in the middle of a program year.

**Judicial Support Fee**

Reported by County and District Courts  
 Effective 12/01/2005 through 12/31/2021  
 Due Date Quarterly  
 Collection Fee None  
 Statute Local Government Code, Sec. 133.154  
 Purpose Judicial Fund, administered by Comptroller, for judicial salary supplements, etc.

**Rate**

This fee is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021).

<b>Judicial Support Fee</b>	<b>12/01/2005 through 12/31/2007</b>	<b>01/01/2008 forward</b>
On the filing of any civil suit	\$37	\$42

**Description**

The fee is in addition to other fees authorized or required by law, and applies only to District Courts, Statutory County Courts and Constitutional County Courts. Any fees collected in December 2005 are to be included in the report form for the fourth quarter of 2005. This is reported on the [Civil Fees report form 40-141](#), Line 12.

**Historical Note**

This fee added by House Bill 11, 79th Session, 2nd Special Session (2005). Effective date is December 1, 2005 and it was specifically exempted from Government Code, Section 51.607.

Attorney General Opinion GA-0486, dated November 21, 2006, states that this Judicial Support Fee does not apply to bail bond forfeitures because no civil suit is filed.

Senate Bill 600, 80th Session (2007), increased the fee from \$37 to \$42, effective 10/01/2007, but Gov. Code Section 51.607 delayed the fee increase to January 1, 2008.

Senate Bill 41, 87th Regular Session (2021), effective 01/01/2022, repealed the Judicial Support Fee.

## Juror Donation Program

Reported by	Justice, County and District Courts
Effective	09/01/1995
Due Date	Quarterly
Collection Fee	None
Statute	Government Code, Section 61.003
Purpose	Compensation to Victims of Crime Fund, administered by the Texas Attorney General, for victims of crime, for reimbursement of expenses, counseling, etc.

### Rate

Each person who reports for jury service may donate all or a specific portion of the juror's daily reimbursement for jury service to:

- The Compensation to Victims of Crime fund established under Code of Crim. Proc., Chap. 56B;
- The child welfare fund under Family Code, Chap. 264 (09/01/1997 through 08/31/1999 only);
- The child welfare board of the county, appointed under Family Code, Sec. 264.005 (only 09/01/1999 forward);
- Any program selected by the commissioners court that is operated by a public or private nonprofit organization and that provides shelter and services to victims of family violence (only 09/01/1997 forward);
- Any other program approved by the commissioners' court (only 09/01/1997 forward). Effective 09/01/2007, this includes a program established under Article 56A.205, Code of Criminal Procedure, that offers psychological counseling to jurors in criminal cases involving graphic evidence or testimony; or
- A veterans court program established by the commissioners court as provided by Chapter 124 (only 09/01/2015 forward)

Effective 09/01/2007, the juror may donate all or a specific amount designated by the juror. The juror must be provided a form letter which must include a blank in which the juror may enter the amount of the daily reimbursement the person wishes to donate. Between 09/01/1997 and 08/31/2007, the donation must be all or nothing; partial donations are not allowed.

The statute was originally effective 09/01/1995 but applied to jury summons issued on or after 01/01/1996. Amendments made on 09/01/1997 and 09/01/1999 apply to jury summons issued on or after 09/01/1997 or 09/01/1999, respectively.

### Exclusions

This statute does not apply to municipal courts. However, if any municipal courts do remit juror donations, they are deposited to the Compensation to Victims of Crime Fund in the same manner that as donations from the county.

### Reporting After 01/01/2004

Effective 01/01/2004, juror donations are included on the [Civil Fees Report Form 40-141](#), Line 5.

**Note:** This is a separate fund from the criminal court cost named “Jury Reimbursement Fund.” The Juror **Donation** Program is for donations by jurors of the payment they receive for performing jury service. The Jury **Reimbursement** fund is a court cost to be imposed on criminal offenses.

### Historical Note

The Juror Donation Program was created in Senate Bill 359, 74th Session (1995). It was effective 09/01/1995 but applied to jury summons issued on or after January 1, 1996. House Bill 1886, 75th Session (1997), and Senate Bill 756, 75th Session (1997), allows donations in addition to CVC and required the donation to be all or nothing, no partials allowed. It also allowed donations to the Comptroller for CVC and child welfare. Effective 09/01/1997.

House Bill 1204 and Senate Bill 560, 80th Session (2007), amended Government Code, Section 61.003, to allow the juror to donate all, or a specific amount designated by the juror, to the programs outlined in the statute. This change was effective 09/01/2007.

House Bill 3996, 84th Regular Session (2015), amended Government Code, Section 61.003, to allow an additional program, a veterans court program, for which jurors could donate their daily reimbursement. This change was effective 09/01/2015.

House Bill 4173, 86th Session (2019) changed some code section references, but the funding of the fee did not change.

### Discussion

The statute only mentions counties in regard to juror donations, leaving it unclear what a city can or cannot do. Cities have been advised that it is best for cities not to pay jurors, but if they do, they have to provide a donation form and follow the same programs designated by the county they are in. The city cannot create its own donation list; they must follow the same ones designated by the county. This would include the CVC program. However, there is no vehicle for the city to remit the CVC donations to the Comptroller. If a city has CVC donations to remit, they need to send a check and a letter to Revenue Accounting for special handling. The money cannot be deposited into the CVC fund but is deposited into General Revenue since there is no statute for municipal court juror donations.

## Marriage License Fees

Reported by	County Clerks
Effective	09/01/1985
Due Date	Quarterly
Collection Fee	None
Statute	Local Government Code, Sections 118.011, 118.018, 118.019, 118.022
Purpose	\$3 to the Family Trust Fund, administered by the Texas Attorney General \$12.50 to the Child Abuse and Neglect Prevention Trust Fund, administered by the Department of Family and Protective Services

### Rate

The full fee is shown in the table below, along with the amount to be remitted to the Comptroller.

Item	09/01/2008 forward	01/01/2019 forward
Marriage license fee	\$60 (remit half)	\$60 (remit half)
Declaration of informal marriage	\$25 (remit half)	\$25 (remit half)
Marriage license fee for Out-of-state applicant (optional)	N/A	\$100 (remit \$30)

### Exemption

Effective January 1, 2019, in addition to completing a premarital education course and providing a course completion certificate to the county clerk, an applicant must also provide satisfactory proof of residency of this state. If neither applicant provides satisfactory proof, the county clerk may collect an additional fee of \$100 for issuing the marriage license.

Effective September 1, 2008, the fee for the marriage license is exempted for an applicant who completes a premarital education course and provides a course completion certificate to the county clerk. The course must have been completed not more than one year prior to the date of the marriage license application. The exemption does not apply to the declaration of informal marriage.

### Reporting After 01/01/2004

Effective 01/01/2004, the fees are to be reported on the Civil Fees Report, Form 40-141. The Marriage License Fees are reported on Line 2 and the \$12.50 for Declarations of Informal Marriage are reported on Line 3. Note: The county clerk is not required to assess the \$100 out-of-state applicant marriage license fee. If the clerk does assess the \$100 fee, the amount reported on line 2 will include both the remittance of \$30 from the \$60 fee and \$30 from the \$100 fee per Local Government 118.022 (a)(1) and (a)(2).

### Historical Background

Senate Bill 1475, 77th Session (2001), effective 09/01/2001, amended this statute. The money from marriage license fees was previously dedicated to the Children's Trust fund of Texas. Senate Bill 1475 abolished that fund and transferred the duties to the Department of Protective and Regulatory Services. The fund was renamed the "child abuse and neglect prevention account." The Comptroller previously called this fund the Children's Trust Fund, since the funds were dedicated to this fund. When Senate Bill 1475 made this change, the name was changed to Marriage License Fees. There were no other changes to the fund at this time.

House Bill 2685, 80th Session (2007), amended the Family Code to provide for premarital education courses, increased marriage license fee and exemptions from the marriage license fee for applicants who have completed such a course. These provisions are effective September 1, 2008.

House Bill 55, 85th Session (2017) amended Local Government Code sections 118.011(b) to allow for a \$100 out-of-state applicant fee for a marriage license and 118.018(d) to require satisfactory proof to the county clerk that the applicant is a resident of this state.

## Nondisclosure Fee

Reported by	County and District Courts
Effective	09/01/2003
Due Date	Effective 01/01/2022 this fee is no longer reported to the Comptroller
Collection Fee	None
Statute	Government Code, Subchapter E-1, Chapter 411
Purpose	General Revenue Fund

### Rate

Senate Bill 41 87th Regular Session (2021), repealed the section of Government Code 411.007(a) that requires the fee to be reported by the county to the Comptroller. The fee is still due, but no longer reported on the quarterly civil costs return for cases filed as of 01/01/2022. However, for collections after 01/01/2022 of this fee for cases **filed** prior to 01/01/2022 the fee is still reported to the Comptroller on the quarterly civil costs return.

\$28 fee per petition for order of nondisclosure of criminal history record information related to the offense for which the individual received deferred adjudication community supervision under Sec. 5, Article 42.12, Code of Criminal Procedure through 12/31/2016 and under Article 42A.111, Code of Criminal Procedure, effective 01/01/2017. The defendant must have subsequently received a discharge and dismissal. Applies to all petitions filed in the court on or after September 1, 2003, regardless of date of offense.

The petition must be filed in the court that placed the individual on deferred adjudication. The petition and fee may be accepted by the court only for the following:

1. After the discharge and dismissal, if the offense was a misdemeanor other than one under Section 49.04 or 49.06, or Chapter 20, 21, 22, 25, 42, 43, 46 or 71, Penal Code and the person has never been previously convicted of or placed on deferred adjudication community supervision for another offense other than a traffic offense that is punishable by fine only (Gov. Code, Sec. 411.072);
2. On or after the second anniversary of the discharge and dismissal, if the offense was a misdemeanor other than one under Chapters 20, 21, 22, 25, 42, 43 or 46, Penal Code (Gov. Code, Sec. 411.0725(e)(2));
3. On or after the fifth anniversary of the discharge and dismissal, if the offense was a felony (Gov. Code, Sec. 411.0725(e)(3));
4. On or after the first anniversary of the discharge and dismissal, on the grounds the person committed the offense solely as a victim of an offense under Section 20A.02, 20A.03 and 43.05, Penal Code (Gov. Code, Sec. 411.0728);
5. Veterans placed on community supervision that successfully complete the veterans' reemployment program under Subchapter H-1, Chapter 42A, CCP and all other conditions of the defendant's community supervision.
6. On or after the second anniversary of completing community supervision, if the offense was driving while intoxicated under Penal Code 49.04, except subsection (d), and the person's operation of a motor vehicle was restricted for at least six months with an ignition interlock device (Gov. Code, Sec. 411.0731(f)(1));
7. On or after the fifth anniversary of completing community supervision, if the offense was driving while intoxicated under Penal Code 49.04, except subsection

- (d), and the person's operation of a motor vehicle was **not restricted** for at least six months with an ignition interlock device (Gov. Code, Sec. 411.0731(f)(2)).
8. On or after the third anniversary of completing the person's sentence, if the offense was driving while intoxicated under Penal Code 49.04, except subsection (d), and the person's operation of a motor vehicle was restricted for at least six months with an ignition interlock device (Gov. Code, Sec. 411.0736(f)(1));
  9. On or after the fifth anniversary of completing the person's sentence, if the offense was driving while intoxicated under Penal Code 49.04, except subsection (d), and the person's operation of a motor vehicle was **not restricted** for at least six months with an ignition interlock device (Gov. Code, Sec. 411.0736(f)(2)).

#### Exclusions

- An Order of Nondisclosure does **not** apply to:
  1. an offense requiring registration as a sex offender under chapter 62, Code of Criminal Procedure;
  2. an offense under Section 20.04, Penal Code;
  3. an offense under Penal Code, Sections 19.02, 19.03, 20A.02, 20A.03, 22.04, 22.041, 25.07, 25.072 or 42.072
  4. any other offense involving family violence, as defined by Section 71.004, Family Code.
  5. An offense, other than Section 22.01, Penal Code, that was violent or sexual in nature (Gov. Code, Section 411.0735(c-1))
  6. a person seeking an order of nondisclosure for an offense under 49.04 (driving while intoxicated) and 49.06 (boating while intoxicated), Penal Code may not obtain the order if the state attorney presents evidence to the court demonstrating that the offense resulted in a motor vehicle accident involving another person, including a passenger in the motor vehicle operated by the person seeking the order of nondisclosure. (Gov. Code, Sec. 411.0726)
- This statute does not apply to municipalities.

**Note:** This Nondisclosure fee is included on [Civil Fees report form 40-141](#).

#### Historical Background

This fee was added by Senate Bill 1477, 78th Regular Session (2003). It applies only to petitions filed on or after September 1, 2003, regardless of date of offense.

When this fee came into being, Revenue Accounting created the new quarterly Civil Fees Report Form, effective September 1, 2003. From September 1 through December 31, the Nondisclosure Fee was the only item reported on this form. On January 1, 2004, the remainder of the form became applicable for reporting. So, for two quarters (actually four months), this fee was the only item on the Civil Fees form.

Amendments were made to the provisions and dissemination of an order of nondisclosure by House Bill 1303 and Senate Bill 9, 80th Session (2007).

Senate Bill 1902 transferred sections of Government Code 411.081 to newly created Subchapter E-1, Chapter 411 for the nondisclosure information effective 09/01/2015.

House Bill 3016, 85th Session (2017) added some additional offenses eligible for nondisclosure.

House Bill 3582, 86th Session (2019) added additional offenses that are not eligible for nondisclosure. Senate Bill 20 allowed an additional offense the option of nondisclosure for victims of trafficking or prostitution. House Bill 714 allowed additional nondisclosure rights to veterans that complete the veterans reemployment program. House Bill 4170 corrected a typographical error in GC 411.0765(b); it does not change the meaning or understanding of the statute.

Senate Bill 41, 87th Regular Session (2021), effective 01/01/2022, repealed Government Code 411.077(a) that requires a county to report the Non-Disclosure Fee to the Comptroller. As of 01/01/2022 this is a local fee.

### Discussion

The nondisclosure fee has to be filed in the court where the conviction occurred. Some of those courts handle criminal cases exclusively, so the nondisclosure fee will appear on a criminal docket. The danger here is that some computer systems may automatically generate criminal court costs or other costs, which are not applicable here. Some of those courts handle both civil and criminal, so the county will have to decide how they want to handle the nondisclosure fees and decide which docket they will enter it into. Some will create a separate docket just for nondisclosure petitions. How it is docketed is fine, as long as it is remitted to the Comptroller on the Civil Fees form.

There is an [Attorney General Opinion, #GA-0330](#), dated June 10, 2005, that says a clerk may not condition the filing of a petition for an order of nondisclosure upon a fee other than the \$28 fee authorized by the Government Code, Section 411.081(d).

## Photographic Enforcement Systems

Reported by	Municipal, Justice, County and District Courts in local authorities who have passed ordinance
Effective	09/01/2007 through 06/02/2019
Due Date	Annually, 60 days after end of city's/county's fiscal year
Collection Fee	None
Statute	Transportation Code, Sections 707.007-707.008
Purpose	Designated Trauma Facility and Emergency Medical Services Account

### Repealed

- Effective 06/02/2019 a local authority may no longer implement or operate a photographic enforcement system in respect to a highway or street under its jurisdiction of authority.
- Contracts entered into prior to May 7, 2019 with a third-party operator of the photographic enforcement system equipment may continue in effect until the end of the stated end date in the contract and fines can be issued in accordance with that contract.
- The Texas Department of Motor Vehicles (Texas DMV) or a Tax Assessor Collector (TAC) may not refuse to register a motor vehicle alleged to have been involved in a violation of this statute solely because the owner is delinquent in the payment of the civil penalty.

### Rate

- Administrative penalty not to exceed \$75 per violation
- After authorized deductions, one-half of administrative penalty is to be remitted to the Comptroller

### Exemptions

- Effective 09/01/2009, a local authority is prohibited from imposing or attempting to impose a civil penalty on the owner of an authorized emergency vehicle. However, an employer is not prohibited from taking disciplinary action against an employee who, as the operator of an authorized emergency vehicle, operated the vehicle in violation of a rule or policy of the employer.
- Effective 06/02/2019 a local Tax Assessor Collector (TAC) may no longer refuse to register a motor vehicle alleged to have been involved in a violation of TC 707 solely because the owner is delinquent in the payment of the civil penalty.

### Deductions

- Costs of purchasing or leasing equipment that is part of or used in connection with the photographic traffic signal enforcement system;
- Costs of installing the photographic traffic signal enforcement system, including the costs of installing cameras, flashes, computer equipment, loop sensors, detectors, utility lines, data lines, poles and mounts, networking equipment and associated labor costs;
- Costs of operating the photographic traffic signal enforcement system, including the costs of creating, distributing and delivering violation notices, review of

violations conducted by employees of the local authority, processing of fine payments and collections and the costs associated with administrative adjudications and appeals; and

- Costs of maintaining the general upkeep and functioning of the photographic traffic signal enforcement system.

**Note:** The deductions will be listed on the report form but will not be entered into the reporting database. To see deductions reported, the report form will have to be viewed via imaging.

### Penalty

If under Section 133.059, Local Government Code, the Comptroller conducts an audit of a local authority and determines that they retained more than the amounts authorized, or failed to deposit amounts as required, the Comptroller may impose a penalty on the local authority equal to twice the amount they retained in excess of the amount authorized or failed to deposit as required.

### Description

The governing body of a local authority by ordinance may implement a photographic traffic signal enforcement system. The local authority has the option of contracting for the administration and enforcement of the system and may contract for the installation or operation of the system.

**Note:** The civil penalties for photographic signal enforcement are reported on Form 40-146. This annual report, due 60 days after the end of city's/county's fiscal year, will begin with a fiscal year ending on or after September 1, 2007. Any **revenue received** by the city/county on or after September 1, 2007, is to be remitted, regardless of whether the penalty was imposed before, on or after the effective date of September 1, 2007.

### Historical Background

Senate Bill 1119, 80th Session (2007), effective January 1, 2008, added Chapter 707 to the Transportation Code to provide authority for use of the photographic traffic signal enforcement program and the related civil or administrative penalties. House Bill 1623, 80th Session (2007), includes similar language. Senate Bill 926, 81st Session (2009), effective September 1, 2009 added Section 707.0021 prohibiting a local authority from imposing or attempting to impose a civil penalty on the owner of an authorized emergency vehicle for a failure to stop at a red light recorded by a photographic traffic signal enforcement system.

House Bill 7, 84th Session (2015), effective September 1, 2015, changed where the 50% of revenue is deposited from the regional trauma account to the designated trauma facility and emergency medical services account.

House Bill 1631, 86th Session (2019), effective June 2, 2019, changed section 707.020 and 707.021 to no longer allow a local authority to operate a photographic enforcement system with respect to a highway or street under the jurisdiction of the authority. Local

authorities that entered a contract prior to May 7, 2019 with a third-party operator may continue to operate the equipment and issue fines until the stated end date in the contract; local authorities are not allowed to enter into new contracts or renew contracts with third party operators of the equipment after May 7, 2019. Additionally, HB 1631 prohibits a local TAC from refusing to register a motor vehicle alleged to have been involved in a violation of TC 707 solely because the owner is delinquent in the payment of the civil penalty.

### Civil Fees Retained Locally

(This is **not** intended to be an all-inclusive listing)

Fee	01/01/2010 through 12/31/2013	01/01/2014 through 12/31/2021	01/01/2022 forward
Alternative Dispute Resolution fee	Not to exceed \$10	Not to exceed \$10	R
Appellate Judicial System Fees	X; as of 06/19/2009 in specified counties	X; as of 06/19/2009 in specified counties	R
Court Record Preservation Fee	\$10	\$10	R
Court Reporter Fee	\$15; as of 06/19/2009, \$30 in specified counties	\$15; as of 06/19/2009, \$30 in specified counties	R
Consolidated Civil Filing Fee (Local)	Not Applicable	Not Applicable	X
Court Security Fee	Not to exceed \$5	Not to exceed \$5	R
District Court Records Archive Fee	Up to \$5 through 08/31/2013; up to \$10 effective 09/01/2013	Up to \$10 through 08/31/2019	Not Applicable
Electronic Filing System Fee	Not Applicable	\$2 Effective 01/01/2014 through 08/31/2019	X
Family Protection Fee (01/01/2004)	Not to exceed \$15	Not to exceed \$15	X
Family Code Filing Fees	X	X	X
Government Code Filing Fee	X	X	X
Human Resources Code Filing Fees	X	X	X
Interpreter's Fee	\$3	\$3	X
Jury Fee	X	X	X
Law Library Fee	Not to exceed \$35	Not to exceed \$35	X
Local Government Code filing fees	X	X	X
Probate Court Actions	\$25	\$25	X
Non-Disclosure Fee	Not Applicable	Not Applicable	\$28

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Fee	01/01/2010 through 12/31/2013	01/01/2014 through 12/31/2021	01/01/2022 forward
Records Archive Fee	Not more than \$5; up to \$10 effective 09/01/2013	Up to \$10 through 08/31/2019	X
Records Management and Preservation Fee – County Court	Not more than \$5; up to \$10 effective 09/01/2013	Up to \$10 through 08/31/2019	X
Records Management and Preservation Fee – District Court	\$10	\$10	R
Records Technology and Infrastructure Fee	Not Applicable	\$2 Effective 09/01/2015 through 09/01/2019	X
Returned Check Fee	X	X	X
Sheriffs and Constable Fees	X	X	X
Truant Conduct Court Cost	Not Applicable	\$50 effective 01/01/2016	X
Vital Statistics Records Fee	X	X	X
Witness Fee	X	X	X

- An “X” means the fund was effective for the time periods in the column headings, unless otherwise indicated.
- An “R” means the fund was repealed for the time period indicated in the column headings, unless otherwise noted.

**Alternative Dispute Resolution Fee**

Civil Practice and Remedies Code, Section 152.004, (repealed as of 01/01/2022 per Senate Bill 41 87th Regular Session (2021)), allows the commissioners court to set a court cost in each civil case not to exceed \$10 to establish and maintain an alternative dispute resolution system. The fee does not apply to a suit for delinquent taxes, a condemnation proceeding under Chapter 21, Property Code, or to a proceeding under Subtitle C, Title 7, Health and Safety Code (Chapters 572-578 relating to the Texas Mental Health Code).

**Historical Note**

The fee was set either by the 70th or 71st Session (1987 or 1989). The fee has been the same since at least 1989.

Senate Bill 41, 87<sup>th</sup> Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers;

the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

### Appellate Judicial System Fees

Government Code, Chapter 22, Subchapter C, (each of the fees in the below District Appeals Courts are repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)), allows the commissioners court of **certain counties** to set a court cost of **not more than** \$5 for each civil suit filed in county court (constitutional and statutory), probate court or district court. The fee **does not** apply to a suit filed by the county or to a suit for delinquent taxes.

Fees apply in these districts:

- First and Fourteenth Court of Appeals District fee: Government Code, Section 22.2021 (effective 09/01/1989) – mandatory fee up to \$5
- Second Court of Appeals District: Government Code, Section 22.2031 (effective 09/01/2013 but postponed to 01/01/2014 by Government Code, Section 51.607) – mandatory \$5 fee (House Bill 410, 83rd Legislature, 2013); prior law (effective 09/01/1991) – permissive fee up to \$5
- Third Court of Appeals District: Government Code, Section 22.2041 (effective 01/01/2006, added by Senate Bill 241, 79th Regular Session, 2005) – mandatory \$5 fee
- Fourth Court of Appeals District: Government Code, Section 22.2051 (effective 09/01/1997) – mandatory fee up to \$5
- Fifth Court of Appeals District: Government Code, Section 22.2061 (effective 09/01/1989) – mandatory fee up to \$5
- Sixth Court of Appeals District: Government Code, Section 22.2071 (effective 09/01/2009 but postponed to 01/01/2010 by Government Code, Section 51.607) – mandatory \$5 fee (Senate Bill 658, 81st Legislature, 2009)
- Seventh Court of Appeals District: Government Code, Section 22.2081 (effective immediately – 06/19/2009 upon order entered in the minutes by commissioners court) – mandatory \$5 fee (Senate Bill 1259, 81st Legislature, 2009. Both Senate Bills 1208 and 1259 added language for the Seventh Court of Appeals District, but since the effective dates of both bills irreconcilably conflict, the provisions of the Code Construction Act (Sec. 311.025, Govt. Code) would apply. Sec. 311.025(a) provides that if statutes enacted at the same session of the legislature are irreconcilable, the statute latest in date of enactment prevails. The date of enactment is the date on which the last legislative vote is taken on the bill enacting the statute. (Sec. 311.025(d)). For SB 1208 the latest date of enactment would be May 26, 2009; for SB 1259 the latest date of enactment would be May 29, 2009; consequently, SB 1259 prevails.)
- Eighth Court of Appeals District: Government Code, Section 22.2091 (effective 09/01/2011 but postponed to 01/01/2012 by Government Code, Section 51.607) – mandatory \$5 fee (Senate Bill 605, 82nd Session, 2011)

- Ninth Court of Appeals District: Government Code, Section 22.2101 (effective 09/01/2007 but postponed to 01/01/2008 by Government Code, Section 51.607) – mandatory \$5 fee (Senate Bill 325, 80th Legislature, 2007)
- Eleventh Court of Appeals District: Government Code, Section 22.2121 (effective 09/01/2005, but postponed to 01/01/2006 by Government Code, Section 51.607) – mandatory \$5 fee
- Twelfth Court of Appeals District: Government Code, Section 22.2131 (effective 09/01/2009 but postponed to 01/01/2010 by Government Code, Section 51.607) – mandatory \$5 fee (Senate Bill 659, 81st Legislature, 2009)
- Thirteenth Court of Appeals District: Government Code, Section 22.2141 (effective 09/01/2001) – mandatory fee up to \$5

The state is divided in 14 courts of appeals districts. Each district is outlined in Government Code, Section 22.201:

- First and Fourteenth Court of Appeals Districts (Houston) are composed of the counties of Austin, Brazoria, Burleson, Chambers, Colorado, Fort Bend, Galveston, Grimes, Harris, Trinity, Walker, Waller and Washington.
- Second Court of Appeals District (Fort Worth) is composed of the counties of Archer, Clay, Cooke, Denton, Hood, Jack, Montague, Parker, Tarrant, Wichita, Wise and Young.
- The Third Court of Appeals District (Austin) is composed of the counties of Bastrop, Bell, Blanco, Burnet, Caldwell, Coke, Comal, Concho, Fayette, Hays, Irion, Lampasas, Lee, Llano, McCulloch, Milam, Mills, Runnels, San Saba, Schleicher, Sterling, Tom Green, Travis and Williamson
- The Fourth Court of Appeals District (San Antonio) is composed of the counties of Atascosa, Bandera, Bexar, Brooks, Dimmit, Duval, Edwards, Frio, Gillespie, Guadalupe, Jim Hogg, Jim Wells, Karnes, Kendall, Kerr, Kimble, Kinney, LaSalle, McMullen, Mason, Maverick, Medina, Menard, Real, Starr, Sutton, Uvalde, Val Verde, Webb, Wilson, Zapata and Zavala.
- Fifth Court of Appeals District (Dallas) is composed of the counties of Collin, Dallas, Grayson, Hunt, Kaufman, Rockwall and Van Zandt.
- Sixth Court of Appeals District (Texarkana) is composed of the counties of Bowie, Camp, Cass, Delta, Fannin, Franklin, Gregg, Harrison, Hopkins, Hunt, Lamar, Marion, Morris, Panola, Red River, Rusk, Titus, Upshur and Wood.
- Seventh Court of Appeals District (Amarillo) is composed of the counties of Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Kent, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Terry, Wilbarger, Wheeler and Yoakum.
- Eighth Court of Appeals District (El Paso) is composed of the counties of Andrews, Brewster, Crane, Crockett, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reagan, Reeves, Terrell, Upton, Ward and Winkler.

- Ninth Court of Appeals District (Beaumont) is composed of the counties of Hardin, Jasper, Jefferson, Liberty, Montgomery, Newton, Orange, Polk, San Jacinto and Tyler.
- Tenth Court of Appeals District (Waco) is composed of the counties of Bosque, Brazos, Burleson, Coryell, Ellis, Falls, Freestone, Hamilton, Hill, Johnson, Leon, Limestone, Madison, McLennan, Navarro, Robertson, Somervell and Walker.
- Eleventh Court of Appeals District (Eastland) is composed of the counties of Baylor, Borden, Brown, Callahan, Coleman, Comanche, Dawson, Eastland, Ector, Erath, Fisher, Gaines, Glasscock, Haskell, Howard, Jones, Knox, Martin, Midland, Mitchell, Nolan, Palo Pinto, Scurry, Shackelford, Stephens, Stonewall, Taylor and Throckmorton.
- Twelfth Court of Appeals District (Tyler) is composed of the counties of Anderson, Angelina, Cherokee, Gregg, Henderson, Houston, Nacogdoches, Rains, Rusk, Sabine, San Augustine, Shelby, Smith, Trinity, Upshur, Van Zandt and Wood.
- Thirteenth Court of Appeals District (Corpus Christi and Edinburg) is composed of the counties of Aransas, Bee, Calhoun, Cameron, DeWitt, Goliad, Gonzales, Hidalgo, Jackson, Kenedy, Kleberg, Lavaca, Live Oak, Matagorda, Nueces, Refugio, San Patricio, Victoria, Wharton and Willacy.

There **do not** appear to be any fees authorized for the Tenth Court of Appeals (Waco).

**Historical Note**

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

**Consolidated Civil Filing Fee (Local)**

Local Government Code, Chapter 135 effective 01/01/2022.

- Fee of \$33 on the filing of any civil case in a justice court and on any action other than an original action for a civil case, including an appeal and any counterclaim, cross-action, intervention, contempt action, interpleader, motion for new trial or third-party action. The county treasurer shall allocate the fee to the following funds:

<b>Justice Court Local Civil Funds</b>	<b>Percentage</b>
Justice Court Support Fund	75.7576%
County Dispute Resolution Fund	15.1515%
The Language Access Fund	9.0909%

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

- Fee of \$223 on filing any probate, guardianship or mental health case. The county treasurer shall allocate the fee to the following funds:

<b>Probate, Guardianship &amp; Mental Health Cases in Statutory County Court, Statutory Probate Court or County Court Local Civil Funds</b>	<b>Percentage</b>
Appellate Judicial System Fund	2.2422%
Court Facility Fee Fund	8.9686%
Clerk of the Court Account	17.9372%
County Records Management & Preservation Account	6.7265%
Court Reporter Service Fund	11.2108%
County Law Library Fund	15.6951%
Courthouse Security Fund	8.9686%
Language Access Fund	1.3453%
County Jury Fund	4.4841%
County Dispute Resolution Fund	6.7265%
Court-Initiated Guardianship Fund	8.9686%
Judicial Education and Support Fund	2.2422%
Public Probate Administrator Fund	4.4843%

- Fee of \$75 on any other than an original action for a case above, including an adverse probate action, contest or suit in a probate court, other than the filing of a claim against an estate, in which the movant or applicant filing the intervention pleading seeks any affirmative relief. The county treasurer shall allocate the fee to the following funds:

<b>Probate, Guardianship &amp; Mental Health Cases in Statutory County Court, Statutory Probate Court or County Court Local Civil Funds</b>	<b>Percentage</b>
Clerk of the Court Account	53.3333%
County Records Management and Preservation Account	6.6667%
Court-Initiated Guardianship Fund	26.6667%
Public Probate Administrator Fund	13.3333%

- Fee of \$213 on filing any civil case except a probate, guardianship or mental health case. The county treasurer shall allocate the fee to the following funds:

<b>District Court, Statutory County Court or County Court Local Civil Funds</b>	<b>Percentage</b>
Appellate Judicial System Fund	2.3474%
Court Facility Fee Fund	9.3897%
Clerk of the Court Account	23.4742%

<b>District Court, Statutory County Court or County Court Local Civil Funds</b>	<b>Percentage</b>
County Records Management & Preservation Account	14.0845%
Court Reporter Service Fund	11.7371%
County Law Library Fund	16.4319%
Courthouse Security Fund	9.3897%
Language Access Fund	1.4085%
County Jury Fund	4.6948%
County Dispute Resolution Fund	7.0423%

- Fee of \$35 on any other than an original action for a case above, including an appeal and any counterclaim, cross-action, intervention, contempt action, interpleader, motion for new trial or third-party action. The county treasurer shall allocate the fee to the following funds:

<b>District Court, Statutory County Court or County Court Local Civil Funds</b>	<b>Percentage</b>
Clerk of the Court Account	42.8571%
County Records Management and Preservation Account	57.1429%

**Historical Note**

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

**Court Record Preservation**

Government Code, Section 51.708, (repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)), provides that the clerk shall collect a fee of not more than \$10 in each civil case filed in the court to be used for court record preservation for the courts in the county.

- Fee collected by the clerk of a county court, statutory county court or district court in each civil case filed in the court
- Fee of not more than \$10, effective 01/01/2010
- The fee is to be deposited in a court record preservation account and may only be used to digitize court records and preserve the records from natural disasters.

**Historical Note**

This fee was created by House Bill 3637, 81st Session (2009), effective 09/01/2009, but postponed to 01/01/2010 due to the provisions of Government Code, Sec. 51.607.

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers;

the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

### **Court Reporter Fee**

Government Code, Section 51.601(a), (repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)), establishes a fee of \$15 as a court cost in each civil case filed with the clerk of a court that has an official court reporter. Effective 06/19/2009, Government Code, Section 51.601(a-1), establishes a fee of \$30 as a court cost in each civil case filed with the clerk of a court that has an official court reporter and that serves a county located on the Texas-Mexico border that contains a municipality with a population of 750,000 or more.

- Exemption: See Human Resources Code, Section 161.107, for exemptions for Department of Aging and Disability Services in guardianship cases (added by Senate Bill 6, 79th Session (2005)).
- Attorney General Opinion #GA-0372, dated 11/03/2005, says a county clerk may not collect a court reporter service fee under Government Code, Section 51.601 if the county court has not appointed an official court reporter.

### **Historical Note**

This fee was set either by the 69th or 71st Session (1985 or 1989). The rate has been the same since at least 1989.

House Bill 4529, 81st Session (2009), added subsection (a-1) to Government Code 51.601 to add a \$30 court reporter fee for a county on the Texas-Mexico border that contains a municipality with a population of 500,000 or more.

House Bill 3361, 86th Session (2019) amended subsection (a-1) of Government Code 51.601 to say a county with a population greater than 750,000 located on the Texas-Mexico border. The bill was effective 06/04/2019.

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

### **Court Security Fee**

Local Government Code, Section 291.008, (repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)), allows the commissioners court to set a fee not to exceed \$5 to be collected at the time of filing in each civil case in a county court (statutory and constitutional) or district court.

### **Historical Note**

This fee was added by 73rd Regular Session, effective 09/01/1993.

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

### **District Court Records Archives Fee**

Government Code, Section 51.305(b) (repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021))

- Effective 09/01/2019 the fee was permanently increased up to \$10.
- During the period of 09/01/2013 through 08/31/2019, the fee is temporarily increased up to \$10.
- The county commissioners court may adopt a district court records archive fee of not more than \$5 for the filing of a suit in district court.
- The money generated from the fee may be expended only for the preservation and restoration of the district court records archive.

### **Historical Note**

These fees were added by Senate Bill 1685, 81st Session (2009), effective 06/19/2009. House Bill 1513, 83rd Session (2013), temporarily increased the fees to \$10 effective 09/01/2013.

Senate Bill 658, 86th Session (2019) made permanent the temporary increase up to \$10 from previous sessions. The bill also specifically stated that Government Code 51.607 does not apply; therefore, the effective date is 09/01/2019 and not delayed.

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

### **Electronic Filing System Fee**

Effective January 1, 2014, Government Code, Sec. 72.031

- A local government or appellate court that uses the electronic filing system may charge a fee of \$2 for each electronic filing transaction if the fee is necessary to recover the actual system operating costs reasonably incurred, the costs are for directly maintaining the system, the governing body approves the fee and the local government or appellate court annually certify to the Office of Court Administration that the fee is necessary to recover actual system operating costs incurred.
- A court shall waive payment of any fee due for an individual the court determines is indigent.

### **Historical Note**

This fee was added by House Bill 2302, 83rd Session (2013), effective 09/01/2013 but delayed until 01/01/2014 due to the provisions of Government Code 51.607. It expires 09/01/2019. Since the fee expires and is not being changed, the delay provisions of Government Code 51.607 do not apply.

### **Family Protection Fee**

Effective January 1, 2004, Government Code, Sec. 51.961

- Requires Commissioners Courts to adopt a fee not to exceed \$30 to be collected at the time a suit for dissolution of marriage is filed.
- From January 1, 2004 through December 31, 2005, adoption of the fee was discretionary and could not exceed \$15, which was all retained locally. Rate was increased to a maximum of \$30 effective January 1, 2006, with one-half to be remitted to Comptroller. (See historical notes below.) The fee was decreased to \$15, effective June 15, 2007, and the provision about a portion to be remitted to the Comptroller was repealed.
- The Department of Aging and Disability Services (DADS), a political subdivision of the state, or a state agency with which the Department contracts under Section 161.103, Human Resources Code, are exempt from posting a bond or paying the cost or fee in guardianship proceedings. (Human Resources Code, Sec. 161.107)

### **Historical Note**

This fee was added by House Bill 2292, 78th Regular Session, effective 09/01/2003, but postponed to 01/01/2004 by Gov. Code Sec. 51.607. Adoption of the fee was discretionary and was not to exceed \$15,

In 2005, Senate Bill 6, 79th Regular Session, amended this to make adoption of the fee mandatory and raised the maximum allowable amount to \$30. It also required that one-half of the fee collected be sent to the state Comptroller for deposit to the child abuse and neglect prevention trust fund. The increase in the allowable fee amount was effective January 1, 2006. However, the Attorney General in AG Opinion No. GA-0387 issued December 28, 2005, determined that the portion of the fee that was to be sent to the Comptroller for deposit in this trust fund was unconstitutional.

The fee was decreased to \$15 by House Bill 764, 80th Session (2007), effective June 15, 2007, and the statute outlining the portion to be remitted to the state was repealed. Any monies that had been remitted to the Comptroller were refunded.

### **Family Code Filing Fees**

- Section 8.262: \$15 fee for issuing a writ of withholding
- Section 8.267: \$15 fee for filing copy of writ of withholding to subsequent employer
- Sec. 8.302: \$15 fee for issuing and delivering modified writ of withholding or notice of termination.

- Section 8.303: \$15 fee for issuing and delivering notice of termination of withholding
- Section 45.106: \$10 for issuance of change of name certificate
- Section 81.003: \$16 fee for protective order fee
- Section 108.006: \$15 fee for filing suit requesting adoption of child
- Section 110.002: \$15 filing fee for suit or motion for modification, enforcement, transfer, or contempt, or a notice of application for judicial writ of withholding, petition for license suspension, or motion to revoke a stay of license suspension.
- Section 110.004: A fee not to exceed \$15 for each order or writ of income withholding issued by the clerk and delivered to an employer.
- Section 110.005: \$45 fee for filing a transferred case to the clerk of the court to which the case is transferred.
- Section 110.006: A fee adopted by a domestic relations office or child support service fee under Section 203.005.
- Section 158.319: \$15 fee for filing a writ or withholding
- Section 158.403: A fee not to exceed \$15 for filing a request for modified writ of withholding or notice of termination.
- Section 158.503: A fee not to exceed \$15 for filing an administrative writ to employer
- Section 160.762: A fee assessed by the court for genetic testing in relation to a child

#### **Historical Note**

These fees appear to have been re-codified in the Family Code in 1995, but original source unidentified.

#### **Government Code Filing Fees**

- Section 51.317: (only this section of the Government Code Filing Fees is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)) District Clerk shall collect fees at the time a suit or action is filed, including an appeal from an inferior court. There are also fees for filing a cross-action, counterclaim, intervention, contempt action, motion for new trial or third-party petition and for issuing a citation or other writ or process. It also includes a \$10 Records Management and Preservation fee. (See Records Management and Preservation Fee below and District Court Records Archive Fee above.)
- Section 51.318: In addition to the fees in Section 51.317, the District Clerk shall collect fees for issuing a subpoena, citation, commission for deposition, writ of execution, order of sale, writ of injunction, garnishment, attachment or sequestration. There are also fees for researching records, making copies, abstracting a judgment or approving a bond. The District Clerk may not charge the U.S. Immigration and Naturalization Service a fee for a copy of any document on file, or of record in the clerk's office relating to an individual's criminal history, regardless of whether the document is certified.
- Section 51.319: Other fees are allowed relating to estates, minors and serving process.

**Note:** The Department of Aging and Disability Services is exempt from the fees required in Sections 51.317, 51.318 and 51.319 in guardianship cases, effective 09/01/2005.

#### **Historical Note**

The exemption for Dept of Aging and Disability Services was created in Senate Bill 6, 79th Regular Session (2005), effective 09/01/2005. Sections 51.317, 51.318 and 51.319 were originally created in 1985 and amended multiple times. House Bill 2398, 74th Session (1995), increased some of the fees and amended the application of them. Additional revisions were made by House Bill 2273, 75th Session (1997). Fees were increased in Section 51.317 by House Bill 1905 and House Bill 3167, 78th Regular Session (2003), effective 01/01/2004. Wording was modified to “not to exceed” \$1 in Govt. Code Section 51.318(b)(7) by Senate Bill 1233, 82nd Session (2011).

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

#### **Human Resources Code Filing Fees**

- Section 152.0522: Comal County juvenile placement special fund
- Section 152.1752: Montague County adoption case (only this section of the Government Code Filing Fees is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021))
- Section 152.1873: Orange County divorce case (only this section of the Government Code Filing Fees is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021))
- Section 152.1874: Orange County adoption case (only this section of the Government Code Filing Fees is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021))
- Section 152.2496: Wichita County adoption case

#### **Historical Note**

Each of these statutes says “added in 1989” but this could be the date the Human Resources Code was codified. Original source unknown.

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee

### Interpreter's Fee

Civil Practice and Remedies Code, Section 21.051, (repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)), a fee of \$3 for use of an interpreter in civil cases. Effective 09/01/1987.

#### Historical Note

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee

### Jury Fee

Government Code, Section 51.604, (repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)), establishes a jury fee for each civil case in which a person applies for a jury trial. In District Court the fee is \$40; in County Court (constitutional or statutory) the fee is \$40.

#### Historical Note

The fee was added in 1987. The rate was \$20 in District Court and \$17 in county court and was increased to \$30 and \$22 by House Bill 2273, 75th Session (1997), effective 09/01/2007. Prior to 1995, the fee was authorized only in counties with a population of two million or more. This stipulation was removed by House Bill 2398, 74th Session, 1995. House Bill 2182, 84th Session (2015) increased the fee to \$40 for district, county and statutory county courts effective 01/01/2016.

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee

### Law Library Fee

Local Government Code, Sec. 323.023, allows commissioners court to adopt a fee not to exceed \$35 to be collected in each civil case filed in county or district court, except for suits for delinquent taxes. The fee is to be deposited into the county treasury for the county law library fund.

#### Historical Note

This fee was added in 1987. It was originally a maximum of \$20 and was increased to a maximum of \$35 by House Bill 1477, 76th Session (1999), effective 09/01/1999.

## Local Government Code Filing Fees

- Section 118.011 includes several fees for personal property or real property documents, certified or non-certified papers, bond approvals, brand registrations and oath administrations.
  - Exemption: See Human Resources Code, Section 161.107, for exemptions for Department of Aging and Disability Services in guardianship cases (added by Senate Bill 6, 79th Session (2005)).
  - Local Government Code, Section 118.011(a): Personal Property Records and Real Property Records Filing, \$5 for first page plus \$4 for each additional page.

### Historical Note

This fee was increased by House Bill 950, 79th Session (2005), effective 09/01/2005, but the increase was postponed to January 1, 2006, by Government Code, Section 51.607. Prior to 01/01/2006, the fee for filing personal property records was \$2 and the fee for filing real property documents was \$3 for the first page and \$2 for each additional page.

- Sec. 118.011 (f) for Records Archive Fee was added 09/01/2001, allowing counties adjacent to an international border to charge a fee of not more than \$5. The fee was to expire Sept 1, 2008. The fee is more fully described in Sec. 118.025. It was amended to become the County Clerk's Archive Fee, applying to all counties, when the words "adjacent to an international border" were removed in 2003. (See Records Archive Fee below.)

### Historical Note

This fee was added by House Bill 370, 77th Session (2001), effective 09/01/2001. It was amended to become the County Clerk's Archive Fee by Senate Bill 1731, 78th Session (2003). This removed the words "adjacent to an international border" making it apply to all counties. House Bill 1513, 83rd Session (2013) temporarily increased the fee to \$10.

- Section 118.052 includes several fees for civil court actions, probate actions and other fees.
  - Exemption: See Human Resources Code, Section 161.107, for exemptions for Department of Aging and Disability Services in guardianship cases.

### Historical Note

A \$25 fee for the filing of a probate document not listed in Local Government Code, Section 118.052(2), was added by House Bill 1404, 79th Regular Session (2005). The exemption for DADS was added by Senate Bill 6, 79th Regular Session (2005). A supplemental court-initiated guardianship fee was added by HB 1295, 80th Session (2007). Senate Bill 819, 80th Session (2007), also amended Section 118.052(2).

- Section 118.121 and 118.122 (only 118.122 of the Government Code Filing Fees is repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)) pertain to several fees which may be collected in justice courts and small claims courts. The fee of \$25 (\$15 prior to 01/01/2008) in justice courts and \$25 (\$10 prior to 01/01/2008) in small claims courts is required on all filings of documents and all other processes and procedures in a civil matter. The fee is to be paid one time by the plaintiff or party initiating the action, cross action, third party action or intervention. As of January 1, 2006, this includes the filings of counterclaims.

#### **Historical Note**

This fee was added in 1987. Additions were made in House Bill 2309, 75th Session (1997). Counterclaims were added by Senate Bill 1424, 79th Session (2005), effective September 1, 2005, but due to Government Code, Sec. 51.607, the fee on counterclaims is not included until January 1, 2006. Fees were increased by Senate Bill 1412, 80th Session (2007), effective 09/01/2007 but increases delayed by Government Code, Section 51.607.

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee.

#### **Probate Court Actions**

Local Government Code, Section 118.052, requires various fees for probate filings. A \$25 fee is added, effective 01/01/2006, if the document is not listed in 118.052 (2)(B), is over 25 pages in length and is filed after the order approving the Inventory and Appraisal, or more than 120 days after the initial filing of the action, whichever occurs first. Local Government Code, Section 118.067, added a supplemental court-initiated guardianship fee of \$20, effective January 1, 2008.

#### **Historical Note**

The \$25 fee in Sec. 118.052(2)(B)(vii) was added by House Bill 1404, 79th Session (2005), effective 09/01/2005. Due to Government Code, Section 51.607, the fee is effective on January 1, 2006. The supplemental guardianship fee was added by House Bill 1295, 80th Session (2007).

#### **Records Archive Fee**

Local Government Code, Sections 118.011 and 118.025

- Effective 09/01/2019 the fee was permanently increased up to \$10.
- During the period of 09/01/2013 through 08/31/2019, the fee is temporarily increased to \$10.
- Prior to 09/01/2013 and after 08/31/2019, the fee may not be more than \$5 on each public document, including any instrument, document, paper or other record that the county clerk is authorized to accept for filing or maintaining.
- County Commissioners must adopt the fee as part of the county's annual budget

- Fee is for the preservation and restoration services performed by the county clerk in connection with maintaining a county clerk's records archive, specifically public documents filed with the county clerk before January 1, 1990.
- Funds may **not** be used to purchase, lease or develop computer software to geographically index public records, excluding indexing public records by lot and block description as provided by Local Government Code, Section 193.009(b)(4).
- Prior to 09/01/2003, the fee was limited to counties adjacent to an international boundary. This restriction was removed effective 09/01/2003.

### **Historical Background**

House Bill 370, 77th Regular Session created this fee. It was to expire 09/01/2008; however, Senate Bill 526, 79th Regular Session repealed the subsections allowing for expiration of the fee on 09/01/2008. Senate Bill 1731, 78th Regular Session, removed the words "adjacent to an international boundary," thus making the Records Archive Fee applicable to all counties, effective 09/01/2003. House Bill 1513, 83rd Regular Session temporarily increased this fee up to \$10 through 08/31/2019. The bill was effective 09/01/2013.

Senate Bill 658, 86th Session (2019) made the temporary increase up to \$10 permanent. The bill also specifically stated that Government Code 51.607 does not apply; therefore, the effective date is 09/01/2019 and not delayed.

### **Records Management and Preservation Fee – County Court**

Local Government Code Sections 118.011(b)(2) and 118.0216 provide that the county clerk of a county shall, if the commissioners court adopts the fee, collect not more than \$10, effective 09/01/2019 the temporary fee increase was made permanent. The rate allowed for the period of 09/01/2013 through 08/31/2019 is not more than \$10.

#### **Historical Note**

This fee was created by Senate Bill 770, 72nd Session (1991), effective 09/01/1991. The original rate was \$5. House Bill 1513, 83rd Session (2013), effective 09/01/2013, temporarily increases the maximum allowable rate to \$10 for the period of 09/01/2013 through 08/31/2019.

Senate Bill 658, 86th Session (2019) made the temporary increase up to \$10 permanent. The bill also specifically stated that Government Code 51.607 does not apply; therefore, the effective date is 09/01/2019 and not delayed.

### **Records Management and Preservation Fee – District Court**

Government Code, Section 51.317(b)(4), (repealed as of 01/01/2022 per Senate Bill 41, 87th Regular Session (2021)) provides that the court shall collect a fee of \$10 for records management and preservation to be collected at the time a suit or action is filed.

- Fee collected by District Clerk upon filing of suit or action
- Fee of \$10, effective 01/01/2004
- Fee prior to 01/01/2004 was \$5

- The \$10 fee is to be split 50-50 for county records management and district clerk records management

#### **Historical Note**

This fee was created sometime before 1995. The original rate was \$5, but was increased to \$10 by House Bill 1905, 78th Session (2003), effective 09/01/2003, but postponed to 01/01/2004 due to the provisions of Government Code, Sec. 51.607.

Senate Bill 41, 87th Regular Session (2021), added the new local Consolidated Civil Filing Fee. The bill stated the fee must be allocated to all the funds it covers; the account or fund may not receive less than the allocated percentages stated above. In creating the new Consolidated Civil Fee SB41 repealed some local costs and consolidated them into the new local fee

### **Records Technology and Infrastructure Fee**

Local Government Code, 118.026

- County clerk of a county bordering Mexico and Gulf of Mexico (i.e., Cameron County) upon approval of the Commissioners Court may assess a \$2 fee.
- The fee must be paid at the time a person pays an applicable records management and preservation fee, county clerk's records archive fee or probate matters fee.

#### **Historical Note**

This fee was created by House Bill 1062, 84th Session (2015), effective 09/01/2015. The effective date is 09/01/2015 due to the finding in Attorney General Opinion, GA-1055, issued 05/04/2014. Since this new \$2 fee is created under Subchapter B of Local Government Code, Chapter 118, then, it is not considered a cost of court for purposes of Government Code 51.607, and, thus, the effective date is not delayed to 01/01/2016.

### **Returned Check Fee**

Local Government Code, Section 118.011(b)

- County Clerk may collect a fee of not less than \$15 or not more than \$30 for a returned check that is presented to the county clerk in payment of taxes or any other item the person owes to the county and is returned by the depository bank or any other financial institution because of:
  - Insufficient funds to cover the check;
  - A closed account;
  - An unauthorized signature;
  - A check drawn on uncollected funds; or
  - Any other reason considered to be the fault of the drawer
- Prior to 09/01/2003, the maximum fee was \$25

#### **Historical Note**

The original fee from \$15 to \$25 was enacted by Senate Bill 220, 71st Regular Session (1989). House Bill 249, 78th Regular Session (2003), increased the maximum from \$25 to \$30.

### **Sheriffs and Constable**

Local Government Code, Section 118.131, allows the commissioners court to set reasonable fees to be charged for services by the offices of the sheriff and constables. The fees may not be set higher than is necessary to pay the expenses of providing the services. Services related to protective orders are excluded, including the filing, serving or the entering of a protection order. The dismissal, modification or withdrawal of a protective order is also excluded from this fee.

### **Truant Conduct Court Cost**

Family Code, Section 65.107, effective 01/01/2016

- Truancy Court shall assess \$50 court cost for truant conduct if child, parent or other person responsible for child's support is financially able to pay it.
- The \$50 cost shall be deposited in a special account that can be used only to offset the cost of the operations of the truancy court.

#### **Historical Background**

House Bill 2398, 84th Regular Session (2015), repealed Education Code, Section 25.094, which created a criminal offense for failure to attend school and added a civil court cost for the violation under Family Code, Section 65.107. Due to the delay provisions of Government Code 51.607, the effective date of 09/01/2015 is postponed to 01/01/2016.

### **Vital Statistics Records Fee**

Health Safety Code, Section 191.0045, effective 09/01/2003

- Local registrar may collect a fee not to exceed \$1 for the preservation of vital statistics records maintained by the registrar.
- Includes birth, death, fetal death, marriage, divorce and annulment records.
- Fee shall be collected upon the issuance of a vital statistics record.

#### **Historical Background**

Added by Senate Bill 1744, 78th Regular Session (2003). An optional fee; does not require approval by Commissioners' Court. See also Senate bill 1524, 79th Regular Session (2005).

### **Witness Fee**

Civil Practice and Remedies Code, Section 22.001, provides that the party who summons a witness shall pay a witness \$10 per day for each day the witness attends court. The witness fee is to be taxed in the bill of costs as other costs.

#### **Historical Note**

This fee was added either in 1985 or 1993.

## **CHAPTER 6: TAXPAYER REPORTS, INQUIRIES AND HISTORIES**

### **Introduction**

Most court costs are to be reported quarterly and are due on the last day of the month following the calendar quarter:

- Criminal Costs and Fees (city and county)
- Civil Fees (counties and some cities)
- Excess Motor Carrier Fines (city and county)
- Excess Highway Fines (certain cities only, but zero reports are not required)
- Sexual Abuse/Substance Abuse Programs (counties only, but zero reports are not required)
- Specialty Court Program (counties only)

In some years, legislative changes effective on September 1 have made it necessary to change the reporting in the third and fourth quarters of the year for criminal court costs. This resulted in the third quarter return only including July and August, while the fourth quarter return included September through December. This change occurred in 1989, 1991, 1995, 1997, 2001 and 2019. This change was **not** made in 1993, 1999 or 2003 through 2009. This change applies **only** to the criminal costs and fees on the quarterly report.

Two court costs are due annually and have their own report forms:

- Child Safety Seat and Seat Belt Violations (cities and counties)
- Photographic Enforcement Systems (cities and counties) (repealed 06/02/2019, see Ch. 5 for more details)

Three funds are reported monthly:

- Child Safety Seat Court Cost (cities and counties, but zero reports are not required)
- Compensation to Victims of Crime Auxiliary Fund (counties only, but zero reports are not required)
- Excess funds from Sale of Property Forfeited (counties only, but zero reports are not required)

### **Report Forms – Cities**

For all collections made on/after January 1, 2004, the following 8 forms must be used:

- [40-144](#), State Criminal Costs and Fees, City Quarterly Report
- [40-141](#), Civil Fees, Quarterly Report (for birth certificate fees only)
- [40-128](#), Excess Highway Fines, if applicable
- [40-130](#), Excess Motor Carrier Fines, if applicable
- [40-138](#), Child Safety Seat and Seat Belt Violations
- [40-149](#), Child Safety Seat, Monthly Court Costs
- [40-146](#), Photographic Enforcement Systems (repealed 06/02/2019; see Ch. 5 for more details)
- [40-150](#), Scrap Metal Theft Grant Program Quarterly Fine Collections

### Form 40-144, State Criminal Costs and Fees, City Quarterly Report

- Lines 1-3 are used to report collections for court costs that apply to all cases regardless of type of offense. The amounts are to be reported according to the time period of the date of the offense. Then the amounts will be allocated electronically according to the appropriate percentages by time period, based on the funds and amounts allowable at that time.
- There is no service fee (collection fee) allowable on lines 8-13.
- The amount that should be reported for line 11, Peace Officer Fees, is 20% of those arrest fees from actions by state officers.  
**Note:** A common error is for the city to report 100% of the arrest fees instead of only 20%.
- The city should be reporting amounts on line 9, Failure to Appear/Pay, only if the city is contracted with the DPS to report cases to Omnibase.

### Report Forms – Counties

For all collections made on/after January 1, 2004, the following forms must be used:

- [40-145](#), State Criminal Costs and Fees, County Quarterly Report
- [40-141](#), Civil Fees, Quarterly Report
- [40-130](#), Excess Motor Carrier Fines, if applicable
- [40-138](#), Child Safety Seat and Seat Belt Violations
- [40-149](#), Child Safety Seat, Monthly Court Costs
- [40-139](#), Sexual Abuse / Substance Abuse Programs
- [40-140](#), Sexual Abuse / Substance Abuse Programs, supplement
- [40-142](#), Compensation to Victims of Crime Auxiliary
- [40-143](#), Compensation to Victims of Crime Auxiliary, supplement
- [40-146](#), Photographic Enforcement Systems (repealed 06/02/2019; See Ch. 5 for more details)
- [40-147](#), Specialty Court Program
- [40-150](#), Scrap Metal Theft Grant Program Quarterly Fine Collections
- [40-151](#), Electronic Filing System Fund

### Form 40-145, State Criminal Costs and Fees, County Quarterly Report

- Lines 1-3 are used to report collections for court costs that apply to all cases regardless of type of offense. The amounts are to be reported according to the time period of the date of the offense. Then the amounts will be allocated electronically according to the appropriate percentages by time period, based on the funds and amounts allowable at that time.
- There is no service fee (collection fee) allowable on lines 5 and 15-22.
- The amount that should be reported for line 20, Peace Officer Fees, is 20% of those arrest fees from actions by state officers.  
**Note:** A common error is for the county to report 100% of the arrest fees instead of only 20%.
- The county should be reporting amounts on line 16, Failure to Appear/Pay, only if the county is contracted with the DPS to report cases to Omnibase.

## Inquiry on Database

### Tax Type 38 Subtypes

All Local Revenue accounts on inquiry are under Tax Type 38. The current subtypes are shown in the table below on the left side. The prior subtypes are shown on the right side of the table.

<b>Current Subtype</b>	<b>Old Subtype (prior to 01/01/2004)</b>
40 – Photographic Enforcement Systems	N/A
54 – Audit results	54 – Audit results
55 – Excess Highway Fines	55 – Excess Highway Fines
61 – Electronic Filing System Fund	N/A
63 – Child Safety Seat and Seat Belt Violations	63 – Child Safety Seat and Seat Belt Violations
64 – City criminal report	50 – City criminal report 58 – Motor Carrier Weight Violations 61 – Time Payment fee
65 – County criminal report	51 – County criminal report 56 – Judicial Fund (Criminal) 58 – Motor Carrier Weight Violations 61 – Time Payment fee
66 – Civil fees	52 – Marriage license fees (previously called Children’s Trust Fund) 53 – District clerk filing fees 56 – Judicial Fund (Civil) 57 – Birth certificate fees 62 – Legal Services for Indigents
67 – Sexual Assault, Substance Abuse Felony Program	N/A – Sexual Assault, Substance Abuse Felony Program
68 – Compensation to Victims of Crime Auxiliary Fund	N/A – Compensation to Victims of Crime Auxiliary Fund
69 – Specialty Court Program	N/A

Subtypes 64 and 65 show a beginning date of 01/01/2004, which is only an internal coding to indicate the beginning of reporting under those subtypes. The older subtypes, 50-53, 56-58, 61-62, will show an “OOB” on XISUMM inquiry, but the data still appears under the previous subtypes for periods prior to 01/01/2004.

Subtypes 67 and 68 were not automated until 01/01/2004, so these also show a beginning date of 01/01/2004, but the data prior to that date was kept manually by Revenue Accounting. Contact Revenue Accounting, Miscellaneous Tax Section, for reported data prior to 01/01/2004.

Reported data for Local Revenue Funds is on the Fee System, using tax code 38. Inquiry is shown for each subtype. Be sure to note the use of the PF keys at the bottom of the inquiry screens to navigate through the records.

The Child Safety Seat court cost added in 2009 and the Metal Recycling added in 2011 are non-automated funds. Therefore, it will be necessary to run the MTIGDI inquiry, look for t-code 90100, note the DLN and use imaging to review for any remittances.

Research the taxpayer's account by using the following inquiries:

1. XISUMM (shows all subtypes for which the taxpayer has been or is currently responsible)
  - a. By entering only "XISUMM.tp#.", all the taxes and subtypes for which the taxpayer is responsible will appear, including those shown "OOB."
  - b. By entering tax type 38 and a subtype, the summary screen for that subtype will appear.
  - c. A subtype of 64 or 65 will reflect the quarterly criminal reports. Under "Account Status" a beginning responsibility date of 09/01/1989 is the date when the reported data was first automated on inquiry. (A different beginning date may show for other subtypes. It will also show either "monthly" or "quarterly" depending on the subtype.) A subtype of 50 or 51 will show "OOB" and an end date of 12/31/2003, which is when the older subtypes were inactivated and data began appearing under the new subtypes 64 or 65.
  - d. The field for "PPA" reflects a "yes" if the taxpayer has an active payout agreement with Revenue Accounting.
  - e. The field for "audit status" reflects "in progress" if a field audit is underway or a "completed" means that an audit was completed on this taxpayer for court costs, fees and fines.
  - f. Using the PF4 key will forward the inquiry to the XISUMM inquiry for other subtypes in numerical order.
  - g. The PF8 key will show the Master summary inquiry (XIMAST); PF9 will show collection records (XICOLL) and PF10 will show the status inquiry (XISTAT).
2. XIMAST shows the master business information for the taxpayer, including the address, the contact name and phone number. PF8 will show taxpayer's location (i.e. in the county courthouse).
3. XISTAT is by subtype and it shows the status inquiry with each court cost and its beginning responsibility date. Use the PF1 key to see all funds. For subtype 63, Child Safety Seat and Seat Belt, it indicates the city or county's fiscal year end.
4. XICOLL shows all collection records **by subtype**. Type 1 = open, 2 = open and closed, 3 = all periods.
  - a. By selecting the record to view and just pressing the Enter key, it takes you to the history inquiry (XIHIST).
  - b. Using a subtype of 54 for Audit will show all field audit records and the PF9 key will show the audit inquiry (XIAUDS). An AUD# of "001" is a field audit and "002" is a combined billing done by Revenue Accounting. Be sure to review comments using the PF11 trail.
  - c. PF10 will show payments for the record selected (XIPMTS).

- d. PF11 will show a trail of comments on the record. Select this PF11 key twice to see all comments.
  - e. It is also possible to see all collection records by simply entering "XICOLL.taxpayer#.38.2." the inquiry will display all open and closed collection records with all subtypes. It will easily show if there have been continuous problems with this account.
5. XIHIST shows all the actions taken on the record selected
- a. If using a subtype for a report, it will show whether the return was received, a discount allowed, refunds, deficiency letters, etc. Be sure to use the PF11 key for trail and comments to see what actions were entered and why.
  - b. If using the subtype for audit (subtype 54), it will show actions from the original field audit results through the conclusion of an administrative hearing.
    - i. Placing an X beside 'redetermination hearing' and pressing Enter will show the Hearings inquiry with the Hearing Number (XIHEAR).
    - ii. Placing an X beside "field audit" and pressing the Enter key, or selecting PF9, it will take you to the audit inquiry (XIAUDS).
  - c. If the XIHIST inquiry shows 'PPA' or 'PPA paid', placing an X beside the PPA and pressing Enter will display the payout agreement dates and terms (XIPPAS).
6. XIAUDS shows the audit period and the total amount of the audit deficiency before a redetermination hearing. Selecting the PF9 key will take you to the audit allocation basis inquiry (XIABAS).
7. XIABAS shows the audit results by fund, taken directly from the audit cover letter. The PF1 key moves the inquiry forward through all the funds.
8. XITXPI shows the amount due, payments and balance for the subtype entered.
9. XIREFS shows any refund information for the subtype selected.
10. XIPMTS shows the payments by period and by subtype. The amount and date of the payment are shown. Use the PF1 key to see the totals. The PF4 and PF5 keys can be used to scroll forward or backward to other report periods in the same subtype.
11. XIDATA shows reported data by subtype and by period.
- a. This inquiry appears with the totals first.
    - i. Use the PF7 key (top) to see the reported data on the lines from the report form.
    - ii. The 'Collected' column is the total amount before deduction of the city/county's service/collection fee. The "Due" column is the net after deduction of the service/collection fee.
    - iii. The PF4 and PF5 keys can be used to move forward or backward to other report periods for the same subtype.
    - iv. If the taxpayer filed an amended return, the amended data will appear when the inquiry first appears. To see the original reported data, select the PF2 key (BWD). Be sure to select the PF11 key for trail and comments, making sure to select the PF11 key twice to see all the information entered.

- v. On subtype 66, Civil Fees, an asterisk beside the fund is an indicator that the city/county is responsible for that fund. Cities will typically only show an asterisk beside Birth Certificate Fees, if they are set up for subtype 66 at all.
  - b. Examination of the XIDATA by time period can reveal inconsistencies and potential problem areas, such as:
    - i. Line items where no data was reported. For example, note if there are no amounts for Peace Officer Fees in counties, or new court costs after their effective dates.
    - ii. No reported amounts for offenses prior to 01/01/2004, and all amounts appear to be reported on Line 1 for offenses 01/01/2004 forward.
    - iii. For periods prior to 2004, Compensation to Victims of Crime exceeds Consolidated Court Cost.
    - iv. State Traffic Fine is more than three quarters the amount of Consolidated Court Cost in a city.
12. MTIGDI displays multi-tax document index batch entry transactions by taxpayer.
- a. Type "MTIGDI.taxpayer#".
  - b. Enter the five-digit t-code: 90100 for child safety seat court cost. Other t-codes are listed in the upper left corner of the report forms including some of the following (not an all-inclusive listing):

T-Code	Description
32610	City Criminal Quarterly Report
32630	County Criminal Quarterly Report
32650	Civil Fees Quarterly Report
32260	Drug Court Program Account
32170	Child Safety Seat and Seat Belt Violation Fines

- c. There is also a t-code sort option that can be entered after the taxpayer number and five-digit t-code.
  - i. 0: T-Code, DLN, entry date
  - ii. 1: T-Code, DLN, tax type
  - iii. 2: DLN, entry date.
- d. Open the File Net Imaging from the CPA website.
- e. Change the search template to 'TaxData and TaxDocs Search' and enter the DLN acquired from the MTIGDI inquiry above and select the 'Search' tab. The DLN is a consistently used field in the File Net Imaging System. Other fields such as taxpayer number and filing period are not used consistently, and, consequently, will not yield the desired result.
- f. Select on the applicable document under the Title field of the search results.

## **Audit History**

An **Audit History** is available for Local Revenue Funds which provides all the reported data for all the subtypes.

Prior to ordering a history, review XIDATA to verify that there is reported data for the beginning and ending periods for which the history is to be requested. When beginning and ending periods are submitted, the system message will show that it was accepted. However, if there was no reported data for either the beginning or ending period, no history will print.

As an additional note, audits or refunds should only be generated on tax type 38 and 64 for cities or 65 for counties (38.64 cities or 38.65 counties). Regardless of the audit or refund needed for an additional subtype the assignment should be generated using either 38.64 or 38.65. A history can be generated on either of these codes and the history will display all the info for additional subtypes the city or county is registered for.

To order an **Audit History**, follow these steps:

- From CICS, enter XIRPTS
- Page forward using the PF3 key
- Go to page 8 to find the Audit choices
- Put an X beside “audit history”
- Enter the taxpayer number, tax type 38 and a beginning and ending audit period.
- Enter the four-digit office ID number
- Enter the office’s high-speed printer ID
- Submit the request

The history should print after 5:00 p.m., CST and will provide all the reported data for each of the subtypes for which the city or county is responsible. Separate pages will print for each subtype for reported data and payments.

## Collection Fees

Most of the **criminal funds** allow the city or county to retain a 10% service fee if the reports and payments are made timely. Some funds do not allow any retention and others vary. The following chart indicates the amount that may be retained by the city or county on criminal court costs, fees and fines.

<b>CRIMINAL FUNDS</b>	<b>COLLECTION FEE Upon Timely Filing</b>
<a href="#">Bail Bond Fees</a>	10%
<a href="#">Child Safety Seat and Seat Belt Violations</a>	NONE
<a href="#">Child Safety Seat Court Cost</a>	NONE
<a href="#">Compensation to Victims of Crime Auxiliary Fund</a>	5%
<a href="#">Consolidated Court Fee (2004)</a>	10%
<a href="#">DNA Testing Fee – Convictions</a>	10%
<a href="#">DNA Testing Fee – Community Supervision</a>	10%
<a href="#">DNA Testing Fee – Juvenile</a>	NONE
<a href="#">Driving Records Fee</a>	NONE
<a href="#">Electronic Filing System Fund</a>	NONE
<a href="#">EMS Trauma Fund</a>	10%
<a href="#">Excess Funds from Sale of Property Forfeited</a>	NONE
<a href="#">Excess Highway Fines</a>	NONE
<a href="#">Excess Motor Carrier Fines</a>	NONE
<a href="#">Failure to Appear/Pay</a> City/county reports \$20 of the \$30 fee to the Comptroller.	NONE
<a href="#">Indigent Defense Fee</a>	10%
<a href="#">Judicial Fund</a>	NONE
<a href="#">Judicial Support Fee</a>	60 cents of each fee (timely filing not required)
<a href="#">Jury Reimbursement Fee</a>	10%
<a href="#">Juvenile Probation Diversion Fund</a>	10%
<a href="#">Metal Recycling</a>	10%
<a href="#">Motor Carrier Weight Violations</a>	NONE
<a href="#">Moving Violation Fees</a>	10%
<a href="#">Peace Officer Fees</a> City/county remits 20% of those fees where the service is performed by a peace officer with statewide authority.	NONE
<a href="#">Sexual Assault Program Fund</a>	NONE
<a href="#">Specialty Court Program</a>	10% of amount collected before 50% reduction as allowable by statute
<a href="#">State Traffic Fine</a>	5%
<a href="#">Substance Abuse Felony Program</a>	NONE

CRIMINAL FUNDS	COLLECTION FEE Upon Timely Filing
<a href="#">Time Payment Fee</a> City/county retains one-half and remits one-half to the Comptroller. (repealed 01/01/2020 as a state cost, became a local fee, see Ch. 2 for more info)	NONE
<a href="#">Truancy Prevention &amp; Diversion Fund</a>	50% Timely filing not required

### Civil Fees

None of the **civil fees** allow the city/county to retain any portion of the amount collected, **except** for the Filing Fee for Legal Services for Indigents. A county may retain **5%** of this fee upon timely filing. It is deducted on the Civil Fees report form:

- line 6 for Justice Courts,
- line 7a for Statutory Probate Courts,
- line 8a for Statutory County Courts, and
- line 9a for Constitutional County Courts.

For District Courts, the 5% retained is shown on lines 10a, 10b and 10c but is only a portion of the total remitted on those lines; therefore, the amount to be retained is shown in currency rather than percentage.

The above amounts are to be retained by the city/county when the report and payment are made by the due date. If returns are filed late, or if adjustments are made in an audit, the collection fee **may not** be deducted from the amount to be paid to the state.

A city/county is to report the amount collected in the quarter in which it was collected, even if reported to the Treasurer late. For example, a payment received by any city or county officer/clerk on the last day of March is to be reported on the report for the first quarter of the year. If not reported until the second quarter of the year, the city/county is not allowed to retain the collection fee on this amount.

When collection fees are disallowed, the disallowance only applies to those payments which are reported late. The collection fee is still allowed for those remitted in the proper quarter.

## **CHAPTER 7: AUDIT PROCEDURES**

### **Introduction**

Audits for Local Revenue Funds are handled using generally the same procedures as for other taxes. This chapter covers the audit and write-up procedures specific to audits for local revenue funds.

### **Statute of Limitations**

Texas Tax Code, Section 111.0021, provides that Chapter 111 of the Tax Code applies to any tax or fee that the Comptroller is required to collect under a law not included in this title of the Tax Code, thus making the local revenue funds audits subject to the provisions of Chapter 111, Tax Code. Sections 111.201 through 111.207 govern the use of agreements to extend statute of limitations. Local Revenue Funds audits are therefore subject to the same four-year statute of limitations as other taxes and fees audited by the Comptroller.

### **Confidentiality**

[Section 111.006\(f\) of the Tax Code](#) provides that an audit of a governmental entity is open records. Consequently, a requestor may obtain a copy of a local revenue funds audit by written request to the Open Records Division of the Comptroller's office. However, subsection (f) goes on to state that any information that was confidential in the possession of the city or county remains confidential when in the possession of the Comptroller or Attorney General.

### **Penalty and Interest**

Local Revenue Funds audits are **not** subject to penalty and interest on deficiencies.

### **Audit Process**

The audit examination below is a recommended outline for an audit on court costs, fees and fines. This is not intended to be an all-inclusive listing of all possible or necessary steps. The audit procedures and examination steps will need to be tailored for the particular audit and circumstances.

### **Audit Generation**

- Audit Generation
  - Audits on Cities are generated under tax type 38, subtype 64
  - Audits on Counties are generated under tax type 38, subtype 65
  - Audits are generated by Audit Headquarters, or the audit office, as appropriate
  - An audit **should only** be generated as tax type 38, subtype 64 (city) or 65 (county). Even though the taxpayer reports data for other subtypes, only the primary subtype of 64 for city, or 65 for county, should be generated in Agency Work Manager.
- Agency Work Manager
  - Tax type 38, subtype 64 (city) or subtype 65 (county)
  - Always use an audit period based on calendar quarters **only**.
- Notice of Routine Audit and Audit Questionnaire

- When the audit is generated, the standard Notice of Routine Audit and Audit Questionnaire will be automatically sent.

### Pre-Audit Research

- Comptroller's Records
  - Examine audit assignment for city/county identification, reason for audit generation and any special notations on Agency Work Manager.
  - Determine which funds the city/county is responsible for (i.e. Excess Highway Fines for cities under 5,000 population in [Table III, Chapter 10](#) or counties under 5,000 population in [Table IV, Chapter 10](#), Excess Motor Carrier Fines, Failure to Appear in [Table I, Chapter 10](#), Judicial Fund in [Table II, Chapter 10](#), etc.).
  - Review charts in the city or county chapter to determine which costs and fees were applicable during the audit period and note the funds' beginning and ending periods.
  - Examine prior audits, if any, and review audit adjustments and audit plan.
  - Order an Audit History for the city/county (see [Audit Histories in Chapter 6](#)). All funds reported should appear on the history, but if the city/county did not report a fund for which they are responsible, it will not appear in the history.
  - Review inquiries and the audit history for unusual reporting patterns, unreported items, apparent errors, etc. Some items to note include:
    - Amounts reported by time period should decrease in the older time periods. If there are large amounts reported for the earlier time periods, make note to examine further. If the city/county is reporting everything on Line 1 for offenses 01/01/2004 and later, and nothing on the other time period lines, they may not be properly allocating collections based on date of offense. This causes the percentage split of the reported amount to be incorrect. Make note of this error for examination and review.
    - For Peace Officer fees, a **city** will probably not have any amounts to be remitted since they generally only have municipal police officers. If there are amounts on a city report, make note for further examination. For a county, only 20% of the peace officer fees for state officers are to be remitted. Make note if the amounts seem extraordinarily excessive relative to other costs for further examination and review.
    - If the same/similar amounts are reported for several quarters, make note to examine further. This could indicate that reports were not completed using true data.
    - Make note of any funds for which the city/county should be reporting but are zero or significantly small amounts. If a fund with a separate subtype has never been reported, there will not be a page in the audit history for it. This may only mean the taxpayer has not reported it and is **not** necessarily an indication that they are not subject to it.
    - For additional information on researching inquiries, see [Chapter 6](#).

- Internet research
  - Research the city/county via the internet to familiarize yourself with the city/county and determine how many courts the city/county has, if possible. A municipality has only one official municipal court, but it may operate night courts or satellite courts and it may have multiple municipal judges. A county will have at least one justice court, possibly more. Every county has a constitutional county court and may also have one or more county courts at law (statutory county courts). Each county will also have one or more District Courts.
  - The website for the Texas Association of Counties has direct links to county websites. Go to [www.county.org](http://www.county.org) and select “About Texas Counties,” then select “Texas County Websites.”
  - For cities, go to [www.tmcec.com](http://www.tmcec.com)
  - If these links do not provide the necessary internet sites/information, additional research may be required.
- Open collection records
  - Determine if there are any open collection records and/or non-filed returns and research inquiry for notations made by Revenue Accounting (see [Inquiry in Chapter 6](#)). Contact Revenue Accounting to determine if the open collection records should be included in the audit adjustments. Note: non-filer periods included in the audit period should be closed.
- Make arrangements for field work
  - Determine who is listed as the audit contact on the Questionnaire.
  - Make contact with the city/county to set appointment for entrance conference.
  - Request access to a computer with the electronic docket or other information. If the records are kept electronically, access to the computer will be necessary.
  - Request electronic reports for review prior to appointment, if possible. For example, it would be very helpful to review a report of payment data for a couple of months, showing payments and their allocations. This could point out funds not being collected, improper allocations, etc.
  - Discuss records which need to be available for examination.

## Getting Started

### Entrance Conference

1. Contact individual listed on Audit Questionnaire.
2. Determine all the courts handled by the city/county, locations, names of court clerks, number of law enforcement officers, etc.
3. Determine the records available, whether computerized or manual, location of records, any changes in computer systems, etc.
4. Determine how information on legislative changes and court cost amounts are disseminated to all appropriate staff.
5. Determine the city/county’s procedures for collecting court costs, fees and fines.
  - a. How do clerks determine what is due on each case?

- b. For county and district courts handling Class B misdemeanor offenses and higher, how are clerks deciding what court costs to assess when a defendant is convicted of two or more offenses in a single criminal action? (**Note:** Effective 09/01/2015, Senate Bill 740, 84th Session (2015) added Article 102.073 to Subchapter C, Chapter, 102, Code of Criminal Procedure to assess only one set of court cost based on the highest category of offense in the single criminal action.)
  - c. How are convictions and deferrals recorded in the dockets? Do they enter the actual conviction date or simply use the date of first payment?
  - d. Are pay-out agreements allowed? Are they consistent in terms allowed?
  - e. Does the court require payment within certain time periods (30 days, 60 days, 90 days, etc.)?
  - f. How are partial payments allocated to costs, fees and fines? Some cities and counties do not allocate payments to costs and fees first.
  - g. How are payments recorded for each defendant?
  - h. How are credit or debit card payments recorded that have been collected by a peace officer for a defendant who has been issued a capias pro fine? (**Note:** Effective 06/15/2015, House Bill 121, 84th Session (2015) added Article 103.0025 to Chapter 103, Code of Criminal Procedure to allow a peace officer to accept a defendant's immediate payment by use of a credit or debit card for collecting a past due payment of fines and related court costs and fees for which a capias pro fine has been issued.)
  - i. Are cash payments accepted in the courts?
  - j. Are receipts generated electronically? If so, how are receipts handled when computer system is down or payments accepted after hours?
  - k. If records are computerized, ask for coding tables and abbreviations used. Have there been changes in the computer systems used? When did these changes occur?
  - l. Does the computerized system enter all the necessary costs or do the clerks override any and handle some manually?
  - m. How often do the courts send summarized data to the Treasurer?
  - n. How does the Treasurer compile data for reporting the court costs, fees and fines due to the Comptroller?
  - o. Do personnel from the courts attend training classes?
6. The audit contact person may not be able to answer all the above questions and it may vary from court to court in a county. These questions will need to be addressed again in each justice, county and district court as well.
  7. Complete any statute extensions necessary at this point. See [Statute Extensions](#) later in this chapter.

### Basic Audit Procedure Steps

1. In **each** municipal, justice, county and district court, the following steps should be taken:
  - a. Determine how records are filed and maintained
  - b. Determine if all records are available for audit period, including source documents (tickets, citations, etc.), dockets or case files, receipts for payments, daily reports, daily deposits, reports to Treasurer, etc.
  - c. Determine if records are kept manually or electronically.
  - d. Ask court personnel to describe the entire process from ticket or citation to completion of the case.
  - e. Examine charts used by clerks to determine court costs due and review for accuracy, types of abbreviations used, etc.
  - f. Examine internal controls.
  - g. Test transactions
  - h. Examine process of assessments, payments and collections, and recording of assessments and collections/credits.
  - i. Examine reporting process, including daily reports and reports to the Treasurer
  - j. Examine records for the audit period.
  - k. Trace errors to determine if they are repetitive or extraordinary.
  - l. Schedule errors noted.
2. In a county, these steps will have to be performed in each justice, county and district court independently as they will have different systems, procedures and personnel. In a city, there may be divisions of the municipal court which require the same steps. Smaller cities generally have one office that handles all the duties. The above questions and steps will need to be addressed in **each** court for the city or for the county.

### Testing Internal Controls

An examination of internal controls used in **each court/office** will help to determine strengths and weaknesses in the system and aid in determining if the records are reliable and complete. If internal controls are strong, a smaller testing and sample may be valid. If internal controls are weak, a larger sample may be necessary.

1. Review the internal control procedures in the court. There is a comprehensive article about internal controls in the Texas Municipal Court Education Center newsletter dated August 2002 that is very helpful on this topic:  
<http://www.tmcec.com/public/files/File/The%20Recorder/2002/Aug02recorder.pdf>
2. Determine if there is a proper separation of duties. Does the same individual who takes the money complete the deposit, enter the data and complete the reports? If so, there may not be any form of checks and balances to find and correct errors.
3. Have there been changes in personnel? Are duties shared or rotated so that more than one individual participates in the process or is one individual

- always responsible for the same activity? A lack of cross-checks and balances may be a weakness in the system.
4. Transactions for testing internal controls should be selected randomly from all periods in the audit period. Rather than looking for the typical high-dollar items or refunds, these audits concentrate on a variety of offenses and their related court costs, so the items selected for testing may be randomly selected.
  5. Select transactions from the original source documents and trace through the entire process to see if the amounts are properly reported and if all source documents are entered into the docket records. If not, further investigation may be warranted.
  6. Trace receipts from the original receipt through the daily reports and summary records to the final report. Compare the receipts to the docket/case file to verify that payments are properly recorded on the docket. Match payments received in a specified period to deposits and reports to the Treasurer.
  7. Determine how records are filed and maintained and if all are accounted for. Dockets may be maintained electronically or in hard copy. Receipts may also be electronically generated or manually completed.
  8. Are ticket books and/or citation forms numbered sequentially and issued by one individual who controls the issuance of the books? Is there a log of ticket and citation books issued and in inventory?
  9. Can all tickets/citations be accounted for? Are voided tickets left in the ticket book? If tickets are missing, this warrants further examination. Make notes of gaps or abnormalities in the sequence.
  10. Are receipts for payments numbered sequentially? Can all be accounted for?
  11. Are all source documents entered in the docket/case files?

### Treasurer's Office

It is best to start the audit examination at the Treasurer's office.

- Explain the audit process to the Treasurer and get the names of the contacts in each of the other offices/courts. Make sure all contacts know the audit will include a visit to their office as the audit progresses and that you will require some working space and access to a computer for electronic dockets, payments, etc.
- Ask the Treasurer to explain how the court costs are compiled from the information from the courts.
  - Determine the abbreviations used, general ledger codes used for court costs and exactly how the figures for the reports are obtained.
  - Determine if the reports used by the Treasurer have enough information to properly determine how to report the costs, fees and fines. For example, are collections divided by offense date so that the Treasurer can properly report offenses by time period?
  - Are specific offenses listed so that the Treasurer knows what fines to report for Child Safety Seat and Seat Belt Violations or for Motor Carrier Weight Violations?
- Determine if returns were timely remitted.

- Determine if the collections for the previous quarter, month or year were all included on the report for the proper time period. For example, if the city/county reports December, January and February for the first quarter, every quarter may be off by the same amount. The collection fees retained for those months reported in the wrong quarters should be disallowed.

### Municipal or Justice Courts

- Examine internal controls to determine strengths and weaknesses in the system. Make notes of weaknesses to examine further.
- Tickets and complaint forms should all show the identification number, type of offense, date of offense, name of defendant, notice to appear and promise to appear.
  - Are all records filed and maintained? Are they all accounted for?
  - Are tickets and complaint forms numbered sequentially?
  - If tickets are voided, are they left in the book?
  - Are there any tickets missing that cannot be accounted for?
  - Are all the tickets issued entered in the docket book? Are the types of violations and pertinent information properly recorded?
  - Do the number of tickets issued for a period balance with those entered on the summary journal?
  - Are complaint forms for other violations entered into a daily log?
  - All of these questions should be answered in the affirmative, except for the fourth bullet above. If there are problems with any of these issues, further investigation may be necessary, and an estimate of missing records may be justified.
- Dockets and case files should show the type of offense, date of violation, defendant's name, actions taken on the case, date of conviction or judgment and payments made. The judge is required to sign each conviction or judgment.
  - Trace the source documents to the dockets/case files to determine the reliability of the docket/case files. If the docket is reliable, the audit can be conducted using the dockets rather than the source documents. If not reliable, the docket should be used only as a reference and not as a totally accurate record of court actions.
  - Every offense and complaint form issued should result in a separate docket with a separate number. This is not always done, and some courts will use one docket number for multiple offenses (from one ticket or violator), making the trail more difficult. Watch for multiple offenses under one docket number. Each offense must carry its own set of fines and court costs.
  - Each docket should be maintained for all court actions, including the fines and court costs and fees assessed in the case. It is necessary to review the dockets to determine if the correct court costs were assessed based on the **type** of offense and date of offense.
  - Determine how the court personnel determine the proper court costs based on the type of offense. Review the charts used by the court personnel and get explanations for abbreviations and codes used.

- Verify the accuracy of the court costs assessed. **Look for changes** in rates and new court costs due to legislative changes, and the dates on which these changes were implemented. Look at dockets dated at about the time of the court costs changes to see if the changes were reflected timely.
- Look to see if Time Payment Fees were properly added on cases not paid in full within 31 days of the conviction or judgment.
- Receipts, daily deposits and daily reports:
  - Receipts should be sequentially numbered and maintained by the court clerk.
  - Voided receipts should remain in the receipt book.
  - Receipts should correlate to the respective cases in the summary journal or docket/case files.
  - Separate records of collections of state court costs must be maintained but separate bank accounts are not required. Examine deposits and compare the receipts for payments against the bank deposits.
  - Some courts keep a collections journal to record receipts of state court costs, but the individual court dockets/case files should also be noted with the payment information.
  - Determine if all payments are properly applied to statutory court costs first.
  - Determine how partial payments of court costs are handled and if the proper allocations are made for statutory court costs.
  - The court clerk should prepare a daily report of all funds collected, which is to be sent to the Treasurer. This daily report should separate the amount of fines from court costs and other funds collected. Compare receipts and daily deposits to the daily reports.
- Specific court cost verifications – Criminal:
  - [Child Safety Seat and Seat Belt Violations](#): Run a report on seat belt violations to verify the cases with child safety seat and seat belt violations for passengers under the age of 17. Verify that one-half of the fines on these cases were sent to the Comptroller. Applies to offenses on/after September 1, 2001.
  - [Driving Records Fee](#): A discretionary fee if the court obtains the defendant's driving record. Applies to cases with an offense date on/after January 1, 2006. Run a report of cases with driving safety course deferrals on/after 01/01/2006 to determine if the fee should have been assessed. Prior to 01/01/2008 the fee was \$10; effective 01/01/2008 the fee is \$22.
  - [Excess Highway Fines](#): Determine if the city's or county's population was 5,000 or less on the 2010 census by checking [Table III](#) or [Table IV](#) in Chapter 10. If so, perform the calculations for the Excess Highway Fines. See [Special Topics](#) at the end of this chapter.
  - [Excess Motor Carrier Fines](#): Determine if the city/county being audited is participating in the DPS certification for enforcement of the Motor Carrier Violations Act. If so, verify the city/county's costs of enforcement in the city's or county's previous fiscal year. Any fines in excess of 110% of this amount should be reported.

- [Failure to Appear](#): Refer to [Table I in Chapter 10](#) to determine if the city/court participates in the Failure to Appear program. This may be referred to as the “Omni” fee, since the name of the vendor for DPS is Omnibase. The \$30 fee should have been collected for each case reported to Omnibase, for cases on/after the effective date shown in Table I in Chapter 10. Two-thirds, or \$20 should be reported to the Comptroller. If the court allows the defendant to receive credit for jail time served to pay off fines and court costs, but collects the \$30 FTA fee in cash, the \$30 collected from the defendant should be pro-rated to all the statutory state and local court costs in accordance with the cost-first allocation rule. The FTA fee does not hold priority over the other court costs.
  - Beginning January 1, 2020 ensure the city or county is retaining this fee locally for offenses (or convictions in county and district courts) that occur on or after 01/01/2020; and is only charging \$10 for this fee.
- [Motor Carrier Weight Violations](#): Run a special report for offenses under Transportation Code, sec. 621.506, and verify if 50% of the fines were reported. Deduct any cases where the offense occurred within 20 miles of an international border.
- [State Traffic Fine](#): Run a report on offenses under Rules of the Road and verify if the \$30 fee was properly assessed. Verify amounts collected to amounts reported. **Include** offenses relating to parking and pedestrians as the State Traffic Fee applies to these cases also. Refer to [Table VI in Chapter 10](#) for all offenses in Rules of the Road.
  - Beginning September 1, 2019 the STF increased to \$50 and the service fee is 4%. OCA has determined this is a fine and is no longer included in the proration of partial payments.
- [Time Payment Fee](#): Run a report on cases still open more than 30 days after conviction and see if the \$25 fee was assessed. Verify that one-half of the Time Payment Fees were reported.
  - Beginning January 1, 2020 ensure the city or county is retaining this fee locally for offenses (or convictions in county and district courts) that occur on or after 01/01/2020; and is only charging \$15 for this fee.
- Specific fee verifications – Civil:
  - [Filing Fee for Legal Services for Indigents](#): Verify the number of civil suits filed in Justice Court using the civil docket and compare to the number of fees reported. Prior to 01/01/2010, the fee was \$2; effective 01/01/2010, the fee is \$6.
  - [Juror Donations](#): Verify that the donation form used by jurors includes the Compensation to Victims of Crime as a possible donation item. Compare the juror donations to CVC to the amount reported. After 09/01/2007, donations may be partial.
  - [Photographic Enforcement Systems](#): Verify the collections under this program and that the deductions are reasonable. The total of deductions is entered into the Fee System data base, but the report form may be

viewed on imaging to see the breakdown of the deductions as entered by the city/county. Verify each category to see that the deductions are appropriate, not duplicated, and fit the categories as outlined in the statute.

- As of June 2, 2019, this program is repealed and no **new** contracts can begin or renew. Existing contracts prior to May 7, 2019 may remain in effect for the contracted period.

## County Courts

### Criminal Court Costs

Use similar procedures to those shown for justice courts to verify court costs assessed, collected and reported. Some additional court costs appear in County Courts that did not appear in Justice Courts:

- [Bail Bond Fees](#): Verify bail bond fees taken by reviewing summary listings in the county court or sheriff's office.
- [EMS Trauma Fund](#): \$100 court cost on certain Class A and B misdemeanors. Run a report on the specific offenses to see if the \$100 court cost was collected on offenses on or after January 1, 2004.
- [DNA Testing Fees](#): \$50 court cost on certain Class A/B misdemeanors with offenses dates on/after September 1, 2001. Run a report on the specific offenses to see if the court cost was assessed.
  - Beginning January 1, 2020 this fee is repealed for offenses (or convictions in county and district courts) that occur on or after 01/01/2020.
- [Judicial Fund](#) for Constitutional or Statutory County Court: see [Table II in Chapter 10](#) to determine if the county has any participating courts for the Judicial Fund. If so, the court cost is \$15 per conviction. All statutory county courts must participate as of 10/01/2007 and all statutory probate courts must participate as of 09/01/2007.
  - Beginning January 1, 2020 this fee is repealed for offenses (or convictions in county and district courts) that occur on or after 01/01/2020.
- [Sexual Assault Program](#): Run a report to isolate the specific types of offenses and verify if the \$5 monthly fee was ordered by the court. Compare the amounts collected to the amounts reported.
- [Specialty Court Program](#): If the county has established a drug court program under Government Code, Chapter 123 (previously under Health & Safety Code, Section 469.002), the county is eligible to retain 50% of the revenue collected for the quarter in which the drug court program was created and the subsequent quarters. A county with a population of more than 200,000 is required to establish a drug court program per Government Code, Section 123.006. Refer to the description of Specialty Court Program in Chapter 2 for the proper amounts to be remitted.
  - Beginning January 1, 2020 this fee is repealed for offenses (or convictions in county and district courts) that occur on or after 01/01/2020.

## Civil Fees

- [Birth Certificate Fees](#): Review the summary listing of birth certificates issued and compare the numbers issued to the numbers reported. The county should have remitted \$1.80 of each \$2 fee collected.
- [Filing Fees for Legal Services for Indigents](#): Verify the fee collected on each filing of a civil suit in a constitutional or statutory county court. Use the docket of civil cases filed to compare numbers of cases filed to numbers reported. Prior to 01/01/2010, the fee was \$5; effective 01/01/2010, the fee is \$10.
- [Judicial Fund](#) Filing Fees for Constitutional, Statutory County and Statutory Probate Courts. Examine [Table II in Chapter 10](#) to determine if any of the county's courts are participating in the Judicial Fund. If so, verify a \$40 filing fee for the filing of each civil case in the particular court to the amount reported. As of January 1, 2020 the **criminal** Judicial Fund was repealed. Make sure the county did not stop collecting the civil Judicial Fund.
- [Judicial Support Fee](#): \$37 fee on the filing of any civil suit in any constitutional or statutory county court. Use the docket of civil cases filed to compare numbers of cases filed to numbers reported. This fee should not have been collected prior to December 1, 2005.
- [Juror Donations](#): Sample the population of juror donation forms to verify that the Compensation to Victims of Crime Fund is a listed item for donation and verify that the sample items with a CVC donation follow through to the summary report for Juror Donations. Compare the summary report of donations to the amount reported.
- [Marriage License Fees](#): Review the summary records for marriage licenses issued and compare the number issued to the number reported. Verify the fees collected on marriage licenses and the \$25 fee on Declarations of informal marriage. The marriage license fee was increased from \$30 to \$60 on 09/01/2008, but exemptions are provided for couples completing a premarital education course. Also verify the exemptions from the fee.
- [Nondisclosure Fee](#): Verify the summary records of petitions for nondisclosure and compare the number issued to the number reported. This fee should not have been collected prior to September 1, 2003.
- [Photographic Enforcement Systems](#): Verify the collections under this program and that the deductions are reasonable. The total of deductions is entered into the Fee System data base, but the report form may be viewed on imaging to see the breakdown of the deductions as entered by the city/county. Verify each category to see that the deductions are appropriate, not duplicated, and fit the categories as outlined in the statute.
  - As of June 2, 2019, this program is repealed and no **new** contracts can begin or renew. Existing contracts prior to May 7, 2019 may remain in effect for the contracted period.

## District Courts

### Criminal Court Costs

- Use the same procedures as outlined for the County Courts to verify criminal court costs and fees, with the following additional comments.
- Specialty Court Program, EMS and DNA fees apply to felonies as well as Class A/B misdemeanors in the District Court. Verify amounts assessed for the specific cases.
- Judicial Fund: The District Court does not collect the Judicial Fund criminal court cost. This applies only at the county court level.
- Determine how the court costs collected by the Community Supervision and Corrections Department (CSCD) are reported. Are these collections sent to the District Court or to the County Treasurer?

### Civil Fees

- [Filing Fees for Legal Services of Indigents](#): \$5 fee on filings of civil suits in divorce and family law matters and \$10 on the filings of civil suits in matters other than divorce and family law. These fees should be collected both on the original filings of the cases **and** on additional or subsequent filings in the case. Use the civil dockets and listings of filings to compare to the amounts reported.
- [Judicial Fund](#): \$40 fee on the **original** filing of a civil suit in District Court. Compare the cases filed in the civil docket to the numbers reported. As of January 1, 2020, the **criminal** Judicial Fund was repealed. Make sure the county did not stop collecting the civil Judicial Fund.
- [Judicial Support Fee](#): \$37 fee on the filing of any civil suit. Use the docket of civil cases filed to compare numbers of cases filed to numbers reported. This fee should not have been collected prior to December 1, 2005.
- [Juror Donations](#): Sample the population of juror donation forms to verify that the Compensation to Victims of Crime Fund is a listed item for donation and verify that the sample items with a CVC donation follow through to the summary report for Juror Donations. Compare the summary report of donations to the amount reported.
- [Nondisclosure Fees](#): Verify the summary records of petitions for nondisclosure and compare the number issued to the number reported. This fee should not have been collected prior to September 1, 2003.
- [Photographic Enforcement Systems](#): Verify the collections under this program and that the deductions are reasonable. The total of deductions is entered into the Fee System data base, but the report form may be viewed on imaging to see the breakdown of the deductions as entered by the city/county. Verify each category to see that the deductions are appropriate, not duplicated, and fit the categories as outlined in the statute.
  - As of June 2, 2019, this program is repealed on no **new** contracts can begin or renew. Existing contracts prior to May 7, 2019 may remain in effect for the contracted period.

### Community Supervision and Corrections Department (CSCD)

- Determine how the CSCD is determining the allocation of payments for all criminal court costs. For all cases under Community Supervision, the court order for the amount and priority allocation of costs, fees and fines must be followed. To determine if the CSCD is following the court orders, review cases by each judge. Determine if the judge has a pattern in which court costs are ordered and if the CSCD is following the court order. If not, re-allocations may be necessary.
- Determine how the CSCD is reporting information to the District Court or to the County Treasurer. How often is the report made and is it complete enough for the Treasurer to know how to report the amounts on the report form? Note any deficiencies in the detail for examination of the report to see if all amounts are reported in the correct time period and for the correct funds.
- Determine if the amounts collected by the CSCD are reported to the Treasurer timely so that they are reported for the quarter in which they were collected. If not, an adjustment may be required to disallow the collection fee.
- Examine records for the Compensation to Victims of Crime Auxiliary Fund (CVCA). Verify that any amounts which cannot be paid to victims are being reported to the Comptroller after being held for five years from the first unsuccessful attempt to locate the victim.

### Treasurer's Office (Second Visit)

After examining the records in each court and the CSCD office, return to the Treasurer's office.

- Reconcile the reports from the individual offices to the Treasurer's work papers. If any deficiencies in the detail were noted in the individual offices, examine the reports to determine how the Treasurer reported the court costs.
- Did the information get reported in the correct time period?
- Were offenses detailed so that the Treasurer knew which fines to report?
- Did all information from the courts get reported in the quarter in which collected? If not, an adjustment to disallow collection fees may be warranted.

### Sampling, Estimates and Notification

With most local revenue fund audits, specific errors can be isolated and detailed if not too voluminous. However, if records are voluminous, sampling may offer a more efficient method of performing the audit. Due to varying rates of offenses and effective dates for local revenue funds, sampling methods used for other taxes will have to be modified. Regardless of whether performing a detail or sample, the auditor should conduct a short test of dockets and case files to determine if the proper court costs have been assessed and collected. As part of internal control, the auditor should definitely test periods in which law changes or increased court costs occurred.

#### Cases of Interest

Ideally, the auditor should obtain a population of cases for which payment was received during the audit period. A separate population should also be obtained for cases closed by non-cash type payments such as community service, jail layout or other method to verify that the proper paperwork is in the case file for selected items. Depending on the type of records available, the auditor may have

to consider alternatives to the populations described above. Below are some questions to help determine an appropriate population for a local revenue audit:

- Are electronic records available that can identify cases on which payments were made during the audit period and which cases had non-cash payments?
- What fields are available in the electronic data? Will sufficient information be available to determine offense date, payment date, conviction date, defendant name, payment amounts, fine amounts, court cost amounts, disposition of the case, offense description/code, etc.?
- What summary and detail records are available to identify cases of interest? And, is sufficient information available?
- How are records filed? Are they filed by case (docket) number, defendant name, court appearance date, citation number, etc.?
- What information will be in the case file? Will sufficient documentation be available to determine the history of the case?
- Are citation numbers available for the entire audit period? And, how many offenses can be listed on one citation?

### **Data Verification**

While, the information received from the court(s) will be specific to fines and costs, it can still be reconciled to audited financial statements maintained by the city/county. Most governmental accounting financial statements will have several different funds. Typically, the governmental accounting fund will contain information related to revenue received from property taxes, local sales and use tax allocation and court. The proprietary fund will contain information related to revenue received from water, sewer and sanitation services. All of the various funds are not always consolidated into one financial statement, so the auditor will have to review the particular governmental accounting financial statement to locate the court or police revenue.

In addition to reconciling any electronic data to financial statements, the auditor should compare the amounts to bank deposits, hard copy summary reports containing the breakdown of fines and each court costs, court costs reported on the history, receipt books, etc. If no electronic data was received, the auditor should still compare various summary records to ensure that all of the information is matching to verify the integrity of the financial information.

Analyzing the available data is critical for determining whether additional time should be spent for specific funds. If all available summary records are reconciling with each other, the auditor may be able to summarize information by offense type and verify that appropriate court costs were collected during the audit period for most funds and not need to perform a sample. Likewise, for non-cash payment data, the auditor may be able to verify the necessary paperwork for selected cases and conclude that additional work is not warranted for that area.

### **Data Preparation**

Regardless of whether the taxpayer provided a detailed electronic file of cases of interest or hard copy reports or citations, the auditor needs to be aware of the following (not all-inclusive):

- If a new court cost was not effective for the entire audit period, it will require its own population.
- If there are changes in court personnel, the auditor may need to design separate populations based on the time periods of particular staff if the auditor has information that there is any potential issue with any of the court costs because of the staff.
- If there are changes in software, the auditor may need separate populations if the data cannot be easily merged.
- For a county, each court will need to be a separate population under most circumstances.
- Criminal and civil cases will need to be separate populations.
- Consider creating separate populations based on offense type. For example, Transportation Code, Title 7 offenses will generally have the same court costs assessed whereas certain penal code offenses have additional court costs assessed for EMS, DNA and SCP funds.
- Each offense on a citation is typically assigned a separate case (docket) number. One person may have multiple offenses and case numbers. One case number may have multiple payments. It is preferable for the population to contain a unique case number for each offense and that the auditor reviews all information related to a particular case to determine if any additional court costs are due or should be refunded.
- For an electronic file, each case number containing multiple payments should be temporarily consolidated onto one row to derive an accurate case count of the population.
- If the auditor is using citations written during the audit period, the auditor should determine the total number of offenses that can be written on one citation to derive an accurate case count of the entire population. The auditor should consult with the law enforcement chief to determine this. Manual citations may only allow a maximum of two offenses per ticket. Electronic ticket writers may allow for a maximum of four offenses per ticket.

### **Unique Characteristics for Sampling Local Revenue Funds**

As mentioned previously, criminal costs and fines can have varying rates and effective dates. For example, criminal cases have standard court costs always due for particular offenses listed in the charts of Chapters 3 and 4. But, additional costs such as time payment fee, failure to appear, etc. could also be added. Furthermore, it is possible for courts to not timely add a new court cost to a case and this would understate the total amount due for a case.

Since each court case often has different amounts due and amounts collected that are not always readily available, it is usually more efficient and accurate for the auditor to create the dollar amount of each item of interest of the population

base (and coincidentally the sample base) for each fund (court cost) based on what should have actually been assessed and collected.

1. Identify the cases of interest and segregate into additional sub-populations if necessary.
2. Ensure that each case of interest is included only once in the population count.
3. Select a transaction sample of 250 items in CATS or CAMS-PC for the cases of interest and use that same sample to review all of the applicable funds with the same effective dates. Separate samples would need to be generated for funds having different effective dates during the audit period.
4. Review the first 62 items in the order selected for the short test for each case for each fund (court cost) that is applicable to the particular offense, evaluate and determine whether to complete reviewing the remaining items. Issue the Notification of Sampling if reviewing the remaining items.
5. Create separate sub-populations by fund for the cases of interest.
6. Create the dollar amount for each fund for each item in the population base for each fund.
7. Project errors for each fund (court cost).

### **Example**

1. The auditor identifies 5,000 cases of interest for a justice court. Due to the court level, most of the cases are Rules of the Road offenses in the Transportation Code.
2. The auditor ensures that each case number is only listed once in the population even though the electronic data provided to the auditor revealed multiple payments on several of the cases.
3. The auditor received an electronic data file from the taxpayer for the 5,000 cases of interest and creates a sequential sequence number for each of the cases. The auditor consolidated any multiple payments by case number to ensure that no case was included more than once.
  - a. CATS program for sample selection
    - i. After setting up a business unit for the justice court, select transaction as the sample unit.
    - ii. Enter the invoice range as 1 through 5000.
    - iii. Select 250 items.
    - iv. Export the sample items file to a spreadsheet.
  - b. CAMS-PC program for sample selection
    - i. CAMS-PC requires both a primary date and primary amount field. Creating and populating these fields with \$1 and the ending audit period date in a spreadsheet prior to importing into CAMS-PC is sufficient since CAMS-PC is merely being used as a tool to select the sample.
    - ii. The auditor imports the population file of the 5,000 cases containing the sequential sequence number, docket number, amount and date.
    - iii. The population is defined by the primary date field (i.e., ending audit period date created in the spreadsheet).

- iv. The population is stratified into one layer.
  - v. A sample of 250 items is selected.
  - vi. The auditor exports the 250 items selected and sorts by the SEL\_SQ field (i.e., selection sequence).
4. The auditor reviews the first 62 cases in the order selected from either CATS or CAMS-PC and discovers material errors. The auditor issues the notification of sampling and reviews the remaining 188 items.

Notification of Sampling Example, City

<b>COMPTROLLER OF PUBLIC ACCOUNTS STATE OF TEXAS</b>	
<b>NOTIFICATION OF SAMPLING PROCEDURES FOR STATE TAX AUDIT</b>	
<hr/>	
Taxpayer Name :	City of Anywhere
Taxpayer Number :	12345678903
Type of Court Cost, fee, or fine:	
	Consolidated Court Fee, Local Gov. Code, Chap. 133
	Indigent Defense Fund, Local Gov. Code, Sec. 542.402
	Judicial Support Fee, Local Gov. Code, Sec. 133.107
	Jury Reimbursement Fee, Code of Criminal Proc., Art. 102.0045
	State Traffic Fine, Transportation Code, Sec. 542.4031
	Time Payment Fee, Local Gov. Code, Sec. 133.103
Audit Period :	July 1, 2012 through December 31, 2015
Reporting Category :	Local Revenue Funds
	Subcategory: City Criminal Costs & Fees
<hr/>	
1.	The records to be examined in performing the sample will include (but are not limited to): docket cases and citations.
2.	The sampling unit will be: docket number
3.	The method of selecting the units will be: random selection using CAMS PC program
4.	The sample size will be: 250 dockets
5.	If a time period sample is used, the selected periods will be: N/A
6.	The sample base will be: 250 randomly selected dockets from the CT Distribution Report. The total dollar value of the sample base for each fund will be created by totaling the applicable fund amount for each of the 250 dockets.
7.	The population base will be: 4,134 dockets from the CT Distribution Report. The total dollar value of the population base for each fund will be created by totaling the applicable fund amount for each of the 4,134 dockets.
8.	The results of the sample will be applied to the population using the following procedures: The total dollar value of the errors revealed by the sample will be divided by the total dollar value of the sample base to obtain a percentage of error. This error percentage will be multiplied by the total dollar value of the population base to determine the additional funds due. Separate projections will be calculated for each fund.
<hr/>	
This notification was mailed on	Date: March 29, 2016
<hr/>	
TO: Jane Smith	Title: City Manager
<hr/>	
SIGN HERE > <i>Robert Johnson</i>	
<hr/>	
Comptroller's Representative	

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

5. The auditor created separate exams for each of the funds with errors.
  - a. Exam 1A – CCF – Consolidated Court Fee
  - b. Exam 1B – JRF – Jury Reimbursement Fee
  - c. Exam 1C – STF – State Traffic Fine
  - d. Exam 1D – JS – Judicial Support
  - e. Exam 1E – TP-S – Time Payment Fee – State
6. Each of the exams created in #5 lists each case number of the 250 items in the sample, the error amount and the dollar amount of the applicable fund for the sample base. The table below shows only the rows of the spreadsheet with errors and the totals and how projected. Materiality is not considered for these examples as they are to demonstrate format and calculations.
  - a. Exam 1A – CCF – Consolidated Court Fee

<b>1 – Docket #</b>	<b>2 – Error Amount</b>	<b>3 – Sample Base</b>
78723	40	40
78836	40	40
78957	40	40
78992	40	40
Total	\$160	\$10,000
Error Percentage	\$160/\$10,000	1.6%
Total Population	5,000 cases X \$40	\$200,000
Total Due	1.6% X \$200,000	<b>\$3,200</b>

- b. Exam 1B – JRF – Jury Reimbursement Fee

<b>1 – Docket #</b>	<b>2 – Error Amount</b>	<b>3 – Sample Base</b>
78632	4	40
78744	4	40
78903	4	40
79991	4	40
Total	\$16	\$1,000
Error %	\$16/\$1,000	1.6%
Total Population	5,000 cases X \$4	\$20,000
Total Due	1.6% X \$20,000	<b>\$320</b>

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

c. Exam 1C – STF – State Traffic Fine

1 – Docket #	2 – Error Amount	3 – Sample Base
78723	30	30
78836	30	30
78957	30	30
78992	30	30
Total	\$120	\$7,500
Error %	\$120/\$7,500	1.6%
Total Population	5,000 cases X \$30	\$150,000
Total Due	1.6% X \$150,000	<b>\$2,400</b>

d. Exam 1D – JS – Judicial Support

1 – Docket #	2 – Error Amount	3 – Sample Base
78723	5.40	5.40
78836	5.40	5.40
78957	5.40	5.40
78992	5.40	5.40
Total	\$21.60	\$1,350
Error %	\$21.60/\$1,350	1.6%
Total Population	5,000 cases X \$5.40	\$27,000
Total Due	1.6% X \$27,000	<b>\$432</b>

e. Exam 1E – TP-S – Time Payment Fee-State (just showing 4 of 31 errors)

1 – Docket #	2 – Error Amount	3 – Sample Base
78723	12.50	12.50
78836	12.50	12.50
78957	12.50	12.50
78992	12.50	12.50
Total	\$387.50	3,125.00
Error %	\$387.50/\$3,125.00	12.4%
Total Population	5,000 cases X \$12.50	\$62,500
Total Due	12.4% X \$62,500	<b>\$7,750</b>

7. The summary exams show the total due for the audit:

ABC County	JFW
Any City TX	TP# 12345678903
Additional Court Costs Due	Exam 1

FUND	EXAM	DUE
CCF	1A	\$3,200
JRF	1B	320

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

FUND	EXAM	DUE
STF	1C	2,400
JS	1D	432
TP-S	1E	7,500

Total \$13,852

Please refer to Chapter 7 of the Sampling Manual for a discussion on the differences between sampling and estimates. Generally, sampling is used when the auditor has verified that the taxpayer has reliable records and good internal controls. Estimating is used when records are either missing or inadequate and internal control is poor.

### Scheduling

Schedule adjustments for errors in reporting state court costs, fees and fines as follows:

- Separately schedule adjustments for any statutory state court costs collected but not remitted.
- Schedule adjustments for any statutory state court costs not collected, re-allocating from fines. For example, if a proper state court cost for a particular fund was not collected, but there was money allocated to fines, schedule an adjustment for the underpaid court cost up to the total underpaid, or the amount of the fine, whichever is less.
- Schedule re-allocations between funds if amounts collected were reported improperly. For example, if the city/county erroneously reported Jury Reimbursement Fees on the line for Judicial Support, re-allocate the erroneous amount to Jury Reimbursement Fees. Use auditor judgment here for materiality.
- Separately schedule adjustments for unjust enrichment, listed as “Miscellaneous General Revenue \$\$ Collected in Error” on the cover letter. For example, if the court collected Compensation to Victims of Crime in addition to the Consolidated Court Fee (2004), the CVC amount should be scheduled as money collected in error. If the amount was reported in addition to the Consolidated Court Fee, determine how it was reported and make adjustments if necessary. Use auditor judgment for materiality of re-allocation between funds.
- Separately schedule any adjustments for collection fees disallowed, i.e. for amounts collected that were not reported in the quarter in which collected.
- Schedule audit adjustments by court (each justice court, each county court, etc.), if this is more convenient, necessary or if requested by the county.
- Audit adjustments **must** be identified for each fund separately, and the fund totals reflected in the summary schedule and cover letter.
- Do **not** allow collection fees for any audit adjustments.
- It is not necessary to record defendant’s name on each offense if the audit trail can be verified using the docket number or case number.
- If the city/county over-collected a court cost amount or for a fund that no longer exists, a refund can be made only if the city/county refunds the amount to the defendant. Schedule such adjustments separately for ease in making audit amendments if the amounts are refunded to the defendants.

- If the city/county erroneously remitted to the Comptroller amounts which they should have properly retained, it is acceptable to schedule these as credits in the audit. For example, if the city remitted Peace Officer Fees for municipal peace officers, and these collections from the defendants were proper, schedule the Peace Officer Fees as credits in the audit. Also, if a county remits 100% of the Peace Officer Fees instead of only 20%, schedule the amount over-paid as a credit.
- If adjustments are for those court costs which fall into the reporting category by offense date (i.e. offenses between 09/01/2001 and 12/31/2003), and the adjustment does **not** include those that stand alone (i.e. FTA, Time Payment, Peace Officer Fees, Judicial Fund, etc.), then the schedules can reflect the total adjustment amount by time periods matching those on the report forms. It is not necessary to break down the amounts to the various court costs if they all fall into the combined categories. The amounts would then also be listed on the cover letter by time periods matching those on the report form. However, if the adjustment is for a specific fund(s), rather than an overall adjustment, it should be listed specifically for that fund(s), with footnotes explaining the adjustment. An adjustment by time period is allocated by percentage to the various funds that apply to all offenses, so be conservative in using this for audit adjustments.

### Exit Conference

The exit conference should be conducted with the officials noted on the Audit Questionnaire. Typically, this would be the Treasurer or the person acting in that capacity.

- Discuss all errors and audit adjustments, explain computations in audit schedules.
- Discuss minor errors and other discrepancies noted for which audit adjustments were not made.
- Discuss applicable statutory reporting requirements and answer questions.
- Provide assistance to city/county in locating sources of information on court costs due, e.g. internet links, publications, individuals to contact for questions, etc.
  - [www.Comptroller.Texas.Gov](http://www.Comptroller.Texas.Gov)
    - [Local Government Assistance](#) web page with information and publications
    - [Audit manuals](#)
    - [Report forms](#)
  - [Municipal Court Education Center](#)
  - [Office of Court Administration](#)
  - Phone numbers of individuals to contact
- Discuss methods of correcting accounting procedures to resolve deficiencies.
- Offer copies of any printed materials necessary.
  - Provide copies of the audit schedules and explain the adjustments.
  - Discuss city/county's disagreements with the audit adjustments, if any, and attempt to resolve any disagreements during the exit conference.
  - Explain city/county's rights and remedies available

- Provide the brochure, “Contesting Disagreed Audits, Examinations and Refund Denials” (96-1253) and explain the redetermination process

### Audit Write-Up

Audits for Local Revenue Funds are not uploaded. They must be completed manually.

- Prepare audit cover letter (see [Audit Cover Letter](#) procedures later in this chapter)
- Prepare audit report, describing the adjustments on the audit exams
- Complete pertinent information on Agency Work Manager
- Audit Adjustment Report is not necessary for a Local Revenue Audit
- Forward audit package to Regional Processing Center, including:
  - Cover Letter
  - Audit Report
  - Index to Working Papers
  - Summary of Additional Funds Due
  - Audit Schedules
  - Supplemental Schedules (if necessary)
  - Exhibits (Statute Extension, Sampling Notification, etc.)
  - Audit Plan
  - Audit Questionnaire

### Statute Extensions

1. Three different statute extension forms are needed for Local Revenue funds audits. Auditors may access these in Microsoft Word by selecting File > New > My Templates > Local Revenue > Statute Waiver for Local Revenue.dotm. Auditors should refer to Chapter 2 to verify whether a particular fund applies to the local entity being audited.
  - a. Monthly
  - b. Quarterly
  - c. Annually
2. Monthly and annual extensions should always be extended to a common date, at the end of the month following a calendar quarter so that all periods expire simultaneously. Funds that are reported on a city/county fiscal year, such as Child Safety Seat and Seat Belt Violations, Excess Highway Fines or Photographic Enforcement Systems, are reported following the city/county’s fiscal year. Be sure to use an extension date for those that coincides with the quarterly returns. For example, if quarterly returns are being extended to July 31, 2011, extend the 2010 annual return to July 31 as well. **Reminder:** Local Revenue funds do not expire on the 20th of the month as do other common taxes administered by the Comptroller.
3. List all funds applicable to the city/county, even if not anticipating any audit adjustments for the fund. Refer to the charts below to determine the particular funds possible for extension in the appropriate time periods.
4. If a fund does not apply to the city/county, do not list it on the statute extension, i.e. Excess Highway Fines, Failure to Appear, etc.

5. The Agreement to Extend Period of Limitation form must be tailored to fit a local revenue funds audit. Templates are available in Microsoft Word containing the modifications below.
  - a. "Type of Tax" should be changed to "Type of Court Cost, Fee or Fine" and then list all the applicable funds with statute references.
  - b. Revise the paragraph "The Comptroller of Public Accounts for the State of Texas and the (City/County of -----) have determined that the reason(s) listed below make it necessary to extend the period of limitation for the above court costs, fees, or fines."
  - c. Revise the paragraph "The Comptroller and the taxpayer, pursuant to TEX. TAX CODE ANN. Sec. 111.203, agree that the expiration date for assessing court costs, fees, or fines for each period listed below is extended..."
  - d. Taxpayer signature blocks should include either "County Treasurer, County Auditor or other duly authorized agent" or "City Treasurer, Mayor or other duly authorized agent."
  - e. See example of [Agreement to Extend](#) later in this chapter.

#### **Statute Waivers for Periods After January 1, 2004**

Monthly: Compensation to Victims of Crime Auxiliary Fund (CVCA)  
Excess Funds from Sale of Property Forfeited  
Child Safety Seat Court Cost

Annually: Child Safety Seat and Seat Belt Violations  
Photographic Enforcement Systems (repealed 06/02/2019, but existing contracts can continue past 06/02/2019; review contracts to know if this fee should be included on the statute waiver)

Quarterly: all others

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**County Funds – Statute Waivers**

FUND	1/1/04 through 8/31/05	9/1/05 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/09	1/1/10 through 12/31/13	1/1/14 through 12/31/19	1/1/20 forward
Bail Bond Fees	Q	Q	Q	Q	Q	Q	Q
Birth Certificate Fee	Q	Q	Q	Q	Q	Q	Q
Child Safety Seat and Seat Belt Violations	Annual	Annual	Annual	Annual	Annual	Annual	Annual
Compensation to Victims of Crime Auxiliary Fund	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
Consolidated Court Fee (2004)	Q	Q	Q	Q	Q	Q	Q
DNA Testing Fee	Q	Q	Q	Q	Q	Q	N/A
DNA Testing Fee – Community Supervision	N/A	N/A	N/A	N/A	Q	Q	N/A
DNA Testing Fee – Juvenile	N/A	N/A	N/A	N/A	Q	Q	Q
Driving Records Fee	N/A	N/A	Q	Q	Q	Q	Q
Electronic Filing System Fund (criminal and civil)	N/A	N/A	N/A	N/A	Q 9/1/13	Q	N/A
EMS Trauma Fund	Q	Q	Q	Q	Q	Q	Q
Excess Funds from Sale of Property Forfeited	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
Excess Highway Fines	N/A	N/A	N/A	N/A	Q 9/1/11	Q	Q
Excess Motor Carrier Fines	Q	Q	Q	Q	Q	Q	Q
Failure to Appear/Pay	Q	Q	Q	Q	Q	Q	
Family Protection Fee			Q	Q	Q	Q	Q
Filing Fee for Legal Services for Indigents	Q	Q	Q	Q	Q	Q	Q
Indigent Defense Fund	N/A	N/A	N/A	Q	Q	Q	N/A
Judicial Fund (criminal and civil)	Q	Q	Q	Q	Q	Q	Q Criminal repealed 1/1/20
Judicial Support Fee	N/A	Q	Q	Q	Q	Q	N/A
Juror Reimbursement Donation Program	Q	Q	Q	Q	Q	Q	Q
Jury Reimbursement Fee	N/A	Q	Q	Q	Q	Q	N/A
Juvenile Probation Diversion Fund	Q	Q	Q	Q	Q	Q	Q
Marriage License Fees	Q	Q	Q	Q	Q	Q	Q
Metal Recycling	N/A	N/A	N/A	N/A	Q 9/1/11	Q	Q
Motor Carrier Weight Violations	Q	Q	Q	Q	Q	Q	Q
Moving Violation Fees	N/A	N/A	N/A	N/A	Q	Q	N/A

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

FUND	1/1/04 through 8/31/05	9/1/05 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/09	1/1/10 through 12/31/13	1/1/14 through 12/31/19	1/1/20 forward
Nondisclosure Fee	Q	Q	Q	Q	Q	Q	Q
Peace Officer Fees	Q	Q	Q	Q	Q	Q	Q
Photographic Enforcement Systems	N/A	N/A	Annual 9/1/07	Annual	Annual	Annual	Annual
Sexual Assault Program Fund	Q	Q	Q	Q	Q	Q	Q
Specialty Court Program	N/A	N/A	Q 7/1/07	Q	Q	Q	N/A
State Traffic Fine	Q	Q	Q	Q	Q	Q	Q
Substance Abuse Felony Program	Q	Q	Q	Q	Q	Q	Q
Time Payment Fee	Q	Q	Q	Q	Q	Q	N/A
Truancy Prevention & Diversion Fund	N/A	N/A	N/A	N/A	N/A	Q	N/A

**City Funds – Statute Waivers**

FUND	1/1/04 through 8/31/05	9/1/05 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/09	1/1/10 through 12/31/13	1/1/14 through 12/31/19	1/1/20 forward
Birth Certificate Fees	Q	Q	Q	Q	Q	Q	Q
Child Safety Seat and Seat Belt Violations	Annual	Annual	Annual	Annual	Annual	Annual	Annual
Consolidated Court Fee (2004)	Q	Q	Q	Q	Q	Q	Q
Driving Records Fee	N/A	N/A	Q	Q	Q	Q	Q
Excess Highway Fines	Q	Q	Q	Q	Q	Q	Q
Excess Motor Carrier Fines	Q	Q	Q	Q	Q	Q	Q
Failure to Appear/Pay	Q	Q	Q	Q	Q	Q	N/A
Indigent Defense Fund	N/A	N/A	N/A	Q	Q	Q	N/A
Judicial Support Fee	N/A	Q	Q	Q	Q	Q	N/A
Jury Reimbursement Fee	N/A	Q	Q	Q	Q	Q	N/A
Metal Recycling	N/A	N/A	N/A	N/A	Q 9/1/11	Q	Q
Motor Carrier Weight Violations	Q	Q	Q	Q	Q	Q	Q
Moving Violations Fee	N/A	N/A	N/A	N/A	Q	Q	N/A
Peace Officer Fees	Q	Q	Q	Q	Q	Q	Q
Photographic Enforcement Systems	N/A	N/A	Annual 9/1/07	Annual	Annual	Annual	Annual (repealed 6/2/19)
State Traffic Fine	Q	Q	Q	Q	Q	Q	Q
Time Payment Fee	Q	Q	Q	Q	Q	Q	N/A
Truancy Prevention and Diversion Fund	N/A	N/A	N/A	N/A	N/A	Q	N/A

**Agreement to Extend Period of Limitation Examples**

**Quarterly Funds – City**

COMPTROLLER OF PUBLIC ACCOUNTS STATE OF TEXAS	
<b>AGREEMENT TO EXTEND PERIOD OF LIMITATION</b>	
Taxpayer Name	: City of ABC
Address	: 123 Main Street, Anywhere, TX 12345
Taxpayer Number	: 12345678903
Type of Court Cost, Fee or Fine:	
Birth Certificate Fees, Local Gov. Code, Sec. 118.011, 118.015 and 133.004 Consolidated Court Fee (2004), Local Gov. Code, Chap. 133 Driving Records Fee, Code of Criminal Proc., Art. 45.0511 (c-1) Excess Highway Fines, Transportation Code, Sec. 542.402 Excess Motor Carrier Fines, Transportation Code, Sec. 644.101 and 644.102 Failure to Appear/Pay, Transportation Code, Chap. 706 Indigent Defense Fund, Local Gov. Code, Sec. 133.107 Judicial Support Fee, Local Gov. Code, Sec. 133.105 Jury Reimbursement Fee, Code of Criminal Proc., Art. 102.0045 Motor Carrier Weight Violations, Transportation Code, Sec. 621.506 Moving Violation Fees, Code of Criminal Proc., Art. 102.022 Peace Officer Fees, Local Gov. Code, Sec. 133.104 State Traffic Fine, Transportation Code, Sec. 542.4031 Time Payment Fee, Local Gov. Code, Sec. 133.103	
The Comptroller of Public Accounts for the State of Texas and City of ABC have determined that the reason(s) listed below make it necessary to extend the period of limitation for the above court costs, fees or fines:	
<input type="checkbox"/> without an extension, the State might lose revenue. <input checked="" type="checkbox"/> either the taxpayer or Comptroller, despite good faith efforts, requires more time to prepare for or complete the audit. <input type="checkbox"/> without an extension circumstances beyond the control of either the Comptroller or the taxpayer would make an audit by the Comptroller impractical or burdensome for either party. <input type="checkbox"/> an issue of law involved in the audit is awaiting determination in the courts or an administrative proceeding.	
The Comptroller and the taxpayer, pursuant to TEX. TAX CODE ANN.SEC.111.203, agree that the expiration date for assessing court costs, fees and fines for each period listed below is extended to the date shown, inclusive of that date. Each extension must be agreed to before the expiration of the report period or an existing extension.	
REPORT PERIOD:	EXTENDED TO:
January 1, 2016 through March 31, 2016	October 31, 2020
April 1, 2016 through June 30, 2016	October 31, 2020
This agreement entitles the taxpayer to credits or refunds for the report periods that are extended.	
The taxpayer also agrees to keep for audit purposes all records and supporting data for the period(s) that are extended by this agreement.	
COMPTROLLER OF PUBLIC ACCOUNTS  _____ Jane Martin Comptroller's Representative  _____ February 15, 2020 Date	Taxpayer Name: City of ABC SIGN HERE > _____ John Smith City Treasurer, City Auditor, or other duly authorized agent  _____ Mayor Title  _____ 2-16-20 Date

**Monthly Funds – City**

COMPTROLLER OF PUBLIC ACCOUNTS STATE OF TEXAS	
<b>AGREEMENT TO EXTEND PERIOD OF LIMITATION</b>	
Taxpayer Name : City of ABC Address : 123 Main Street, Anywhere, TX 12345 Taxpayer Number : 12345678903 Type of Court Cost, Fee or Fine:	
Child Safety Seat Court Cost, V.T.C.A., Transportation Code, Sec. 545.412	
The Comptroller of Public Accounts for the State of Texas and City of ABC have determined that the reason(s) listed below make it necessary to extend the period of limitation for the above court costs, fees or fines:	
<input type="checkbox"/> without an extension, the State might lose revenue. <input checked="" type="checkbox"/> either the taxpayer or Comptroller, despite good faith efforts, requires more time to prepare for or complete the audit. <input type="checkbox"/> without an extension circumstances beyond the control of either the Comptroller or the taxpayer would make an audit by the Comptroller impractical or burdensome for either party. <input type="checkbox"/> an issue of law involved in the audit is awaiting determination in the courts or an administrative proceeding.	
The Comptroller and the taxpayer, pursuant to TEX. TAX CODE ANN. SEC. 111.203, agree that the expiration date for assessing court costs, fees and fines for each period listed below is extended to the date shown, inclusive of that date. Each extension must be agreed to before the expiration of the report period or an existing extension.	
REPORT PERIOD:	EXTENDED TO:
January 1, 2016 through January 31, 2016	October 31, 2020
February 1, 2016 through February 29, 2016	October 31, 2020
March 1, 2016 through March 31, 2016	October 31, 2020
April 1, 2016 through April 30, 2016	October 31, 2020
May 1, 2016 through May 31, 2016	October 31, 2020
June 1, 2016 through June 30, 2016	October 31, 2020
July 1, 2016 through July 31, 2016	October 31, 2020
August 1, 2016 through August 31, 2016	October 31, 2020
This agreement entitles the taxpayer to credits or refunds for the report periods that are extended.	
The taxpayer also agrees to keep for audit purposes all records and supporting data for the period(s) that are extended by this agreement.	
COMPTROLLER OF PUBLIC ACCOUNTS  _____ Jane Martin Comptroller's Representative  _____ February 15, 2020 Date	Taxpayer Name: City of ABC SIGN HERE > _____ John Smith City Treasurer, City Auditor, or other duly authorized agent  _____ Mayor Title  _____ 2-7-20 Date

**Annual Funds – City**

COMPTROLLER OF PUBLIC ACCOUNTS STATE OF TEXAS	
<b>AGREEMENT TO EXTEND PERIOD OF LIMITATION</b>	
Taxpayer Name	: City of ABC
Address	: 123 Main Street, Anywhere, TX 12345
Taxpayer Number	: 12345678903
Type of <b>Court Cost, Fee or Fine</b> :	
	Child Safety Seat and Seat Belt Violations, V.T.C.A., Transportation Code, Sec. 545.412 and 545.413
	Photographic Enforcement Systems, Transportation Code, Sec. 707.007 - 707.008
The Comptroller of Public Accounts for the State of Texas and City of ABC have determined that the reason(s) listed below make it necessary to extend the period of limitation for the above court costs, fees or fines:	
<input type="checkbox"/> without an extension, the State might lose revenue.	
<input checked="" type="checkbox"/> either the taxpayer or Comptroller, despite good faith efforts, requires more time to prepare for or complete the audit.	
<input type="checkbox"/> without an extension circumstances beyond the control of either the Comptroller or the taxpayer would make an audit by the Comptroller impractical or burdensome for either party.	
<input type="checkbox"/> an issue of law involved in the audit is awaiting determination in the courts or an administrative proceeding.	
The Comptroller and the taxpayer, pursuant to TEX. TAX CODE ANN.SEC.111.203, agree that the expiration date for assessing court costs, fees and fines for each period listed below is extended to the date shown, inclusive of that date. Each extension must be agreed to before the expiration of the report period or an existing extension.	
REPORT PERIOD:	EXTENDED TO:
January 1, 2016 through December 31, 2016	October 31, 2021
This agreement entitles the taxpayer to credits or refunds for the report periods that are extended.	
The taxpayer also agrees to keep for audit purposes all records and supporting data for the period(s) that are extended by this agreement.	
COMPTROLLER OF PUBLIC ACCOUNTS  _____ <i>Jane Martin</i> Comptroller's Representative  _____ <i>February 15, 2020</i> Date	Taxpayer Name: City of ABC SIGN HERE > _____ <i>John Smith</i> City Treasurer, City Auditor, or other duly authorized agent  _____ <i>Mayor</i> Title  _____ <i>2-15-20</i> Date

## Audit Cover Letter

The audit cover letter used for a Local Revenue funds audit differs from the standard audit cover letter in several ways. Auditors may access the cover letter through Microsoft Word by selecting File > New > My Templates > Audit Cover > Local Revenue Audit Cover Letter.dotm. See the [Example](#) later in this section.

1. Each fund applicable to the city/county must be listed in the body of the letter, with the audit period and the audit adjustment amount for each fund.
  2. If there were no adjustments to a particular fund, it should be listed with a zero amount.
  3. If a fund is not applicable to the city/county being audited, it does not need to be listed, (e.g., Excess Highway Fines for cities with more than 5,000 population).
  4. Avoid the use of the term “tax” in the cover letter and substitute “court costs, fees and fines.”
  5. Do not include any discussion about penalty and interest since there is no penalty or interest in a local revenue funds audit.
  6. If the audit resulted in a liability which remains unpaid, do not put a date on the cover letter. It will be attached to the billing later and mailed from Audit Processing.
- Funds to Be Listed  
All of the applicable court costs, fees and fines must be listed in the cover letter. Refer to the [county](#) or [city](#) charts later in this chapter for possible funds to list in a typical audit period. If the fund does not apply to the city/county being audited, do not list the fund (see those denoted with an asterisk). If the fund applies to the city/county but there is no audit adjustment, list the fund with a zero amount.

For the offenses by time period, see the following list for funds that fall into these time period categories. Any amount listed for the offenses by time period will be allocated by the computer according to percentage tables to the funds which apply to all offenses.

For the funds listed individually (Bail Bond Fees through Truancy Prevention and Diversion Fund), list the audit adjustment in the cover letter with its audit adjustment.

- Audit Period  
Use the beginning date shown for the fund if the audit period begins before that date. If the audit period begins after the date indicated, use the same beginning audit period as other funds. All funds will use the ending date of the audit period even if some of those funds have an ending date before the ending audit period. This is to allow for any collections of old funds that may have occurred between the ending date of the fund and the ending date of the audit period.
- Funds Collected Not Remitted

If an amount was collected for a fund over which the Comptroller has audit authority, but the amount was not remitted, it is best to separately schedule this by exam.

- **Funds Collected in Error**

If an amount is identified that was collected in error for funds over which the Comptroller has audit authority, the money should be used in one of two ways:

1. If a state court cost has been under-reported, allocate the error tax to cover the under-reported court cost. If there is still error tax remaining after the re-allocation, list the excess amount as “Miscellaneous General Revenue \$ Collected in Error.
2. If all other state court costs have been satisfied, list the error tax amount under “Miscellaneous General Revenue \$ Collected in Error.” This adjustment could include amounts collected in excess of the proper rates, on offenses on which the court cost did not apply, etc.

- **Re-Allocations Between Funds**

If it is apparent that money was remitted for one fund when it should have been remitted for a different fund, re-allocate the amount to the correct fund (materiality should be considered). It is possible that there are no adjustments in the audit other than re-allocations between funds. In this case, list each fund with a zero adjustment except for the funds where money is being re-allocated and the total could/should net to zero. Even if the net adjustment is zero, this is **not** to be processed as a No Tax Due.

- **Collections of non-statutory amounts**

If it is apparent that the city/county collected amounts for which there was no statutory authority, but it is for funds/costs over which the Comptroller does **not** have audit authority, do **not** list these amounts in the cover letter. A separate schedule of these amounts should be prepared and maintained as part of the audit work papers. Notations of these amounts should be made in the audit plan but should not be included in the audit adjustments. Send a copy of the schedule of non-statutory collections to Julie Farney Walter or Lindsey Klein, along with notations about the source of the problem, what courts in which it was found, the time period in which it occurred and any other notations necessary to describe the situation.

### **Fees/Funds by Time Period**

This chart displays the periods in which the various funds were active. Starting with the beginning audit period, refer to this chart to see which funds were active for that time period and the beginning date to use in the cover letter. If the block is shaded, the fund was not active for that time period; however, it is possible that the fund may need to be listed on the cover letter if there were any collections/adjustments for that particular fund during the audit period

For example, if the audit period is October 1, 2007, through September 30, 2011, start with the column encompassing the 10/01/2007 date (column 01/01/2006 through

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

12/31/2007). The beginning date for funds shown in that column would be the same as the beginning audit period, or October 1, 2007. Funds which were added later, such as Moving Violation Fees, would show a beginning audit period of January 1, 2010 and an ending audit period of September 30, 2011. Funds which ended before the ending audit period, as for Child Safety Seat Court Cost, would show a beginning audit period of January 1, 2010 and an ending audit period of September 30, 2011 even though the fund expired on September 28, 2011. This is because of possible collections for the Child Safety Seat Court Cost that occurred during the audit period.

If the fee or fund is not applicable to the city or county being audited, do not list it in the cover letter, (e.g., Excess Highway Fines should not be listed for cities above 5,000 population).

FUND	1/1/04 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/09	1/1/10 through 12/31/13	1/1/14 through 12/31/19	1/1/20 forward
Bail Bond Fees	X	X	X	X	X	X
Birth Certificate Fees	X	X	X	X	X	X
Child Safety Seat and Seat Belt Violations	X	X	X	X	X	X
Child Safety Seat Court Cost	N/A	N/A	N/A	X repealed 9/28/11	N/A	N/A
Compensation to Victims of Crime Auxiliary Fund	X	X	X	X	X	X
Consolidated Court Fee (2004)	X	X	X	X	X	X
DNA Testing Fee – Convictions	X	X	X	X	X	N/A
DNA Testing Fee – Community Supervision	N/A	N/A	N/A	X	X	N/A
DNA Testing Fee – Juvenile	N/A	N/A	N/A	X	X	X
Driving Records Fee	N/A	X	X	X	X	X
Electronic Filing System Fund	N/A	N/A	N/A	X 9/1/13	X	N/A
EMS Trauma Fund	X	X	X	X	X	X
Excess Funds from Sale of Property Forfeited	X	X	X	X	X	X
Excess Highway Fines *	X	X	X	X	X	X
Excess Motor Carrier Fines *	X	X	X	X	X	X
Failure to Appear/Pay *	X	X	X	X	X	N/A

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

FUND	1/1/04 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/09	1/1/10 through 12/31/13	1/1/14 through 12/31/19	1/1/20 forward
Filing Fee for Legal Services for Indigents	X	X	X	X	X	X
Indigent Defense Fund	N/A	N/A	X	X	X	N/A
Judicial Fund	X	X	X	X	X	N/A
Judicial Fund Filing Fees – Constitutional County Court *	See Table II, Appendix	See Table II, Appendix	See Table II, Appendix	See Table II, Appendix	See Table II, Appendix	See Table II, Appendix
Judicial Fund Filing Fees – District Court	X	X	X	X	X	X
Judicial Fund Filing Fees – Statutory County Court *	See Table II, Appendix	10/1/07	X	X	X	X
Judicial Fund Filing Fees – Statutory Probate Court *	See Table II, Appendix	9/1/07	X	X	X	X
Judicial Support Fee	12/1/05	X	X	X	X	N/A
Juror Donations	X	X	X	X	X	X
Jury Reimbursement Fee	9/1/05	X	X	X	X	N/A
Juvenile Probation Diversion Fund	X	X	X	X	X	X
Marriage License Fees	X	X	X	X	X	X
Metal Recycling	N/A	N/A	N/A	Effective 9/1/11	X	X
Motor Carrier Weight Violations	X	X	X	X	X	X
Moving Violation Fees	N/A	N/A	N/A	X	X	N/A
Nondisclosure Fees	X	X	X	X	X	X
Peace Officer Fees	X	X	X	X	X	X
Photographic Enforcement Systems	N/A	9/1/07	X	X	X (Repealed 6/2/19)	N/A
Sexual Assault Program Fund	X	X	X	X	X	X
Specialty Court Program	N/A	6/15/07	X	X	X	N/A
State Traffic Fine	X	X	X	X	X	X
Substance Abuse Felony Program	X	X	X	X	X	X
Time Payment Fee	X	X	X	X	X	N/A
Truancy Prevention and Diversion Fund	N/A	N/A	N/A	N/A	X	N/A

**Notes:**

- If it is clear that an amount is due for one of these funds separate and apart from the others, it is best to show it separately in the cover letter listing with the

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

amount identified for that fund. If this is not possible, show the amount for the offenses in the correct time period so that the amount is properly allocated to all the funds listed for that time period.

- \* may not be applicable for the particular city or county being audited. If not, do not list the fund.

### County Cover Letter

Possible funds to list in an audit period of 04/01/2016 through 03/31/2019.

Refer to chart of [Fees/Funds by time period](#) for details on when funds were active. This chart is a quick reference to show variations in the beginning audit period which may not match the entire audit period.

Fund	Beginning Audit Period	Ending Audit Period
Bail Bond Fee	04/01/2016	03/31/2019
Birth Certificate Fees	04/01/2016	03/31/2019
Child Safety Seat & Seat Belt Violations	04/01/2016	03/31/2019
Child Safety Seat Court Cost (01/01/2010 through 09/27/2011)	04/01/2016	03/31/2019
Compensation to Victims of Crime Auxiliary Fund	04/01/2016	03/31/2019
Consolidated Court Fees (01/01/2004 forward)	04/01/2016	03/31/2019
Consolidated Court Costs (09/01/2001 – 12/31/2003)	04/01/2016	03/31/2019
Consolidated Court Costs (08/31/1999 – 08/31/2001)	04/01/2016	03/31/2019
Consolidated Court Costs (09/01/1997 – 08/30/1999)	04/01/2016	03/31/2019
Court Costs for Offenses (09/01/1991 – 08/31/1997)	04/01/2016	03/31/2019
DNA Testing Fee – Convictions	04/01/2016	03/31/2019
DNA Testing Fee – Community Supervision (01/01/2010 forward)	04/01/2016	03/31/2019
DNA Testing Fee – Juvenile (01/01/2010 forward)	04/01/2016	03/31/2019
Driving Records Fee	04/01/2016	03/31/2019
Electronic Filing Systems Fund (09/01/2013 forward)	09/01/2016	03/31/2019
EMS Trauma Fund	04/01/2016	03/31/2019
Excess Funds from Sale of Property Forfeited	04/01/2016	03/31/2019
Excess Highway Fines (*)	09/01/2016	03/31/2019
Excess Motor Carrier Fines (*)	04/01/2016	03/31/2019
Failure to Appear/Pay (*)	04/01/2016	03/31/2019
Filing Fees for Legal Services for Indigents (*)	04/01/2016	03/31/2019
Indigent Defense Fund	04/01/2016	03/31/2019
Judicial Fund – Constitutional County Court (*)	04/01/2016	03/31/2019
Judicial Fund – Statutory County Court	04/01/2016	03/31/2019
Judicial Fund – Statutory Probate Court	04/01/2016	03/31/2019
Judicial Fund – District Court	04/01/2016	03/31/2019
Judicial Support Fee	04/01/2016	03/31/2019
Juror Donations	04/01/2016	03/31/2019
Jury Reimbursement Fee	04/01/2016	03/31/2019

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Fund	Beginning Audit Period	Ending Audit Period
Juvenile Probation Diversion Fund	04/01/2016	03/31/2019
Marriage License fees	04/01/2016	03/31/2019
Metal Recycling (09/01/2011 forward)	09/01/2016	03/31/2019
Motor Carrier Weight Violations	04/01/2016	03/31/2019
Moving Violation Fees (01/01/2010 forward)	04/01/2016	03/31/2019
Nondisclosure Fees	04/01/2016	03/31/2019
Peace Officer Fees (Arrest Fees)	04/01/2016	03/31/2019
Photographic Enforcement Systems	04/01/2016	03/31/2019
Sexual Assault Program Fund	04/01/2016	03/31/2019
Specialty Court Program	04/01/2016	03/31/2019
State Traffic Fine	04/01/2016	03/31/2019
Substance Abuse Felony Program	04/01/2016	03/31/2019
Time Payment Fee	04/01/2016	03/31/2019
Truancy Prevention and Diversion Fund	01/01/2016	03/31/2019
Misc. General Revenue \$ Collected in Error (*)	04/01/2016	03/31/2019

\* delete this fund if it does not apply to the county being audited

### City Cover Letter

Possible funds to list in an audit period of 04/01/2016 through 03/31/194.

Refer to chart of [Fees/Funds by time period](#) for details on when funds were active. This chart is a quick reference to show variations in the beginning audit period which may not match the entire audit period.

Fund	Beginning Audit Period	Ending Audit Period
Birth Certificate Fees *	04/01/2016	03/31/2019
Child Safety Seat & Seat Belt Violations	04/01/2016	03/31/2019
Child Safety Seat Court Cost (01/01/2010 through 09/27/2011)	04/01/2016	03/31/2019
Consolidated Court Fees (01/01/2004 forward)	04/01/2016	03/31/2019
Consolidated Court Costs (09/01/2001 – 12/31/2003)	04/01/2016	03/31/2019
Consolidated Court Costs (08/31/1999 – 08/31/2001)	04/01/2016	03/31/2019
Consolidated Court Costs (09/01/1997 – 08/30/1999)	04/01/2016	03/31/2019
Court Costs for Offenses (09/01/1991 – 08/31/1997)	04/01/2016	03/31/2019
Driving Records Fee	04/01/2016	03/31/2019
Excess Highway Fines *	04/01/2016	03/31/2019
Excess Motor Carrier Fines *	04/01/2016	03/31/2019
Failure to Appear/Pay *	04/01/2016	03/31/2019
Indigent Defense Fund	04/01/2016	03/31/2019
Judicial Support Fee	04/01/2016	03/31/2019
Jury Reimbursement Fee	04/01/2016	03/31/2019
Metal Recycling (09/01/2011 forward)	09/01/2016	03/31/2019

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Fund</b>	<b>Beginning Audit Period</b>	<b>Ending Audit Period</b>
Motor Carrier Weight Violations	04/01/2016	03/31/2019
Peace Officer Fees (Arrest Fees)	04/01/2016	03/31/2019
Photographic Enforcement Systems	04/01/2016	03/31/2019
State Traffic Fine	04/01/2016	03/31/2019
Time Payment Fee	04/01/2016	03/31/2019
Truancy Prevention and Diversion Fund	01/01/2016	03/31/2019
Misc. General Revenue \$ Collected in Error *	04/01/2016	03/31/2019

\* Delete this fund if it does not apply to the city being audited

**Examples**

**Audit Cover Letter for a County**  
Audit period 04/01/2016 through 03/31/2019

June 1, 2019		
John Smith County Treasurer Anywhere County 123 Main Street Anywhere, Texas 12345		
RE: Taxpayer Number 12345678903		
Dear Mr. Smith:		
The results of your audit of court costs, fees, and fines are set out below. The audit was conducted in accordance with the statutory provisions for each of the following funds, and the periods covered and the amounts due are as follows:		
<u>Fund</u>	<u>Periods Audited</u>	<u>Amount Due</u>
Bail Bond Fees	04/01/16 – 03/31/19	\$ 0.00
Birth Certificate Fees	04/01/16 – 03/31/19	0.00
Child Safety Seat and Seat Belt Violations	04/01/16 – 03/31/19	300.00
Child Safety Seat Court Cost	04/01/16 – 03/31/19	5.00
Compensation to Victims of Crime		
Fund Auxiliary Fund	04/01/16 – 03/31/19	0.00
Consolidated Court Fees	04/01/16 – 03/31/19	5,000.00
Consolidated Court Costs (09/01/01 - 12/31/03)	04/01/16 – 03/31/19	25.00
Consolidated Court Costs (08/31/99 - 08/31/01)	04/01/16 – 03/31/19	0.00
Court Costs for Offenses (09/01/97 - 08/30/99)	04/01/16 – 03/31/19	0.00
Court Costs for Offenses (09/01/91 - 08/31/97)	04/01/16 – 03/31/19	0.00
DNA Testing Fee - Convictions	04/01/16 – 03/31/19	0.00
DNA Testing Fee - Community Supervision	04/01/16 – 03/31/19	400.00
Driving Records Fee	04/01/16 – 03/31/19	0.00
Electronic Filing Systems Fund-Civil-County	09/01/16 – 03/31/19	0.00
Electronic Filing Systems Fund-Civil-District	09/01/16 – 03/31/19	0.00
Electronic Filing Systems Fund-Civil-Justice	09/01/16 – 03/31/19	0.00
Electronic Filing Systems Fund-Criminal-County	09/01/16 – 03/31/19	0.00
Electronic Filing Systems Fund-Criminal-District	09/01/16 – 03/31/19	0.00
EMS Trauma Fund	04/01/16 – 03/31/19	25,000.00
Excess Funds from the Sale of Property		
Forfeited	04/01/16 – 03/31/19	0.00
Excess Motor Carrier Fines	04/01/16 – 03/31/19	0.00
Failure to Appear or Pay	04/01/16 – 03/31/19	1,000.00
Filing Fee for Legal Services for Indigents	04/01/16 – 03/31/19	0.00
Indigent Defense Fund	04/01/16 – 03/31/19	3,000.00
Judicial Fund - Constitutional County Court	04/01/16 – 03/31/19	0.00
Judicial Fund - District Court	04/01/16 – 03/31/19	0.00
Judicial Fund - Statutory County Court	04/01/16 – 03/31/19	0.00
Judicial Fund - Statutory Probate Court	04/01/16 – 03/31/19	0.00
Judicial Support Fee	04/01/16 – 03/31/19	0.00
Juror Donations	04/01/16 – 03/31/19	0.00
Jury Reimbursement Fee	04/01/16 – 03/31/19	0.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Juvenile Probation Diversion Fund	04/01/16 – 03/31/19	0.00
Marriage License Fees	04/01/16 – 03/31/19	0.00
Metal Recycling	09/01/16 – 03/31/19	0.00
Motor Carrier Weight Violations	04/01/16 – 03/31/19	0.00
Moving Violation Fees	04/01/16 – 03/31/19	0.00
Nondisclosure Fees	04/01/16 – 03/31/19	0.00
Peace Officer Fees	04/01/16 – 03/31/19	0.00
Photographic Enforcement Systems	04/01/16 – 03/31/19	0.00
Sexual Assault Program Fund	04/01/16 – 03/31/19	0.00
Specialty Court Program	04/01/16 – 03/31/19	0.00
State Traffic Fine	04/01/16 – 03/31/19	10,000.00
Substance Abuse Felony Program	04/01/16 – 03/31/19	0.00
Time Payment Fee	04/01/16 – 03/31/19	20,000.00
Truancy Prevention and Diversion Fund	01/01/16 – 03/31/19	100.00
TOTAL		<u>\$ 64,830.00</u>

The Texas Notice of Audit Amount Due, which is the official billing, is attached. We have included a pre-addressed envelope for your payment convenience. You can pay by check, cashier's check, or money order made payable to the State Comptroller and mailed to Comptroller of Public Accounts, 111 East 17th Street, Austin, Texas 78774-0100. Your payment does not preclude your right to a redetermination hearing if you disagree with the results of this audit.

Audit adjustments are explained on the enclosed Audit Report.

At the exit conference, you agreed with the audit results. You were provided with the brochure "Contesting Disagreed Audits" (Form 96-1253) and advised of your right to meet with an Independent Audit Reviewer (IAR). You were also advised of the requirements necessary to initiate a formal redetermination hearing.

If you disagree with the audit results, you may request a redetermination hearing within 30 days from the date of this letter. Hearing requests must include a statement of grounds that describes in detail the reasons you believe the determination is incorrect. Your statement should describe as clearly as possible the facts and the provisions of the laws and Comptroller rules upon which you are relying. All hearing requests should be in writing and sent to Audit Headquarters - Audit Processing Section at Comptroller of Public Accounts, 111 E. 17th Street, Austin, Texas 78774-0100.

The conclusions of this audit are not to be taken as approval of the County's reporting system. Law changes and new rulings might result in different findings in future audits and the County will be responsible for any amounts found owing and due.

If you have any questions, please contact me in the Waco Audit Office at (254) 752-3147. Thank you for your cooperation during the audit.

Sincerely,

Jane Martin  
Auditor

## Audit Report

AUDIT REPORT

Anywhere County  
Taxpayer Number 12345678903  
April 1, 2016 through March 31, 2019

This report summarizes the adjustments made in the audit.

1. A detailed examination was completed for Exam 1. Adjustments were made for court costs collected but not reported.

**Index to Working Papers**

Anywhere County  
Anywhere, Texas  
Taxpayer Number 12345678903

**DESCRIPTION**

EXAM 1	COURT COSTS COLLECTED BUT NOT REPORTED	1
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**Summary Schedule**

SUMMARY OF ADDITIONAL FUNDS DUE CITY OF xxxxxxxxxxxx CITY, TEXAS xxxxxx TP #XXXXXXXXXXXXXX			
FUND/FEE	REFERENCE	TOTAL DUE BY EXAM	TOTAL DUE
Court costs for offenses 9-1-97 thru 8-30-99	Exam 1	\$ 250.00	
	Exam 2	\$ 798.00	
	Exam 3	<u>\$6,420.00</u>	\$ 7,468.00
Court costs for offenses 8-31-99 thru 8-31-01	Exam 1	\$ 5,420.00	
	Exam 2	<u>\$ 564.30</u>	\$5,984.30
Court costs for offenses 1-1-04 forward	Exam 4	\$ 6,420.50	\$ 6,420.50
Peace Officer Fees	Exam 5	<\$540.00>	<\$ 540.00>
Time Payment Fee	Exam 6	\$3,220.00	<u>\$ 3,220.00</u>
TOTAL			<u>\$23,092.80</u>

## No Tax Due (NTD) Audits

When no adjustments are being made, the generic NTD letter will be sent. Minor errors or other topics are **not** addressed in the generic cover letter. It is, therefore, essential that minor errors be discussed in the audit plan and with the taxpayer and documented on Agency Work Manager. If necessary, the auditor should document any such discussions in a separate letter to the city/county, which should be attached to and be made a part of the Audit Plan.

There may also be documents that the auditor deems beneficial to be imaged for future reference. These documents should be made a part of the audit plan so that they are made part of the audit documentation and imaging.

An audit with no adjustments of any kind should be processed in the audit office and completed on Agency Work Manager, which automatically updates the information to the mainframe database as an NTD audit record. The documentation, including audit plan and any other documents to be imaged, should be sent to Audit Processing for imaging. The system will send the generic NTD letter which does not list out the individual funds audited.

There may be a time when adjustments need to be made between funds, **but the end result is still a zero**. This could occur when money has been reported to the wrong fund and adjustments are necessary to move the money to the appropriate fund. If the amount is immaterial, the city/county should be advised to send amended returns to correct the error. If the amount is material, or if the city/county does not file the amended returns, the auditor must include schedules for adjustments between funds which will result in a net zero adjustment. The auditor should prepare the cover letter showing the adjustments, complete the appropriate comments in Agency Work Manager and send the audit package to the Regional Processing Center for review. The RPC will route these audits to Audit Processing, where the adjustments to the funds can be handled. It is best to notify the Audit Processing Section and the Miscellaneous Tax Section in Revenue Accounting of this situation as it could result in a significant impact in adjustments to funds.

## Special Topics

### Alcohol Awareness Programs

The Alcoholic Beverage Code, Chapter 106, pertains to alcohol offenses and provisions relating to minors. Sections 106.02-106.07 relate to minors in possession, consumption, purchase and attempt to purchase alcohol, as well as misrepresentation of age and driving while intoxicated.

Section 106.115 describes provisions relating to the alcohol awareness courses. If a minor is convicted of an offense in Section 106.02, 106.025, 106.04, 106.041, 106.05 or 106.07, the court shall place the minor defendant on deferred disposition and require the defendant to attend an alcohol awareness program, a drug education program or a drug and alcohol driving awareness program.

The defendant has 90 days to present to the court evidence of the satisfactory completion of the program or community service as required by the court. If the defendant presents the required evidence within the prescribed period, the court may reduce the assessed fine to an amount equal to no less than one-half of the amount of the initial fine. If the defendant does not present the required evidence within the prescribed period, the court shall order the Department of Public Safety to suspend the defendant's driver's license or permit for a period not to exceed six months or, if the defendant does not have a license or permit, to deny the issuance of a license or permit to the defendant for that period.

Since this is a deferred disposition situation, **the court costs are due at the time the deferral is granted.**

### Collection Fees

A city/county is allowed to retain a portion of the court cost remitted if the report and remittance are made timely. See the table on Collection Fees in Chapter 6 to determine the amount of collection fee which may be retained, if any.

In an audit situation, any deficiency amounts have not been remitted timely, so the collection fee should not be deducted from the audit adjustments.

If a city/county did not remit funds which were collected in a calendar quarter until a subsequent calendar quarter, the collection fee should be disallowed on those funds which were not remitted in the quarter they were collected.

**Note:** See Hearing #38,197, City of El Paso, regarding disallowance of collection fees for amounts not remitted in the quarter in which they were collected from the defendant.

### Collection Contracts

#### Criminal

The Code of Criminal Procedure, Article 103.0031, provides that a city or county may enter into a contract with a private attorney or vendor for the provision of collection services for:

- Debts and accounts receivable such as unpaid fines, fee, court costs, forfeited bonds and restitution ordered paid by a court or hearing officer
- Amounts in cases in which the accused has failed to appear, as promised under Subchapter A, Chapter 543, Transportation Code, in compliance with a lawful written notice to appear issued under Article 14.06(b), in compliance with a lawful summons issued under Article 15.03(b), in compliance with a lawful order of a court, or as specified in a citation, summons or other notice authorized by Section 682.002, Transportation code, that charges the accused with a parking or stopping offense.

The city or county that has entered into a contract with a private attorney/vendor under the provision of Section 103.0031 may authorize the addition of a collection fee in the amount of **30%** on each item described above that is **more**

**than 60 days past due** and has been referred to the attorney/vendor for collection. An item is considered more than 60 days past due if it remains unpaid on the 61st day after the following appropriate date:

- With respect to a debt or accounts receivable, the date on which the debt, fine, fee, forfeited bond or court cost must be paid in full as determined by the court or hearing officer.
- With respect to an amount in a case in which the defendant has failed to appear, the date by which the accused promised to appear or was notified, summoned or ordered to appear.

The governing body of a city with a population of more than 1.9 million may authorize the addition of collection fees for a collection program performed by employees of the governing body.

The collection fee does **not** apply to a case that has been dismissed by a court, or to any amount that has been satisfied through time-served credit or community service. It also does **not** apply to the collection of commercial bail bonds.

The collection fee may be applied to any balance remaining after a partial credit for time served or community service if the balance is more than 60 days past due. A defendant is not liable for the collection fees if the court has determined the defendant to be indigent, or has insufficient resources or income, or is otherwise unable to pay all or part of the underlying fine or costs.

Unless the contract provides otherwise, the court shall calculate the amount of the collection fee due to the attorney/vendor performing the collection services and shall receive all fees, including the collection fee.

If a defendant **pays less than** the aggregate total to be collected, the allocation to the Comptroller, the county or city, and the private attorney/vendor shall be reduced proportionately.

A city/county may enter into a contract to collect a debt incurred as the result of an offense committed before the effective date of Section 103.0031, but the collection fee does not apply to this debt.

The additional 30% collection fee may not be used for any purpose other than compensating the attorney/vendor who earns the fee.

### **Civil**

House Bill 2021, 83rd Session (2013), effective 06/14/2013, allows for a contract for collection of amounts in civil cases. The governing body of a municipality or the commissioners court of a county may contract with a private attorney or public or private vendor for the collection of an amount owed relating to a civil case if the amount is more than 60 days overdue. The collection fee of 30 percent of the amount referred may be used only to compensate the attorney or vendor who collects the debt.

### Excess Highway Fines

Statute: Transportation Code, Section 542.402

Subsection (b) of this section prescribes a formula where cities under 5,000 population get to keep 100% of fines and special expenses from traffic violations until a 30% cap is reached. Then they are only allowed to keep \$1 of each fine or special expense from that point on for the remainder of their fiscal year. This is to prevent the city from financing the city's budget solely traffic violations.

A breakdown of subsection (b) wording is interpreted as follows:

STATUTE WORDING	INTERPRETATION	NOTES
In each fiscal year	The city's fiscal year, not the state's	Many cities use October 1 through September 30. Some use calendar year. Others use July 1 – June 30.
A municipality having a population of less than 5,000	Using the most recent federal census at the beginning of the city's fiscal year	Status does not change until the beginning of the <b>next</b> fiscal year <b>after</b> publication of a new federal census
May retain from fines collected for violations of this title	"this title" refers to Title 7, Transportation Code, which is Chapters 501-1006	Prior to 08/31/1999, only Chapters 541-600 were included
And fines collected under article 45.051, Code of Criminal Procedure, in cases in which a violation of this title is alleged	CCP, Art. 45.051, is "Suspension of Sentence and Deferral of Final Disposition." Subsection (c) says "if the complaint is dismissed, a special expense not to exceed the amount of the fine assessed may be imposed."	Example: Maximum fine was \$200 but judge assessed a fine of \$125. Upon dismissal, the special expense imposed cannot exceed \$125.  <b>Note:</b> This "special expense" does NOT include any of the administrative fees imposed in CCP, Art. 45.0511. See note below.
An amount equal to 30% of the municipality's revenue for the preceding fiscal year from all sources	This is the city's fiscal year, not the State's. Revenue is from all sources in the prior fiscal year.	Total revenue includes taxes, local court costs and fines, utilities, sales taxes, etc.
Other than federal funds and bond proceeds	Should be identified as such in city records	Deduct from the total of city revenue

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

STATUTE WORDING	INTERPRETATION	NOTES
As shown by the audit performed under Section 103.001, Local Government Code	City is supposed to have this audit performed annually by internal or external auditor.	May or may not be available
After a municipality has retained that amount	Meaning the 30% calculated amount	Measured by calendar quarter
The municipality shall send to the Comptroller any portion of a fine collected that exceeds \$1	The city gets to keep \$1 of each fine and must remit the rest to the Comptroller	Determining the <b>number</b> of fines is sometimes problematic, possibly requiring an estimate.

The above table can also be used for counties potentially subject to Excess Highway Fines by substituting the word “county” for “municipality” and “city”. The wording in subsection (b-2) is virtually identical to subsection (b) referenced above. Audits for counties are referenced in Local Government Code, Chapter 115.

**Note:**

The statute for Excess Highway Fines, Transportation Code Section 542.402, states that the city may retain 30% from “fines collected from violations of this title” and “**from fines under Article 45.051**, Code of Criminal Procedure.” This means that a fine imposed under an Article 45.051 deferral is included. However, it does **not** include administrative fees imposed for driving safety courses under Article 45.0511(f). There are two options under Article 45.0511(f). One is a \$10 reimbursement fee for mandatory deferral and the other is a fine for permissive deferral, which cannot exceed the maximum amount of the fine allowed by law. Neither of these should be included in the calculation for Excess Highway Fines.

Beginning 01/01/2020 due to language in Senate Bill 346, 86th Session (2019) many previously named administrative fees or reimbursements were changed to fines. Thus, the calculations for Excess Highway Fines will now include additional fines that were not included before. Some, but not all, include administrative fines that are charged for offenses of no driver’s license, no insurance, expired registration, etc. that are corrected but are charged reduced fines of \$10 or \$20. State Traffic Fine is now a fine and not a court cost. Local Traffic Fine in Transportation Code 542.403 would also be applicable as of 01/01/2020.

The first step is to determine if the city is responsible for Excess Highway Fines. Review [Table III in Chapter 10](#) to determine if the city is responsible for this fund. [Table IV in Chapter 10](#) lists counties potentially subject to Excess Highway Fines.

Refer to Chapter 2, for basic information on [Excess Highway Fines](#). Included below are two examples for municipalities showing the calculations with extra notations.

**Example 1**

Assume

City's fiscal year is from October through September.

Total City revenue, prior fiscal year (FY 07)	\$1,745,320 (see below)
Less: federal funds and proceeds from bond sales	<u>128,000 (FY 07)</u>
Subtotal:	\$1,617,320
Multiply by 30% allowance	x 30%
Amount of fines to be retained by city in FY 18	<b><u>\$ 485,196</u></b>

Fines collected in FY 18	\$ 520,120 (see below)
Maximum fines allowable	<u>485,196</u>
Excess Fines	\$ 34,924
Less: \$1 per fine above allowable limit	<u>295 (see below)</u>
Total Excess Fines to be remitted	<b><u>\$ 34,629</u></b>

Detail Calculations

Total City Revenue FY 17:

Sales taxes	\$ 166,000
Utilities	121,320
Property taxes	515,000
Municipal court	<b>718,000 (see below)</b>
Building permits	41,000
Garbage collection	56,000
Federal Grants	120,000
Bond sales	<u>8,000</u>
Subtotal	\$ 1,745,320
Less: federal grants and bond sales	<u>&lt;128,000&gt;</u>
Total City Revenue FY 17	<b><u>\$ 1,617,320</u></b>

Municipal court revenue of \$718,000 in FY 17 includes:

<b>All</b> fines retained by the city on all offenses	\$ 555,000
\$3 Traffic Fee	28,000
Municipal Security	30,000
Municipal Technology	35,000
Peace officer fees	44,000
Time Payment Fees (city's one-half only)	12,000
Failure to Appear fees (city's 1/3 only)	6,000
10% collection fees on court costs remitted to the state	4,000
Administrative fees (expired registration, inspections or driver's licenses)	3,000
Administrative fees for driving safety courses in Article 45.0511(f), Code of Crim. Proc.	<u>1,000</u>
Total	<b><u>\$ 718,000</u></b>

**Note:** Any other revenues collected by the Municipal Court should be included. Do not include fines and court costs remitted to the state

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Fines Collected in FY 18 Include

Municipal court revenue in FY 18	\$743,000
Less: fines from offenses outside Transportation Code	<10,000>
Less: \$3 Traffic Fee, local court cost	<45,780>
Less: Municipal Court Security Fee	<37,500>
Less: Municipal Court Technology Fee	<40,500>
Less: peace officer fees	<54,500>
Less: Time Payment Fees (city's one-half retained)	<16,000>
Less: Failure to Appear (city's one-third retained)	<11,520>
Less: administrative dismissal fees	<7,080>
<b>Total fines FY 18</b>	<b><u>\$520,120</u></b>

**Note:** Do not include fines remitted to the state for Excess Motor Carrier Fines, Child Safety Seat and Seat Belt, Motor Carrier Weight Violations

City may retain \$1 per fine after the maximum allowable amount has been reached:

	<b>NET FINES</b> (as calculated above)
City's first FY quarter (Oct-Dec)	\$127,000
City's second FY quarter (Jan-March)	303,000 (cumulative total)
City's third FY quarter (April-June)	428,000 (cumulative total)
City's fourth FY quarter (July-Sept)	520,120 (cumulative total)

In this example, the maximum allowable fines amount is \$485,196. The city exceeds this amount in their fourth quarter of their fiscal year. Therefore, the number of fines from offenses in the Transportation Code needs to be determined for the last quarter only. In this example, 295 cases of offenses from the Transportation Code occurred in the fourth quarter (July-Sept).

**Example 2**

<u>Revenue Category</u>	<u>Fiscal Year End 9/30/14</u>	<u>Fiscal Year End 9/30/15</u>	<u>Fiscal Year End 9/30/16</u>	<u>Fiscal Year End 9/30/17</u>
Revenues	\$152,000.00	\$160,000.00	\$158,000.00	\$170,000.00
Operating Revenues	\$185,000.00	\$197,000.00	\$201,000.00	\$205,000.00
Federal Funds revenues	\$250,000.00	\$0.00	\$200,000.00	\$0.00
Proceeds – bond sales	\$120,000.00	\$0.00	\$25,000.00	\$0.00
State court costs	\$40,000.00	\$50,000.00	\$55,000.00	\$60,000.00
Local court costs	\$20,000.00	\$30,000.00	\$23,500.00	\$30,000.00
Fines from traffic offenses	<b>\$380,000.00</b>	<b>\$410,000.00</b>	<b>\$400,000.00</b>	<b>\$500,000.00</b>
Administrative fees	\$5,000.00	\$3,000.00	\$4,000.00	\$5,500.00
Special expense fees	<b>\$110,000.00</b>	<b>\$95,000.00</b>	<b>\$100,000.00</b>	<b>\$115,000.00</b>
Time Payment fee (local portion)	\$20,000.00	\$15,000.00	\$25,000.00	\$27,000.00
Time Payment fee (state portion)	\$40,000.00	\$22,000.00	\$30,000.00	\$29,000.00
Fines to be remitted to state	\$50,000.00	\$60,000.00	\$68,000.00	\$74,000.00
Licenses/Permits	\$10,000.00	\$8,000.00	\$12,000.00	\$13,000.00
Franchise fees	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
Rents	\$5,000.00	\$5,000.00	\$5,000.00	\$7,000.00
Utility payments	\$80,000.00	\$85,000.00	\$93,000.00	\$98,500.00
Property taxes	\$200,000.00	\$205,000.00	\$210,000.00	\$215,000.00
Other taxes	\$15,000.00	\$13,000.00	\$17,500.00	\$19,000.00
Interest income	\$10,000.00	\$9,000.00	\$8,000.00	\$7,500.00
Penalties	\$2,000.00	\$1,000.00	\$2,000.00	\$2,800.00
Miscellaneous income	\$4,000.00	\$1,000.00	\$3,000.00	\$5,000.00
<b>TOTALS</b>	<b>\$1,703,000.00</b>	<b>\$1,374,000.00</b>	<b>\$1,645,000.00</b>	<b>\$1,588,300.00</b>

The following assumptions are used for this example:

1. Fines from traffic offenses and special expense fees are derived only from violations of Transportation Code, Title 7 (Chapters 501-1006).
2. The categories of state court costs, time payment fee (state portion) and fines to be remitted to the state are misclassified as revenues and should be liabilities; therefore, these categories are excluded from the calculation of the 30% cap of revenues.

Summary of Excess Highway Fines Due for the Audit Period:

Fiscal Year	Amount
2015	\$142,230.00
2016	\$125,640.00
2017	\$231,655.00
<b>Total Due</b>	<b>\$499,525.00</b>

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Detail Calculations of Excess Highway Fines Due for Each Fiscal Year

Fiscal Year 2015 Calculations:

Total Revenue from prior fiscal year (FY 2014)	\$1,703,000.00
Less federal funds and proceeds from bond sales	(370,000.00)
Less misclassified state court costs and fines	<u>(130,000.00)</u>
Total Net Revenue in FY 2014	1,203,000.00
X 30% Cap	30%
Maximum Amount of Fines to be Retained in FY 2015	<b><u>\$360,900.00</u></b>

Fines from traffic offenses collected in FY 2015	\$410,000.00
Special expense fees collected in FY 2015	<u>95,000.00</u>
Total Fines Collected in FY 2015	\$505,000.00
Less Maximum Allowable Fines	<u>(360,900.00)</u>
Excess Highway Fines	\$144,100.00
Less allowable \$1 per fine above allowable limit (see below)	<u>(1,870.00)</u>
Total Excess Highway Fines to be remitted	<b><u>\$142,230.00</u></b>

Fines and Special Expenses by month in FY 15	Amount by month	Cumulative	# of cases applicable to Transportation Code Offenses	# of cases for which \$1 fine is retained
10/01/2014	\$37,000	\$37,000	475	0
11/01/2014	\$39,000	\$76,000	500	0
12/01/2014	\$43,500	\$119,500	555	0
01/01/2015	\$51,000	\$170,500	655	0
02/01/2015	\$44,500	\$215,000	570	0
03/01/2015	\$46,500	\$261,500	595	0
04/01/2015	\$39,000	\$300,500	500	0
05/01/2015	\$47,000	\$347,500	605	0
06/01/2015	\$35,000	<b>\$382,500</b>	450	275
07/01/2015	\$44,000	<b>\$426,500</b>	565	565
08/01/2015	\$38,500	<b>\$465,000</b>	495	495
09/01/2015	\$40,000	<b>\$505,000</b>	535	535
<b>TOTALS</b>	<b>\$505,000</b>	N/A	6,500	1,870

City reaches the 30% cap by their third quarter

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Fiscal Year 2016 Calculations:

Total Revenue from prior fiscal year (FY 2015)	\$1,374,000.00
Less federal funds and proceeds from bond sales	0
Less misclassified state court costs and fines	<u>(132,000.00)</u>
Total Net Revenue in FY 2015	1,242,000.00
X 30% Cap	<u>30%</u>
Maximum Amount of fines to be retained in FY 2016	<b><u>\$372,600.00</u></b>

Fines from traffic offenses collected in FY 2016	\$400,000.00
Special expense fees collected in FY 2016	<u>100,000.00</u>
Total Fines Collected in FY 2016	\$500,000.00
Less Maximum Allowable Fines	<u>(372,600.00)</u>
Excess Highway Fines	\$127,400.00
Less allowable \$1 per fine above allowable limit (see below)	<u>(1,760.00)</u>
Total Excess Highway Fines to be remitted	<b><u>\$125,640.00</u></b>

Fines and Special Expenses by month in FY 16	Amount by month	Cumulative	# of cases applicable to Transportation Code Offenses	# of cases for which \$1 fine is retained
10/01/2015	\$38,000	\$38,000	520	0
11/01/2015	\$40,000	\$78,000	550	0
12/01/2015	\$44,500	\$122,500	610	0
01/01/2016	\$50,000	\$172,500	685	0
02/01/2016	\$44,000	\$216,500	600	0
03/01/2016	\$46,000	\$262,500	630	0
04/01/2016	\$38,500	\$301,000	525	0
05/01/2016	\$47,000	\$348,000	640	0
06/01/2016	\$35,000	<b>\$383,000</b>	475	145
07/01/2016	\$44,000	<b>\$427,000</b>	605	605
08/01/2016	\$38,000	<b>\$465,000</b>	520	520
09/01/2016	\$35,000	<b>\$500,000</b>	490	490
<b>TOTALS</b>	<u>\$500,000</u>	N/A	6,850	1,760

City reaches the 30% cap by their third quarter

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Fiscal Year 2017 Calculations:

Total Revenue from prior fiscal year (FY 2016)	\$1,645,000.00
Less federal funds and proceeds from bond sales	(225,000.00)
Less misclassified state court costs and fines	<u>(153,000.00)</u>
Total Net Revenue in FY 2016	1,267,000.00
X 30% Cap	<u>30%</u>
Maximum Amount of fines to be retained in FY 2017	<b><u>\$380,100.00</u></b>

Fines from traffic offenses collected in FY 2017	\$500,000.00
Special expense fees collected in FY 2017	<u>115,000.00</u>
Total Fines Collected in FY 2017	\$615,000.00
Less Maximum Allowable Fines	<u>(380,100.00)</u>
Excess Highway Fines	\$234,900.00
Less allowable \$1 per fine above allowable limit (see below)	<u>(3,245.00)</u>
Total Excess Highway Fines to be remitted	<b><u>\$231,655.00</u></b>

Fines and Special Expenses by month in FY 17	Amount by month	Cumulative	# of cases applicable to Transportation Code Offenses	# of cases for which \$1 fine is retained
10/01/2016	\$45,000	\$45,000	615	0
11/01/2016	\$50,000	\$95,000	690	0
12/01/2016	\$60,000	\$155,000	830	0
01/01/2017	\$65,000	\$220,000	900	0
02/01/2017	\$70,000	\$290,000	970	0
03/01/2017	\$63,000	\$353,000	875	0
04/01/2017	\$29,900	<b>\$382,900</b>	415	40
05/01/2017	\$50,400	<b>\$433,300</b>	700	700
06/01/2017	\$35,000	<b>\$468,300</b>	485	485
07/01/2017	\$48,000	<b>\$516,300</b>	660	660
08/01/2017	\$49,500	<b>\$565,800</b>	680	680
09/01/2017	\$49,200	<b>\$615,000</b>	680	680
<b>TOTALS</b>	<b>\$615,000</b>	<b>N/A</b>	<b>8,500</b>	<b>3,245</b>

City reaches the 30% cap by their third quarter

## Installment Payments

When installment payments are made, or when the amount paid does not satisfy all the costs, fees and fines imposed in the case, it is necessary to allocate the payments to the appropriate costs, fees and fines in the proper sequence.

The allocation rule is based upon Attorney General Opinions M-1076 (1972) and GA-147 (2004). The latter opinion states in part:

“...allocate monies received from a defendant first to pay costs and then to pay a fine. If the monies received do not cover all of the costs, then the monies must be allocated to costs on a pro rata basis.”

Therefore, the first priority of payments is for all statutory state and local court costs appropriate to the offense. This includes the Time Payment Fee and the Failure to Appear Fee. All statutory court costs should be calculated first and payments applied to those funds on a pro rata basis. Any money remaining after the statutory court costs are satisfied should be applied toward fines and other fees and costs.

Since all state court costs are remitted on a quarterly basis, installment payments may be paid in multiple calendar quarters. Payments must be remitted in the quarter in which they were collected by the city/county. Therefore, pro rata payments applied to the court costs will be remitted in the quarter in which they were collected.

The basic allocation formula is:

$(\$ \text{ court cost amount} / \$ \text{ Total court costs}) = (\text{Percentage} \times \$\text{Payment}) = \$\text{Allocation}$

The following examples indicate the application of payments to court costs, fees and fines in various scenarios.

### Example 1

Payment in full upon Conviction (or within 30 days of date of conviction)

Date of Offense: January 10, 2016  
Date of Conviction: February 2, 2016  
Fine imposed = \$125  
State Court Costs = \$83  
Local Court Costs = \$20  
Total Due = \$228  
Payment: February 2, 2016 = \$228

State court costs of \$83 are to be remitted on the report for the 161 quarter.

### Example 2

Payment in full more than 30 days after date of conviction

Date of Offense: January 10, 2016  
Date of Conviction: February 2, 2016  
Fine imposed = \$125  
State Court Costs = \$83

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Time Payment Fee =	\$25
Local Court Costs =	\$20
Total Due =	\$253
Payment: March 31, 2016 =	\$253

State court costs of \$83 + \$12.50 Time Payment Fee (\$95.50) are to be remitted on the report for the 161 quarter.

**Example 3**

Payment in three installments, February 15, March 15 and April 15

Date of Offense:	January 10, 2016
Date of Conviction:	February 2, 2016
Fine imposed =	\$125
State Court Costs =	\$83
Time Payment Fee =	\$25
Local Court Costs =	\$20
Total Due =	\$253
Payment: February 15, 2016 =	\$85
Payment: March 15, 2016 =	\$84
Payment: April 15, 2016 =	\$84

The total paid in the first quarter of 2016 = \$169. The total of state and local court costs due is \$128. Therefore, state court costs of \$83 + \$12.50 Time Payment Fee (\$95.50) are to be remitted on the report for the 161 quarter. The remaining \$41 paid in the 061 quarter and the \$84 paid in the 162 quarter are applied to the fine.

**Example 4**

Payment in three installments, March 15, April 15 and May 15

Date of Offense:	February 10, 2016
Date of Conviction:	March 2, 2016
Fine imposed =	\$125
State Court Costs =	\$83
Time Payment Fee =	\$25
Local Court Costs =	\$20
Total Due =	\$253
Payment: March 15, 2016 =	\$85
Payment: April 15, 2016 =	\$84
Payment: May 15, 2016 =	\$84

The total paid in the first quarter = \$85, which does not cover the \$128 total of the statutory court costs due (\$83 + \$25 + \$20). Therefore, an allocation of the payment is required:

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Court Cost	Court Cost Amount	Percent of Total	Pro rata Portion of First Payment	Pro-rata Portion Remaining
<b>State Court Costs:</b>				
Consolidated Court Fee	\$40.00	31.25%	\$26.56	\$13.44
State Traffic Fine	30.00	23.4375%	19.92	10.08
Jury Reimbursement Fee	4.00	3.125%	2.66	1.34
Judicial Support Fee	4.00	3.125%	2.66	1.34
Peace Officer Fee (20%)	1.00	0.7813%	0.65	0.35
Time Payment Fee (state portion)	12.50	9.7656%	8.30	4.20
<b>State Subtotal</b>	<b>\$91.50</b>	<b>N/A</b>	<b>\$60.75</b>	<b>\$30.75</b>
<b>Local Court Costs:</b>				
Courthouse Security Fund	\$4.00	3.125%	\$2.66	\$1.34
Justice Court Technology Fund	4.00	3.125%	2.66	1.34
Misdemeanor Fee	7.00	5.4688%	4.65	2.35
Juvenile Case Manager Fee	5.00	3.9063%	3.32	1.68
Peace Officer Fees (80%)	4.00	3.125%	2.66	1.34
Time Payment Fee (local portion)	12.50	9.7656%	8.30	4.20
<b>Local Subtotal</b>	<b>\$36.50</b>	<b>N/A</b>	<b>\$24.25</b>	<b>\$12.25</b>
<b>Grand Total</b>	<b>\$128.00</b>	<b>100.000%</b>	<b>\$85.00</b>	<b>\$43.00</b>

Therefore, a total of \$60.75 is to be remitted on the first quarter report. Since the remainder was paid in the second quarter, the balance of the court costs due (\$30.75) is to be remitted on the second quarter return.

If the payment made in the second quarter was still insufficient to cover the remaining court costs, the pro rata allocation would be necessary in the same method as calculated for the first payment.

### Missing Records

When records are missing, there are various tools that may be used, depending on the circumstances. Review the system of internal controls first to determine where the weaknesses are and then concentrate on those areas identified as problematic.

- Check for sequential numbering on records to determine what is missing.
- Contact the printer of the documents, if possible, to determine how many were printed and what numbering system was used.
- Examine other documents for the period in which records are missing to determine if there were other activities. For example, if receipt books are missing, check bank deposits, dockets, cash flow reports, entries of payments in the defendant's records, etc.
- Third party verification may also be useful. By selecting some cases randomly, letters could be mailed to the defendants inquiring if their tickets were paid, and if so, asking for the date, payment amount, method of payment, etc. The response

from this technique is generally low and should be considered only when necessary.

Estimate when necessary. Use information from periods in which records are complete and information gained from the above steps to project an estimate over periods where records are missing.

### Parking and Pedestrian Violations

Parking and pedestrian violations may be covered by either municipal ordinance or state law. State law covers privileged parking (i.e. handicapped parking) in Chapters 681 and 684, Transportation Code. Other parking violations are included in Chapter 545, Transportation Code.

State court costs generally exclude violations for parking and pedestrians. The exception to the rule is State Traffic Fine (*Transportation Code, sec. 542.4031*), which **does** apply to parking and pedestrian. However, it is limited to those in the Rules of the Road (chapters 541-600). The State Traffic Fine, therefore, excludes parking under municipal ordinance and privileged parking, which is not in the Rules of the Road.

The Local Traffic Fine (*Transportation Code, sec. 542.403*) is also limited to those violations in the Rules of the Road. Peace Officer fees apply when a ticket/citation is written by a law enforcement officer and 20% of this fee is to be remitted to the state if it was a peace officer with statewide authority. The Child Safety Fund applies in municipal courts when the offense occurs within a school crossing zone.

Item	State Traffic Fine	Local Traffic Fine	Peace Officer Fee	Child Safety Fund	Total
Municipal ordinance: parking & pedestrian	\$0	\$0	\$5	\$0	\$5
Transportation Code, Rules of the Road Sec. 545.301, 545.302, 545.303, 545.307 • inside school crossing zone	\$50	\$3	\$5	\$25	\$83
Transportation Code, Rules of the Road Sec. 545.301, 545.302, 545.303, 545.307 • outside school crossing zone	\$50	\$3	\$5	\$0	\$58
Transportation Code, Privileged parking, Chap. 681	\$0	\$0	\$5	\$0	\$5
Transportation Code, Privileged parking, Sec. 684.011	\$0	\$0	\$5	\$0	\$5

In addition to the fees shown above, the following need to be added when applicable: Failure to Appear, Time Payment Fee, Municipal Security, Municipal Technology and Juvenile Case Manager Fee until 12/31/2019.

### **Parks and Wildlife Violations**

Under Parks & Wildlife Code, Sections 12.107 and 31.126, the venue for a violation or offense of the Parks & Wildlife Code is the justice court or county court having jurisdiction where the violation or offense occurs. Most of the offenses are Class C misdemeanors, but the Parks and Wildlife Code outlines higher classifications for certain offenses.

Under Parks & Wildlife Code, Section 12.110, a person convicted of an offense regarding the unlawful possession or shipping of a game bird, fowl, animal, game fish or exotic animal may be ordered to pay the actual cost of any storage, care, feeding or processing necessary. (Added by House Bill 2026, 79th Regular Session, 2005)

Under Sections 12.107 and 31.128, a justice of the peace or other officer receiving a fine for a violation of the Parks & Wildlife Code shall send the fine to the Parks & Wildlife Department within 10 days after receipt.

- In justice court cases filed as a result of an arrest by a game warden, the court is to remit 85% of the fine to the Parks & Wildlife Department.
- In county court, the court is to remit 80% of the fine to the Parks & Wildlife Department. All court costs are to be retained by the court and deposited as other fees.
- If the case is filed as the result of an arrest by a marine safety enforcement officer other than a game warden, the court is to remit 60% of the fine to the Parks & Wildlife Department.

All court costs are to be retained by the court and deposited as other fees. All court costs are to be handled just as any other offense, with the proper statutory state and local court costs collected and remitted as appropriate.

### **Tobacco Awareness Programs**

Section 161.252 of the Health and Safety Code describes the offense of possession, purchase, consumption or receipt of cigarettes, e-cigarettes or tobacco products by minors (individuals younger than 21 years of age). The offense is punishable by a fine not to exceed \$250.

Under Section 161.253, the court is required to place the minor defendants on deferred disposition and require the defendant to attend a tobacco awareness program. If the defendant resides in an area where the tobacco awareness program is not available, the defendant may instead perform 8-12 hours of tobacco-related community service. The defendant has 90 days to present to the court evidence of satisfactory completion of the program or community service.

Under subsection (f) of Section 161.253, if the defendant has not been previously convicted of this offense, the court is required to discharge the defendant and dismiss the complaint. If the defendant has been previously convicted of this offense, the court

is to execute the sentence and has the authority to reduce the fine imposed to not less than half the fine previously imposed by the court. In either case, the defendant was put on deferred disposition **and court costs were due** at the time of the deferral.

### Uncollectible Fees

House Bill 435, 86th Session (2019) added Section 51.609 of the Government Code to allow the clerk to request the court to make a finding that a court cost or fee imposed on a party in a civil case that the cost or fee is uncollectible if the cost or fee has been unpaid for at least 15 years. If the court finds the cost or fee is uncollectible, the court may order the clerk to designate the cost or fee as uncollectible in the fee record. The clerk shall attach a copy of the court's order to the fee record. However, this does not apply to court costs or fees imposed by the supreme court, the court of criminal appeals or the court of appeals.

Senate Bill 413, 85th Session (2017) added Article 103.0081 to the Code of Criminal Procedure and only applies to a county with a population of more than 780,000 but less than 790,000. The bill is effective 09/01/2017. Based on 2010 Census data, the only county eligible is Collin County. HB 435 of the 86th Session (2019) repealed the county population limits the Article applies to. Now all counties are allowed to classify criminal fees assessed as uncollectible under the criteria below.

The bill allows any officer authorized by Chapter 103 to collect a fee or item of cost to request the trial court in which a criminal action or proceeding was held to make a finding that a fee or item of cost imposed in the action or proceeding is uncollectible if the officer believes any of the following:

1. The defendant is deceased;
2. The defendant is serving a sentence for imprisonment for life or life without parole.
3. The fee has been unpaid for at least 15 years.

If any of the above are true, the court may order the officer to designate the fee or item of cost as uncollectible in the fee record and the officer shall attach a copy of the court's order to the fee record.

### Unjust Enrichment

In accordance with Attorney General Opinions M-1076 (1972) DM-407 (1996) and GA-0061 (2003):

1. If the city/county has **over-collected** for a **statutory** fund over which the Comptroller has audit authority, then set up the excess as error tax (unless refunded to the defendant).
2. If the city/county has **under-collected** for a **statutory** fund over which the Comptroller has audit authority, then re-allocate from the fine collected.
3. If the city/county has collected for a local court cost or **non-statutory** fee or cost over which the Comptroller has **no audit authority**, then:
  - Do **not** make any adjustments for this, and
  - Do **not** use this money for re-allocations to under collected statutory court costs.

- Document the situation clearly in the audit plan but do not include in audit adjustments. Include information on what is being collected, how long this has been collected, the approximate amount per case and the estimated total in the audit period.
- Also send an email describing this situation to Julie Farney Walter (or Lindsey Klein) for tracking purposes. Include the same information documented in the audit plan.

Funds over which the Comptroller has audit authority:

- All state court costs
- Child Safety Seat and Seat Belt Violations
- Excess Highway Fines
- Excess Motor Carrier Fines
- Failure to Appear/Pay
- Motor Carrier Weight Violations
- Peace Officer Fees
- State Traffic Fine
- Time Payment Fee (as of 12/31/2019; local fee as of 01/01/2020)
- Child Safety Fund (local fee) (as of 12/31/2019; local fee as of 01/01/2020)

### Common Errors

- Reporting a month or part of a month late, in the quarter after the quarter in which collected
- Allocating jail time credit or community service to court costs and payments to fines
- Failure to pro-rate partial payments to all statutory court costs before fines and other fees.
- Using court cost charts that are not up to date, including the exclusion of new funds, failure to change rates, etc.
- Collection of older court cost amounts in addition to the Consolidated Court Cost/Fee.
- Failure to report and remit all court costs collected.
- Failure to collect court costs based on date of offense.
- Failure to retain the proper collection fee or taking it when not appropriate to do so (i.e. keeping 10% instead of 5% on State Traffic Fine, or 10% instead of zero on Failure to Appear/Pay fee).
- Peace officer fees: either not reporting 20% of those for services of state peace officers or reporting 100% instead of only 20%.
- Failure to add Time Payment on offenses paid after 30 days of conviction (as of 12/31/2019).

## **CHAPTER 8: STATUTES**

### **Introduction**

This chapter contains information for pertinent portions of the statutes. This is **not** an all-inclusive listing of legislation impacting those particular statutes.

When opening a link to a House or Senate Bill, the search for the section of interest can be narrowed by selecting “Edit/Find” (ctrl+f) and entering the article or section number.

**Tip:** Language added is shown with an underline. Language deleted is shown with a strike-through.

### **To Search for All Bills Impacting a Statute/Article**

To see all bills impacting a particular statute, go to [www.capitol.state.tx.us](http://www.capitol.state.tx.us) and select “Sections Affected.” Then select the desired legislative session from the dropdown. Select the desired statute code and enter the chapter or article number. For example, to see all bills impacting Code of Criminal Procedure, Chapter 45, simply enter “45” in the space for “section/legislature.” To see only the bills impacting Article 45.051, enter the entire number. Under “Status” select “enrolled” and select “search.” If there were any bills impacting the requested article, a window will appear with the sections added/amended/deleted and the bill numbers. Selecting the bill number will link to the enrolled legislation.

**Note:** In the “Status” box, those showing “introduced,” “house/senate report,” or “engrossed” are not final bills. “Engrossed” bills are those that have passed either the House or Senate, but not both. “Enrolled” bills have passed both the House and Senate to become law, unless vetoed by the Governor.

### **To View House or Senate Bills in a Previous Legislative Session**

To view legislation in previous sessions, select the dropdown arrow from the applicable Legislature and select. Type in the bill number. Additional searches are available for statute and sections affected. Some of the older sessions do not have hyperlinks to the legislation, so it would be necessary to search by bill to see the enrolled legislation.

Legislative Session:

<b>Year</b>	<b>Session</b>
2019	86th Regular Session
2017	85th 1st Called Session
2017	85th Regular Session
2015	84th Regular Session
2013	83rd Regular Session and 1st, 2nd and 3rd Called Sessions
2011	82nd Regular Session and 1st Called Session
2009	81st Regular Session and 1st Called Session

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Year</b>	<b>Session</b>
2007	80th Regular Session
2005	79th Regular Session, and 1st, 2nd and 3rd Called Sessions
2003	78th Regular Session, and 1st, 2nd, 3rd and 4th Called Sessions
2001	77th Regular Session
1999	76th Regular Session
1997	75th Regular Session
1995	74th Regular Session
1993	73rd Regular Session
1991	72nd Regular Session, and 1st, 2nd, 3rd and 4th Called Sessions
1989	71st Regular Session, and 1st, 2nd, 3rd, 4th, 5th and 6th Called Sessions

**To search for a particular House or Senate Bill**

To find a particular bill by number, go to [www.capitol.state.tx.us](http://www.capitol.state.tx.us) and under the “Select Legislation” section, select which session from “Legislature” and select “bill number” And type the bill number. Select the desired legislative session from the dropdown menu and enter the bill number. Use only the two letter and numeric designation (i.e. SB 7 or HB 3200). Select “history” and the next window will show the effective date of the bill. Select “text” to see all the versions of the bill. Be certain to view the “enrolled” version to see what became law.

**Note:** The effective dates of some bills are postponed due to the provisions of Government Code, Section 51.607. Refer to Comptroller publications and Texas Register notices for the applicable effective dates.

## Statutes Relating to Criminal Convictions

### Alcoholic Beverage Code

Section	Topic
106.02-106.115	Minors in possession of alcohol; Alcohol Awareness Programs

### Local Government Code

Section	Topic
Chapter 133	Criminal and Civil Fees Payable to Comptroller
133.003	Jury Reimbursement Fee (repealed as of 01/01/2020)
133.058(e)	Collection Rate Reviews and Compliance Audit (repealed as of 01/01/2020)
133.102	<ul style="list-style-type: none"> <li>• Compensation to Victims of Crime</li> <li>• Consolidated Court Fee (2020)</li> <li>• Consolidated Court Fee (2004)</li> <li>• Fugitive Apprehension Fund</li> <li>• Judicial and Court Personnel Training Fund</li> <li>• Juvenile Crime &amp; Delinquency Fund</li> </ul>
133.103	Time Payment Fee Effective 01/01/2020 Time Payment Fee is located in CCP 102.030
133.104	Peace Officer Fees
133.107	Indigent Defense Fee

### Code of Criminal Procedure

Section	Topic
42A.303	Substance Abuse Felony Program
42A.653(a)	Sexual Assault Program Fund
43.09	Jail Lay-out and Community Service (County and District Courts)
43.091	Waivers for Indigent Defendants
45.048	Jail Lay-out (Justice and Municipal Courts)
45.049	Community Service (Justice and Municipal courts)
45.051	Deferred Disposition
45.0511	<ul style="list-style-type: none"> <li>• Driving Safety Course</li> <li>• DSC administrative fee (<b>local</b> fee)</li> <li>• Special Expense fee (<b>local</b> fee)</li> <li>• Driving Records Fee (<b>state</b> court cost)</li> </ul>
45.052	Teen Court

<b>Section</b>	<b>Topic</b>
102.0045	Jury Reimbursement Fee ( <b>state</b> court cost) (repealed as of 01/01/2020)
102.005	Records Management and Preservation Fee ( <b>local</b> court cost) (repealed as of 01/01/2020)
102.011	Peace Officer Fees
102.014	Offenses in school crossing zones ( <b>local</b> court costs)
102.015	Truancy Prevention and Diversion Fund (repealed as of 01/01/2020)
102.017	<ul style="list-style-type: none"> <li>• Courthouse Building Security Fee</li> <li>• Municipal Court Building Security Fee</li> </ul> ( <b>local</b> court costs)
102.0172	Municipal Court Technology Fund
102.0173	Justice Court Technology Fund ( <b>local</b> court cost)
102.0174	Juvenile Case Manager Fund ( <b>local</b> court cost) (repealed as of 01/01/2020)
102.0178	Specialty (Drug) Court Program ( <b>state</b> court cost) (repealed as of 01/01/2020)
102.0185	EMS Trauma Fund ( <b>state</b> court cost)
102.020	DNA Testing Fee ( <b>state</b> court cost) (repealed 01/01/2020)
102.030	Time Payment Fee effective 01/01/2020
103.0033	Collection Improvement Program (repealed as of 01/01/2020)

### Education Code

<b>Section</b>	<b>Topic</b>
25.093	Parent contributing to non-attendance

### Family Code

<b>Section</b>	<b>Topic</b>
54.0411	Juvenile Probation Diversion fund
54.0462	DNA Testing Fee Juvenile (DNA JV)

### Government Code

Section	Topic
41.258	Bail Bond Fees
51.702-51.704	Judicial Fund (civil fee only as of 01/01/2020)
51.851	Electronic Filing System Fund (repealed as of 01/01/2020)
76.013	Compensation to Victims of Crime Auxiliary
420.008	Sexual Assault Program Fund
508.189	Sexual Assault Program Fund

### Health and Safety Code

Section	Topic
161.252, 161.253	Minors in possession of tobacco products; Tobacco Awareness Programs

### Parks and Wildlife Code

Section	Topic
12.107	Remission of Fines
31.128	Disposition of Fines

### Penal Code

Section	Topic
Chapter 49	Intoxication and Alcoholic Beverage Offenses

### Occupations Code

Section	Topic
1956.040	Scrap Metal Recycling

**Transportation Code**

<b>Section</b>	<b>Topic</b>
502.473	Operation of Vehicle without Registration Insignia
502.407	Operation of Vehicle with Expired License Plate
502.475	Wrong, Fictitious, Altered or Obscured License Plate
521.025	License to be Carried and Exhibited on Demand
521.026	Expired driver's license
521.054	Notice of Change of Address or Name
521.221	Imposition of Special Restrictions and Endorsements
542.402	Excess Highway Fines
542.403	Traffic Fine (\$3 local fee)
542.4031	State Traffic Fine (\$30)
542.404	Fines doubled in construction zones when workers are present
543.009	Violation of Promise to Appear
545.066	Passing school bus
545.412, 545.413	Child Safety Seat & Seat Belt Violations
547.004	General Offenses. (Unsafe vehicle)
548.605	Expired vehicle inspection
601.053	Evidence of insurance
621.506	Motor Carrier Weight Violations
644.102	Excess Motor Carrier Fines
706	Failure to Appear/Pay
729	Operation of motor vehicle by a minor

## Statutes Relating to Civil Fees

### Health & Safety Code

Section	Fund/Topic
191.0045, 191.022	Birth Certificate Fees

### Family Code

Section	Fund/Topic
65.107	Truant Conduct Court Cost

### Government Code

Section	Fund/Topic
51.702-51.704	Judicial Fund Filing Fee
61.003	Juror Reimbursement Donation Program
411.0725- 411.0736	Nondisclosure Fees

### Local Government Code

Section	Fund/Topic
118.011, 118.015, 133.004	Birth Certificate Fees
118.011, 118.018, 118.019, 118.022	Marriage License Fees
133.151-133.153	Filing Fees for Legal Services for Indigents Judicial Fund Filing Fees
133.154	Judicial Support Fee

### Transportation Code

Section	Fund/Topic
707	Photographic Enforcement Systems (repealed 06/02/2019)

## **CHAPTER 9: ATTORNEY GENERAL OPINIONS**

### **Introduction**

An Attorney General Opinion is a written interpretation of existing law, written by the Attorney General as part of his responsibility to act as legal counsel for the State of Texas. Opinions are written at the request of certain state officials. The Opinions clarify the meaning of existing laws. They do not address matters of fact and they are neither legislative nor judicial in nature. They are intended to interpret legal issues that are ambiguous, obscure or otherwise unclear. Unless or until an opinion is modified or overruled by statute, judicial decisions or subsequent Attorney General Opinion, the Opinion is presumed to correctly state the law. Accordingly, it carries the weight and force of law unless or until it is modified or overruled.

To search for an Attorney General Opinion, go to:

<https://www.texasattorneygeneral.gov/opinion/index-to-opinions>

Opinions can be accessed by researching the appropriate time period and/or Opinion number, if known. If the number is unknown, the Cumulative Subject Index may be used.

Opinions referenced in this chapter relate only to the collection of court costs, fees and fines that are to be remitted to the State Comptroller.

## Attorney General Opinions by Topic

The following Attorney General Opinions are related to the collection of court costs, fees and fines and will be informative to the auditor.

### Deferred Adjudication

- [GA-0396](#), dated 02/09/2006

### Bail Bond Fees and refunds

- [GA-0207](#), dated 06/23/2004

### Collection Contracts

- [KP-0285](#), dated 01/22/2020
- [KP-0257](#), dated 06/14/2019
- [KP-0203](#), dated 05/16/2018
- [KP-0173](#), dated 11/13/2017
- [GA-313](#), dated 03/21/2005
- [JC-516](#), dated 06/24/2002

### Community Supervision

- [GA-0413](#), dated 03/13/2006
- [GA-095](#), dated 09/03/2003

### Costs-first allocation rule

- [GA-0147](#), dated 02/11/2004
- [DM-407](#), dated 07/29/1996
- [M-1076](#), dated 02/25/1972

### Court reporter fee

- [GA-372](#), dated 11/03/2005

### Date for imposition of criminal court costs

- [GA-1034](#), dated 01/02/2014

### Driving Safety Courses

- [DM-230](#), dated 06/23/1993

### Electronic Filing Fee

- [GA-1046](#), dated 03/04/2014

### Failure to Appear Program (Omnibase)

- [GA-0479](#), dated 12/31/2006

### Judicial Fund, Filing Fee for Legal Services for Indigents

- [GA-0491](#), dated 10/04/2006

Judicial Support Fee

- [GA-0486](#), dated 11/21/2006

Juror Reimbursement Donations

- [JC-065](#), dated 06/03/1999

Nondisclosure Fee

- [GA-330](#), dated 06/10/2005

Passing School Bus

- [DM-285](#), dated 01/20/1994

Photographic Signal Enforcement Systems

- [GA-440](#), dated 06/23/2006

Pre-trial Diversion

- [GA-114](#), dated 10/08/2003
- [JC-119](#), dated 09/28/1999
- [JC-042](#), dated 05/04/1999

Security Fee

- [LO 97-25](#), dated 03/14/1997

Time Payment Fee

- [DM-464](#), dated 12/22/1997
- [LO-98-076](#), dated 09/22/1998

Traffic Tickets, protest

- [JC-317](#), dated 12/15/2000

## Opinion Summaries

(In chronological order from most recent to oldest)

### Attorney General Opinion KP-0285, Dated January 22, 2020

The requestor asked about the construction of Transportation Code 502.0101 concerning a county assessor-collector's authority to refuse to register motor vehicles based on certain "scofflaw" information specified in the statute. The summary of the opinion states:

"If a court serving the County orders a defendant to make restitution to a crime victim and payment is delinquent, a commissioners court may refer the matter to a private collections attorney under contract with the County pursuant to article 103.0031(a)(1)A) of the Code of Criminal Procedure."

### Attorney General Opinion KP-0257, Dated June 14, 2019

The requestor asked whether a private attorney or collection agency that contracts with a county to collect delinquent amounts owed to county courts may charge defendants a fee for the use of credit cards. The summary of the opinion states:

"Section 604A.0021 of the Business Commerce Code prohibits imposing a surcharge for the use of a credit card in certain instances. Although a recent judicial decision held section 604A.0021 unconstitutional as applied to specific facts, it remains enforceable in some contexts. But it does not apply to a county imposing a surcharge on payee using a credit card for the payment of money owed to the county.

"Section 103.0031 of the Code of Criminal Procedure authorizes a county to contract with a private attorney or a public or private vendor for the provision of collection services for fees. If a county is entitled to impose a surcharge fee for credit card use, a court would likely conclude that a private attorney or collections agency acting as agent for the county could collect that surcharge on behalf of the county when collecting other fees, taxes, or other charges."

### Attorney General Opinion KP-0203, Dated May 16, 2018

The requestor asked multiple overlapping questions about two main issues: 1) the commissioners court's collection authority under article 103.003(b-1), as it relates to the collection authority of officers listed in article 103-003(a); and 2) the commissioner's court's authority to contract with private collection firms or attorneys. The summary of the opinion states:

"Article 103.003(b-1) of the Code of Criminal Procedure authorizes a county commissioners court to collect amount payable under Title 2 of the code independently of the officials listed in article 103.003(a).

"A court would likely conclude that article 103.003(b-1) authorizes a commissioners court to create a county department to assist the commissioners court to collect such payables.

"A court would likely conclude that a commissioners court may contract with a collections firm, permitting the firm to collect payables into its own account, retain

the additional collections fee, and deposit county money with the county treasurer, provided that the firm does so within the time permitted by statute.”

**Attorney General Opinion KP-0173, Dated November 13, 2017**

The requestor asked whether an attorney serving a county pursuant to a collection contract under article 103-0031 of the Code of Criminal Procedure may collect delinquent restitution owed to a crime victim. The summary of the opinion states:

“Under Transportation Code 502.010, a county may refuse to register a vehicle for failure to pay a fine or other specified county debt or failure to appear regardless of whether a county has an information sharing contract with the Department of Motor Vehicles.”

**Attorney General Opinion GA-1046, Dated March 4, 2014**

The requestor asked whether the electronic filing fee created by House Bill 2302 under Government Code section 51.851 should be collected beginning 09/01/2013 or delayed until 01/01/2014 due to the repeal of Government Code 51.607(d) by Senate Bill 390, 83rd Regular Session. The summary of the opinion states:

“The fee amounts mandated by Government Code section 51.851 apply to fees that became payable on or after September 1, 2013.”

**Attorney General Opinion GA-1034, Dated January 2, 2014**

The requestor asked whether Government Code section 51.608 (created by Senate Bill 389, 83rd Regular Session) imposing criminal court costs on a defendant based on conviction date rather than offense date in district, county and statutory county courts violated constitutional prohibition on ex post facto laws. The opinion stated in part:

“Because court costs generally do not constitute punishment, an increase in court costs after an offense is committed generally will not constitute a prohibited increase in punishment. Therefore, in the vast majority of cases, the increase in court costs made possible by section 51.608 will raise no ex post facto concerns.

“SUMMARY:

A court would likely conclude that section 51.608 of the Texas Government Code does not violate the ex post facto clauses of the United States or Texas Constitutions.”

**Attorney General Opinion GA-0491, Dated December 4, 2006**

“A district clerk must collect filing fees under both section 133.151 and section 133.152 of the Local Government Code.”

**Attorney General Opinion GA-0486, Dated November 21, 2006**

The requestor asked if the Judicial Support fees, both civil and criminal, apply to bail bond forfeiture matters. The summary of the opinion states:

“The \$37 filing fee that Local Government Code section 133.154(a) imposes does not apply in bail bond forfeiture matters because no civil suit is filed. The \$4 fee that Local Government Code section 133.105 imposes does not apply in bail bond forfeiture matters because no one is convicted of any offense.”

### **Attorney General Opinion GA-0479, Dated October 31, 2006**

The requestor asked if the FTA system was limited to traffic tickets or if it could be used to collect fines and costs on non-traffic Class C offenses. Also, the requestor asked if the FTA system could be used to collect fine and costs for Class B and higher misdemeanors and felonies and cases filed in county and district courts. The summary of the opinion states:

“The failure to appear system is not limited to traffic tickets. It is available for all offenses that arise in a justice or municipal court. On the other hand, unlike the failure to pay fines and costs, the failure to appear system may not be used for offenses that arise in any other court.”

### **Attorney General Opinion GA-440, Dated June 23, 2006**

The requestor asked whether TxDOT had the authority to place cameras on state highway rights-of-way to enforce compliance with traffic control signals, and whether local authorities were permitted to place cameras on state highway rights-of-way for the same purpose. The summary of the opinion states:

“The Texas Department of Transportation may install cameras on state highway rights-of-way to monitor compliance with traffic control signals for the purpose of enforcing traffic laws on state highways. The department may also permit local authorities to install camera equipment in connection with traffic control signals on state highway rights-of-way for the same purpose.”

### **Attorney General Opinion GA-0413, Dated March 13, 2006**

The requestor asked whether probation defendants who has been administratively released (not judicially discharged) from community supervision and who have failed to pay the fines, fees and court costs they were ordered to pay as a condition of community supervision are still responsible for paying those fines, fees and court costs.

“Article 42.12 of the Code of Criminal Procedure provides specific procedures that, if followed, would continue the court’s jurisdiction and allow for the collection of owed fines, fees and court costs even after the community supervision period has expired. If, however, those procedures are not followed, then a probation defendant is not subject to the conditions of community supervision, including the payment of fines, fees and court costs, after the date the period of community supervision expires.”

#### **Historical Background**

House Bill 2299, 84th Session (2015), repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

### **Attorney General Opinion GA-0396, Dated February 9, 2006**

The requestor asked whether the "state can properly pursue a defendant with a capias pro fine if the term of deferred adjudication has expired and no motion to adjudicate has been filed. The summary of the opinion states:

“Article 42.12, section 5(h) of the Code of Criminal Procedure authorizes a criminal court to exercise continuing jurisdiction over a defendant after the expiration of the community supervision period only in limited circumstances. Where no motion to adjudicate has been filed prior to the expiration of the

community supervision period, article 42.12 does not authorize the state to pursue a defendant for past due fines and court costs with a *capias pro fine*.”

### **Historical Background**

House Bill 2299, 84th Session (2015), repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

### **Attorney General Opinion GA-372, Dated November 3, 2005**

The requester of this opinion asked whether the **court reporter fee** in Government Code, Section 51.601, can be collected if the court does not have an official court reporter. The summary of the opinion states:

“A county clerk may not collect a court reporter service fee under section 51.601 of the Government Code if the county court has not appointed an official court reporter.”

### **Attorney General Opinion GA-330, Dated June 10, 2005**

The requester inquired about the proper fee for filing a petition for order of nondisclosure of certain criminal records regarding persons placed on deferred adjudication community supervision and about the authority of courts without general civil jurisdiction to entertain such petitions. The summary of the opinion states:

“Currently a clerk may not condition the filing of a petition for an order of nondisclosure upon the payment of a fee other than the \$28 fee expressly authorized by section 411.081(d) of the Government Code. The court that placed a person on deferred adjudication community supervision has jurisdiction to entertain the person’s petition for nondisclosure under section 411.081(d).”

### **Attorney General Opinion GA-313, Dated March 21, 2005**

This opinion relates to **collection contracts** under the Code of Criminal Procedures, article 103.0031, and whether a defendant may be ordered to pay both the 30% collection fee under this article and the \$30 Failure to Appear fee under Transportation Code, Section 706.002. The summary of the opinion states:

“A defendant in a matter described in article 706.002 of the Transportation Code who has failed to pay court-ordered fines or costs must pay both 1) a 30% fee if the county has contracted with a collection agent under the Code of Criminal Procedure, article 103.0031(g) and 2) a \$30 fee if the county has entered a contract under Transportation Code section 706.002.

“Under articles 103.003 and 103.0031 of the Code of Criminal Procedure, a county commissioners court may contract with a private collection agent to collect delinquent fines and court costs that were imposed by a justice court. The commissioners court may not thereby abrogate the justice court’s authority to collect or otherwise dispose of the fines and costs, however.

“Whether a collection agent may collect a 30% collection fee under article 103.0031(b) of the Code of Criminal Procedure on the \$30 administrative fee levied under section 706.006 of the Transportation Code will depend on whether the \$30 fee is 60 days past due.”

### Attorney General Opinion GA-0207, Dated June 23, 2004

This opinion was in response to a question about the refund provisions with the **bail bond fee** required in Government Code, Section 41.258. The opinion summary stated:

“Government Code section 41.258(b) requires an officer taking a bail bond to collect a cost from the surety. The officer deposits the money in the county treasury and the county later sends most of the money to the Comptroller, who must deposit it in the fair defense account, which may be used only by the Task Force on Indigent Defense to implement Government Code, Chapter 71, Subchapter D, and the felony prosecutor supplement fund, which is used to pay longevity pay to prosecutors. Pursuant to section 41.258(f), a bail bond surety is entitled to a refund of a cost paid under section 41.258(b) as of the date the prosecutor decides not to institute a criminal proceeding against the defendant or the date a grand jury votes not to indict the defendant.

“Given that most of section 41.258 costs are ultimately deposited in the state treasury and that the Comptroller has general authority over state and county accounting, the Comptroller is the proper official to determine whether section 41.258 refund applications should be processed at the state or county level and whether refunds should be paid by the state or county. In the absence of direction from the Comptroller, counties may accept refund applications and provide refunds.

“If a county pays a refund, it is reasonable to construe section 41.258 to require refunds to come from costs collected under section 41.258(b) rather than other funds in the county treasury. However, it is for the Comptroller to determine as an accounting matter whether counties should deduct refunds from amounts sent to the Comptroller or whether the Comptroller should reimburse counties for refunds. A bail bond surety who applies for a cost refund under section 41.258(b) is not entitled to interest.”

### Attorney General Opinion GA-147, Dated February 11, 2004

This opinion deals with the **costs-first allocation rule** and the impact of a collections contract on that allocation rule. The opinion affirmed the use of the long-standing costs-first allocation rule and referred back to Attorney General Opinions M-1076 (1972) and DM-407 (1996). The opinion stated in part:

“You ask, whether a justice of the peace may order a convicted defendant to pay a fine or fines before court costs...For over sixty years, this office has stated that, where a defendant pays only part of the required fines and costs, “the money collected should go first to the payment of the costs and the balance, if any, to the amount of the fine.”...If the defendant does not pay even enough to cover all of the costs, “the money collected should be pro-rated” among the various costs due, with none going toward fines...

“In accordance with its plain language, article 45.051 authorizes a justice of the peace to determine only the form in which a convicted defendant must render monies due: a lump sum or in installments... Accordingly, whether a defendant

pays a lump sum or in installments under article 45.041, the monies must be used to satisfy court costs first and fines second.

“The entire sum received must be allocated in accordance with the costs-first allocation rule. Under article 45.041, a lump sum payment and paying in installments are interchangeable, and the allocation of monies received in either form should be treated the same way. Thus, costs must be satisfied first, and any remaining money may be used towards the fine. If the sum total is insufficient to satisfy even the costs due, then the money must be divided, pro rata, among the costs...

“You ask whether the county treasurer must “retain all monies received through the payment of installments until the total aggregate amount is collected or it is determined that such amount cannot and will not be fully paid. ... In accordance with chapter 133 of the Local Government Code, which became effective on January 1, 2004, all criminal fees due to the state must be remitted to the comptroller quarterly. ... Thus, with respect to costs due to the state, the portion of payments received that is due to the state must be timely paid.

“You finally ask us to “comment as to what bearing, if any, the terms of a third party collections contract,” entered under article 103.0031 of the Code of Criminal Procedure, has on the costs-first allocation rule or a court order issued under article 45.041(b). ... In our opinion, under article 103.0031(e), the private collector would receive thirty percent of the aggregate amount collected. The amount of collected monies remaining after the private collector has received his or her share must be allocated in accordance with the costs-first allocation rule.

“SUMMARY:

Article 45.041(b)(1) of the Code of Criminal Procedure authorizes a justice of the peace to order a convicted defendant to pay costs and fines due either as a lump sum or in installments, but it does not preempt the application of the long-standing costs-first allocation rule. Under the allocation rule, a county must allocate monies received from a defendant first to pay costs and then to pay a fine. If the monies received do not cover all the costs, then the monies must be allocated to costs on a pro rata basis. If a justice of the peace has ordered installment payments, the total sum received must be allocated in accordance with the allocation rule.

“If a private collector collects the costs and fines under article 103.0031 of the Code of Criminal Procedure, the private collector will receive thirty percent of the aggregate amount collected. Remaining monies must be allocated to costs first, on a pro rata basis, and then to the fine.”

**Attorney General Opinion GA-0114, Dated October 8, 2003**

This opinion was requested to ask whether a community supervision and corrections department may assess a participant in a **pretrial intervention program** fees under both article 102.012 of the Code of Criminal Procedure and section 76.015(c) of the Government Code. The opinion states in part:

"Section 76.011 of the Government Code also permits a department to "operate programs for the supervision and rehabilitation of persons in pretrial intervention programs... A person in a pretrial intervention program may be supervised for a period not to exceed one year. Chapter 76 does not define the term "pretrial intervention program." Although several other Texas statutes refer to pretrial intervention or pretrial diversion, none defines the concept. However, pretrial intervention does not involved "the placement of a defendant by a court under a continuum of programs and sanctions, with conditions imposed by the court," as community supervision is defined. Rather, pretrial intervention involves a written agreement entered before trial between the defendant and the prosecutor, pursuant to which the defendant agrees to perform conditions imposed by the prosecutor.

"... Although a department is authorized to provide both community supervision and pretrial intervention services, community supervision and pretrial intervention involve different classes of people...

"... We conclude that a department may assess a participant in a pretrial intervention program only the article 102.012 fee. No statute authorizes a court to impose a fee on a pretrial intervention program participant. Instead, article 102.012 permits a department to charge such a fee.

"... In sum, section 76.015(c) does not apply to a person who participates in a pretrial intervention program and does not permit a department to assess such a person a monthly fee. A department may assess a person who participates in a pretrial intervention program only the article 102.012 fee.

**"SUMMARY:**

A community supervision and corrections department may assess a participant in a pretrial intervention program a fee for "the actual cost" of providing services not to exceed \$500 under Article 102.012 of the Code of Criminal Procedure. A department may **not** assess such a participant "a reasonable administrative fee of not less than \$25 and not more than \$40 per month" under section 76.015(c) of the Government Code."

**Note:** Effective 09/01/2011, the upper range of the fee in Government Code 76.015(c) was increased from \$40 to \$60 by Senate Bills 880 and 953, 82nd Session (2011).

### **Attorney General Opinion GA-0095, Dated September 3, 2003**

The requester asked a question relating to **payments required** as a condition of community supervision. The opinion states in part:

“You ask whether, as a condition of community supervision, a court may require a defendant charged with a drug offense to pay a “flat rate” fee into a “special investigation fund” or other fund designated by the court, with the proceeds divided and used by the local prosecutor’s office and law enforcement agencies.

#### **“SUMMARY:**

Under Art. 42.12, Section 11(b) of the Code of Criminal Procedure, a court may require a defendant to make a payment as a condition of community supervision, but only if the payment is a fine, court cost, restitution to the victim, a “condition related personally” to the defendant’s rehabilitation, or another payment expressly authorized by law. A required payment for unspecified use, to be divided between the local prosecutor’s office and local law enforcement, is not a “condition related personally” to the defendant’s rehabilitation under the statute.”

#### **Historical Background**

House Bill 2299, 84th Session (2015), repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

### **Attorney General Opinion JC-0516, Dated June 24, 2002**

This opinion discusses the applicability of **collections contracts** under Article 103.0031, Code of Criminal Procedure, to cases in which there has not been a conviction and order of the court for payment of fines, fees and court costs. The opinion states in part:

“As you explain the situation which gives rise to your request, a traffic citation is issued and the defendant by signing the ticket makes a promise to appear before the justice of the peace. The defendant fails to keep that promise, and the justice of the peace issues an arrest warrant based on the failure to appear. “Often in connection with this warrant, the court suggests a fine that would be acceptable to the Justice of the Peace upon the arrest of the violator. The acceptable fine can be paid to the magistrate when arrested. As you second letter makes clear, you are not concerned with a situation in which a fine has been ordered after a judicial hearing, but rather “class C misdemeanor cases in which there has been no appearance in the case by the defendant and the amount of the fine is suggested as an acceptable fine by the judge or justice. We take this to mean that no order has been issued and that only an informal suggestion has been made.

“The debts that may be collected under article 103.0031 are, according to the plain language of the statute, those which have been “ordered to be paid by a court.” ... Reading the language of subsections (a) and (d) together, then, it is clear that the sums a lawyer or collection agency may contract with the commissioners to collect are those ‘ordered paid by the court.’ ... In the situation you describe, however, there has been no such order. When, as here, no order has been issued, article 103.0031 is not, by its terms, applicable.

“SUMMARY:

Article 103.0031 of the Code of Criminal Procedure is inapplicable in a case in which a justice of the peace has informally suggested an acceptable fine.”

**Attorney General Opinion JC-0317, Dated December 15, 2000**

This opinion was requested to determine the impact of **protest words** added to a traffic ticket. If an individual is stopped for a traffic offense and signs the ticket but adds the words “forced to sign under threat, duress, and coercion,” the added protest words have no bearing on the defendant’s promise to appear in court. The opinion stated in part:

“The traffic laws of this state are, however, no more a matter of contract than are its penal laws. They govern all those within the jurisdiction of Texas; they cannot be evaded at whim by a verbal formula. Your correspondent’s apparent notion that his relation to our laws is purely contractual, and as such may be unilaterally abrogated by him, has no basis in law.... Having signed a traffic ticket, one is obliged to appear in court. Willful failure to do so is a misdemeanor. The law does not contemplate that any mental reservations with which one signs, or any form of words one appends to that signature, will have the remotest effect on one’s obligation to appear.

“SUMMARY:

The addition of protest words to a signature on a traffic ticket has no effect whatsoever on the obligation of the ticketed party to appear in court.”

**Attorney General Opinion JC-0119, Dated September 28, 1999**

This requester asked whether a county attorney may refuse to offer **pretrial diversion** to an offender unless \$1,500 is paid to a nonprofit organization incorporated by the county attorney and assistant county attorneys. The opinion states in part:

“A prosecutor may not require an offender to make a contribution to a private entity in consideration of the prosecutor’s decision not to prosecute in any circumstance. We conclude as a matter of law that a prosecutor may not agree with an offender to refrain from filing a complaint or information in exchange for the offender’s contribution to a designated organization. We are not aware of any statute that generally permits a prosecutor to exact a donation from an offender, and you do not cite to any. Moreover, because of the potential for abusing such a practice, we are reluctant to imply authority in the absence of legislation expressly approving the practice.

“SUMMARY:

A county attorney may not condition an offer of pretrial diversion upon a payment of \$1,500 by the offender to a nonprofit organization incorporated by the county attorney and his assistant county attorneys.”

### Attorney General Opinion JC-065, Dated June 3, 1999

This opinion discusses whether a county commissioners court may choose to omit the fund described in Government Code, Section 61.003 (a)(1) and (2) from the list of programs to which a **juror may donate jury service reimbursement**. The opinion states in part:

“You suggest that the word “or” after the semicolon in subsection (a)(3) gives the county commissioners court the authority to prescribe the funds that are listed on the form letter. Under this view, the commissioners court could list any local program it desires under subsection (a)(4) but would not be required to list the two state funds described in subsections (a)(1) and (a)(2). We disagree. In our opinion, the word “or” in subsection (a)(3) provides the juror with the authority to choose which of the listed funds or programs should receive the juror’s reimbursement, but it does not give the commissioners court discretion to delete the funds described in subsections (a)(1) and (a)(2) from the form altogether. Subsections (3) and (4) simply authorize the county commissioners court to list additional programs.

“SUMMARY:

A county commissioners court may not choose to omit either of the funds described in section 61.003(a)(1) or (a)(2) of the Government Code from the list of funds or programs to which a juror may donate jury service reimbursement.”

### Attorney General Opinion JC-042, Dated May 4, 1999

The requester asked whether a prosecutor may agree with an individual arrested on a misdemeanor charge to **refrain from prosecuting a violation** of the law if the offender contributes money to the county or county law library or a private organization. The opinion states in part:

“Although a prosecutor has broad discretion to refrain from prosecuting a violation of the law that occurs within his or her jurisdiction, a prosecutor may not require an offender to contribute money to a public or private entity in consideration of the prosecutor’s decision not to prosecute. ...We conclude as a matter of law that a prosecutor may not agree with an offender to refrain from filing a complaint or information in exchange for the offender’s contribution to a designated organization. We are not aware of any statute that generally permits a prosecutor to exact a donation from an offender, and you do not cite to any. Moreover, because of the potential for abusing such practice, we are reluctant to imply authority in the absence of legislation expressly approving the practice.

“SUMMARY:

A prosecutor may not enter into an agreement with an offender whereby the prosecutor will “defer” prosecution in exchange for the offender’s agreement to contribute money to an organization of the prosecutor’s choice.”

### **Attorney General Opinion DM-464, Dated December 22, 1997:**

This opinion discussed the **Time Payment Fee**, its constitutionality, applicability to constitutional county courts, applicability to offenses which occurred prior to the effective date of the statute, and whether it applies to an individual granted deferred adjudication. The opinion states in part:

“Deferred adjudication under section 5 of article 42.12, Code of Criminal Procedure, means that the court, after receiving a plea of guilty or nolo contendere, has found that it is in the “best interest of society and the defendant” to “defer further proceedings without entering an adjudication of guilt, and place the defendant on community supervision.” In *Rodriguez v. State*, 680 S.W. 2d 585, the court stated that “a defendant whose adjudication of guilt is deferred does not have a final conviction and may not appeal unless he proceeds to a final adjudication. In *Triplett v. State*, 686 S.W. 2d 342, the court said that “deferred adjudication mean that a defendant has been indicted of an offense, rather than convicted.” Probation under deferred adjudication is different from probation that is granted after a sentence by suspending the sentence assessed... We conclude that the time payment fee does not apply to an individual who has been granted deferred adjudication.

#### **“SUMMARY:**

Section 51.921 of the Government Code, which imposes a “time payment fee” on every convicted defendant who chooses to pay his fine, court costs, or restitution “over a period of time” rather than “immediately,” is not violative of due process or equal protection under the Texas Constitution for the reasons expressed in Attorney General Opinion DM 123 (1992). The time payment fee is applicable only for offenses committed on or after September 1, 1997. It applies to all trial courts in the state, including constitutional county courts, but not to an individual who has been granted deferred adjudication. “Immediately” means “within a reasonable time as directed by the court.” If the court consolidates several charges, and imposes a fine, court costs, or restitution in a single order, only one-time payment fee may be assessed. The time payment fee is a “cost of court” for purposes of priority of payment.”

#### **Historical Background**

House Bill 2299, 84th Session (2015), repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

### **Attorney General Opinion LO 98-076, Dated September 22, 1998**

The requester of this opinion asked if the **time payment fee** may be assessed more than once per court order if a defendant initially defaults on a payment plan and the court later agrees to reinstate the payment plan:

#### **“SUMMARY:**

The \$25.00 time payment fee authorized by section 51.921 of the Government Code must be assessed once per judgment of conviction when a defendant opts not to pay a fine, court costs, or restitution immediately. A court may not assess a second time payment fee when a payment plan is reinstated after default. Local governments retain their statutory authority to enforce payment of fines.”

### **Attorney General Opinion LO 97-25, Dated March 14, 1997**

The requester of this opinion asked about the applicability of the \$3 **security fee** in a municipal court when the defendant does not make an appearance but simply mails in payment for the offense, and what constitutes a “trial” for this purpose. The opinion states in part:

“You ask whether entry of a judgment upon a written plea by mail triggers collection of the security fee from a defendant. ...a defendant can enter a plea or pay a fine by mail and be convicted of an offense without ever appearing before a judge or entering a courthouse. We believe the legislature intended persons convicted of a crime to be subject to the fee whether or not the procedure in which they were convicted involved an appearance in court. The event that triggers collection of the fee is the conviction as that term is defined by the statute, and the occurrence of a “trial,” however defined, is irrelevant. ...We conclude, therefore, that entry of a judgment upon a written plea by mail triggers collection of the security fee from a defendant. ...You also ask if a defendant’s appearance in open court at a pre-trial hearing, arraignment, or docket call triggers collection of the fee. We conclude that it may not, unless the appearance ultimately results in a conviction as defined by article 102.017. None of these procedures falls within the statute’s definition of “convicted,” and the fee may be assessed only when the defendant is convicted.

#### **“SUMMARY:**

A security fee may be collected pursuant to Code of Criminal Procedure article 102.017 from a defendant who is “convicted” of an offense as the term “convicted” is defined by article 102.017, whether or not the defendant was convicted in a “trial.” Entry of a judgment upon a written plea by mail triggers collection of the security fee from a defendant, but a defendant’s appearance in open court at a pre-trial hearing, arraignment, or docket call, absent a conviction, does not.”

### **Attorney General Opinion DM-407, Dated July 29, 1996**

This opinion discussed the **allocation of payments** of certain state court costs, fees and fines when the defendant pays only part of the costs, fees and fines, and whether a trial judge may allocate the payment under a disposition under Article 42.12, Code of Criminal Procedure. The opinion states in part:

#### **“SUMMARY:**

Article 42.12, section 11 of the Code of Criminal Procedure prevails over other statutes requiring a convicted defendant to pay certain costs, fees, and fines. Of course, section 19(a) of article 42.12 requires the judge to fix a fee to be allocated towards the cost of providing facilities, equipment, and utilities for a community corrections facility.

“Pursuant to article 42.12, section 11(a)(8) of the Code of Criminal Procedure, the court with jurisdiction over a convicted defendant who is being placed on community supervision may, but need not, impose upon the defendant a requirement that the defendant pay court costs that are otherwise statutorily required. A trial judge may order that fees collected from a defendant placed on

community supervision be allocated entirely for the purposes set forth in article 42.12, section 19. The total amount of the fees allocated for the purposes articulated in section 19 may not exceed the maximum stated in that section, however. Any amount collected that is greater than that permitted in section 19 must be allocated to other purposes the judge has found will protect or restore the community, protect or restore the victim, or punish, rehabilitate, or reform the defendant. Furthermore, the clerk of a sentencing court must allocate the payment made by the defendant who is placed on community supervision in accordance with the trial judge's order. Attorney General Opinion MW-184 (1980) is overruled to the extent it conflicts with this opinion."

### **Historical Background**

House Bill 2299, 84th Session (2015), repealed Code of Criminal Procedure, Article 42.12 and replaced with Chapter 42A effective 01/01/2017.

### **Attorney General Opinion DM-285, Dated January 20, 1994**

This opinion relates to the proper court in which the offense of "**overtaking and passing a school bus**" should be adjudicated. The summary of the opinion states:

"A defendant who has not been previously convicted of the offense of "overtaking and passing a school bus," as described in section 104 of article 6701d, V.T.C.S., may be prosecuted either in the justice court precinct in which the offense occurs, or, subject to certain limitations described in Attorney General Opinion JM-1089 (1989), in the constitutional or statutory county court of the county in which the offense occurs. Persons who have been once convicted of the offense may not be tried in justice court."

### **Attorney General Opinion DM-230, Dated June 23, 1993**

This opinion deals with a question about whether or not a justice of the peace may dismiss a complaint against a defendant who has failed to successfully complete a **driving safety course**. The opinion states in part:

"We conclude that article 45.54 does not permit a justice of the peace to dismiss a complaint against a defendant who fails to successfully complete a required driving safety course for the following reasons. Section (2) states that a justice "shall" require the defendant to successfully complete a... driving safety course." Although the connotation of the term "shall" is not always mandatory, we believe the legislature intended it to be mandatory in this context.

#### **"SUMMARY:**

Article 45.54 of the Code of Criminal Procedure does not permit a justice of the peace to dismiss a complaint against a defendant who has failed to successfully complete a driving safety course."

**Attorney General Opinion M-1076, Dated February 25, 1972**

The requester asked about the application of jail time credit toward court costs and fines. The opinion also affirmed the **costs-first allocation rule**. It stated in part:

“This office has previously held in Attorney General Opinions Numbers O-469 (1939), O-755 (1939) and O-1792 (1940) that where only a part of the fine and costs are collected, such money as collected should go to the payment of the costs and the balance, if any, to the payment of the fine; and where there is not enough collected to pay all of the costs, the money should be prorated in view of the fact that no cost had any priority over another. Accordingly, we conclude... that the costs taxed and owed to the Criminal Justice Planning Fund do not have priority of payment over other costs of court; and should only a portion of the costs be satisfied by cash, the only equitable and valid disposition would be proration.

“In answer to your questions... concerning the responsibility of the county for court costs due..., we believe it is clear from the purpose of the statute ... that the legislature intended that convicted defendants pay the costs, not the county or state... Furthermore, ...The statute distinctly provides that the county is responsible for the funds collected and that those funds be remitted to the Comptroller of Public Accounts. We find no indication in the statute that the Legislature intended the County to be responsible for costs due the Criminal Justice Planning Fund when uncollected or satisfied by service in jail.

**“SUMMARY:**

The county is not required to pay out of county funds any portion of the court costs due to the Criminal Justice Planning fund which are served out in jail by a convicted defendant. If a convicted defendant pays a portion of the total court costs and serves out the remainder of the costs in jail, the money collected is to be prorated among the various costs including the amount due the Criminal Justice Planning Fund. No cost has priority over another.”

## **CHAPTER 10: REFERENCE CHARTS**

### **Table I – Failure to Appear/Pay**

(Listing Complete Through 08/31/2017)

Beginning 01/01/2020 the FTA is a local fee and this chart will no longer be updated.

Please select the letter below to quickly locate the city/county:

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#) [Misc.](#)

#### **A**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Abernathy	05/07/2001	Anthony	07/27/2006
Abilene	06/05/2007	Aransas Co. CCL	06/09/2009
Addison	10/13/1998	Aransas Co. Pct. 1	07/09/2002
Agua Dulce	01/04/2019	Aransas Co. Pct. 2	04/23/2002
Alamo Heights	08/21/2003	Aransas Pass	05/19/2006
Alba	03/13/2002	Archer City	06/12/2007
Albany	04/27/1997	Archer Co. Pct. 1	06/25/2004
Aledo	07/15/2008	Archer Co. Pct. 2	06/03/2004
Alice	08/04/2000	Archer Co. Pct. 3	01/17/2006
Alpine	05/04/2000	Archer Co. Pct. 4	07/02/2007
Alto	02/16/2000	Arcola	02/03/2003
Alton	08/10/2010	Argyle	10/18/2001
Alvord	02/14/2005	Arlington	07/29/2010
Anderson Co. Dist Clerk	03/19/2004	Armstrong Co.	02/02/2001
Anderson Co. Dist Juv	04/05/2004	Arp	01/09/2004
Anderson Co. Pct. 2	01/26/2007	Atascosa Co. Pct. 2	04/01/2008
Anderson Co. Pct. 1	02/29/2000	Atascosa Co. Pct. 3	05/18/2004
Anderson Co. Pct. 3	01/23/2012	Atascosa Co. Pct. 1	09/16/1999
Anderson Co. Pct. 4	01/23/2012	Athens	06/14/2000
Andrews	03/13/1997	Atlanta	02/18/1998
Andrews Co. Pct. 1	11/09/2011	Aubrey	05/24/2013
Andrews Co. Pct. 2	03/08/2012	Aurora	09/11/2009
Angelina Co. Pct. 1	09/30/1998	Austin	09/01/1998
Angelina Co. Pct. 2	09/15/1998	Austin Co. Pct. 1	11/28/2001
Angelina Co. Pct. 3	09/15/1998	Austin Co. Pct. 2	06/15/2010
Angelina Co. Pct. 4	09/15/1998	Austin Co. Pct. 3	10/31/2001
Angelina Co. Pct. 5	09/15/1998	Austin Co. Pct. 4	05/27/1999
Angleton	07/27/2000	Austwell	11/08/2004
Anna	11/10/2005	Avinger	07/05/2000
Anson	10/16/2008	Azle	06/06/2003

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**B**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Baird	05/04/1999	Bosque Co. Collections	02/13/2009
Bailey Co. Judge	01/31/2018	Bosque Co. Pct. 1	06/16/2004
Balch Springs	07/17/2006	Bosque Co. Pct. 2	01/19/2005
Balcones Heights	02/26/1998	Bovina	10/15/1997
Ballinger	10/26/1999	Bowie County, Pct. 3	10/22/2004
Bandera	11/01/1999	Bowie County, Pct. 4 PI 1	10/25/2004
Bandera Co. Pct. 1	05/22/2007	Bowie County, Pct. 5	04/28/2004
Bandera Co. Pct. 2	09/02/2004	Bowie County, Pct. 7	10/22/2004
Bandera Co. Pct. 3	04/19/2010	Bowie County, Pct. 2	01/19/2000
Bandera Co. Pct. 4	05/22/2007	Brackettville	11/19/2014
Bangs	01/23/2002	Brady	07/19/2004
Bardwell	06/04/2004	Bravo	08/08/2017
Bartonville	07/10/2003	Brazoria	05/13/1998
Bastrop	06/16/1997	Brazoria Co. Pct. 1, PI 1	09/13/2004
Bastrop Co. Dist. Clerk	06/02/2016	Brazoria Co. Pct. 1, PI 2	09/13/2004
Bastrop Co. Pct. 1	07/05/2001	Brazoria Co. Pct. 2, PI 1	09/10/2004
Bastrop Co. Pct. 2	01/14/2002	Brazoria Co. Pct. 2, PI 2	09/08/2004
Bastrop Co. Pct. 3	06/27/2001	Brazoria Co. Pct. 3, PI 1	09/10/2004
Bastrop Co. Pct. 4	07/25/2001	Brazoria Co. Pct. 3, PI 2	09/10/2004
Bastrop Co. Misdemeanor Dept.	10/24/2017	Brazoria Co. Pct. 4, PI 1B	09/13/2004
Bastrop Co. Treasurer	04/07/2016	Brazoria Co. Pct. 4, PI 1A (Closed)	12/22/2010
Bay City	05/28/2010	Brazoria Co. Pct. 4, PI 2	09/13/2004
Baylor Co. Pct. 1	05/11/2004	Brazos Co. Pct. 1	07/25/2003
Baylor Co. Pct. 2	05/07/2004	Brazos Co. Pct. 2 PI 1	06/19/2009
Bayou Vista	08/20/1998	Brazos Co. Pct. 2 PI 2	03/11/2011
Bayside	12/20/2002	Brazos Co. Pct. 3	07/10/2009
Baytown	08/01/2013	Brazos Co. Pct. 4	06/28/2011
Beasley	03/18/1998	Breckenridge	03/06/1997
Beaumont	09/20/2000	Bremond	05/18/2000
Bedford	12/12/2007	Brenham	11/01/2001
Bee Cave	05/10/2002	Brewster County, Pct. 1	09/05/2001
Bee Co. Pct. 1	07/14/2010	Brewster County, Pct. 2	02/08/2007
Bee Co. Pct. 2	09/29/2009	Briarcliff	08/14/2003
Bee Co. Pct. 3	08/11/2010	Bridge City	07/17/1997
Bee Co. Pct. 4	09/11/2009	Bridgeport	06/09/2009
Bee Co. Sheriff	04/17/2001	Briscoe Co. Pct. 1	06/26/2001
Beeville	04/02/2002	Briscoe Co. Pct. 2	06/22/2016
Bell Co. Pct. 1	01/06/2003	Brooks Co. Pct. 1	07/23/2004
Bell Co. Pct. 2	01/06/2003	Brooks Co. Pct. 2	07/28/2004

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Bell Co. Pct. 3, PI 1	01/06/2003	Brooks Co. Pct. 3	11/16/2004
Bell Co. Pct. 3, PI 2	01/06/2003	Brooks Co. Pct. 4	09/14/2004
Bell Co. Pct. 4, PI 1	01/05/2004	Brookshire	02/20/2002
Bell Co. Pct. 4, PI 2	01/06/2003	Brookside Village	10/07/1998
Bellaire	10/01/2013	Brown County, Pct. 1	07/02/2001
Bellmead	06/17/1998	Brown County, Pct. 2	08/28/2001
Bells	02/24/2003	Brown County, Pct. 3	08/28/2001
Belton	01/28/1998	Brown County, Pct. 4	08/28/2001
Bertram	04/10/1997	Brownfield	09/01/1998
Beverly Hills	05/18/1998	Brownsboro	06/14/1999
Bexar Co. Pct. 1 PI 1 & 2	01/28/2004	Brownwood	01/31/2000
Bexar Co. Pct. 1 PI 3	02/27/2004	Bruceville-Eddy	02/06/1997
Bexar Co. Pct. 2, PI 1	04/02/2008	Bryan	05/05/1998
Bexar Co. Pct. 2, PI 2	04/03/2008	Buckholts	01/27/2011
Bexar Co. Pct. 3	03/03/2008	Buda	11/14/2008
Bexar Co. Pct. 4	02/22/2008	Buffalo	04/04/2001
Big Lake	03/14/2016	Buffalo Springs	01/06/1999
Big Sandy	03/13/1997	Bullard	04/19/1999
Big Spring	04/23/1997	Bulverde	04/03/2003
Bishop	06/22/1998	Bunker Hill Village	04/11/2008
Blanco	07/12/2006	Burkburnett	03/10/1998
BlanCo. Co. Pct. 1	09/06/2007	Burleson Co. Pct. 3	06/27/2001
BlanCo. Co. Pct. 4	03/19/2007	Burleson Co. Pct. 4	05/23/2001
Blooming Grove	02/17/2005	Burleson Co. Pct. 1	05/24/2001
Blue Mound	06/14/2012	Burleson Co. Pct. 2	05/24/2001
Boerne	06/30/1998	Burnet	08/08/2003
Bogata	10/10/2001	Burnet Co. Compl. Divis.	12/13/2004
Bonham	04/01/2002	Burnet Co. Pct. 1	08/11/2004
Booker	03/12/2010	Burnet Co. Pct. 2	07/29/1999
Borden County	06/28/2004	Burnet Co. Pct. 3	08/13/2004
Borger	06/12/2002	Burnet Co. Pct. 4	08/25/2004

**C**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Caddo Mills	09/25/1997	Clear Lake Shores	07/07/2015
Caldwell	07/19/2007	Cleburne	02/04/2013
Caldwell Co. Pct. 1	02/02/2004	Cleveland	08/29/1997
Caldwell Co. Pct. 2	06/09/2009	Clifton	03/10/2005
Caldwell Co. Pct. 3	03/12/2009	Clint	05/03/2002
Caldwell Co. Pct. 4	03/18/2008	Clute	10/16/1997

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Calhoun Co. Pct. 1	10/13/2000	Clyde	04/24/1997
Calhoun Co. Pct. 2	11/16/1999	Cochran Co. Pct. 1	02/21/2012
Calhoun Co. Pct. 3	11/17/1999	Cockrell Hill	07/26/2001
Calhoun Co. Pct. 4	01/12/2000	Coffee City	06/29/2010
Calhoun Co. Pct. 5	04/27/2000	Coke Co. Pct. 1	01/06/2011
Callahan Co. Pct. 4	05/19/2004	Coke Co. Pct. 2	01/06/2011
Callahan Co. Pct. 3	03/24/1999	Coleman	09/08/1999
Callahan Co. Pct. 4	01/09/2004	College Station	07/12/2004
Callahan Co. Pct. 1	04/14/2004	Colleyville	01/27/2004
Calvert	07/17/2003	Collin Co. Clerk	01/02/2018
Cameron	03/16/1998	Collin Co. Pct. 1	07/09/2003
Cameron Co. Clerk	01/30/2014	Collin Co. Pct. 3 PI 2	09/15/2015
Cameron Co. Dist. Clerk	06/27/2013	Collin Co. Dist. Clerk	08/01/2014
Cameron Co. Pct. 1	01/18/2018	Collin Co. Pct. 4	02/06/2019
Cameron Co. Pct. 2 PI 1	10/02/2015	Collingsworth Co.	06/28/2001
Cameron Co. Pct. 2 PI 3	05/05/2016	Collinsville	08/19/2015
Cameron Co. Pct. 2 PI 2	01/25/2002	Colorado City	09/24/2002
Cameron Co. Pct. 3 PI 1	08/17/2015	Colorado Co. Co. Clerk	04/23/2009
Cameron Co. Pct. 3 PI 2	04/05/2016	Colorado Co. Pct. 2	05/24/2005
Cameron Co. Pct. 4	05/05/2016	Colorado Co. Pct. 3	05/24/2005
Cameron Co. Pct. 5 PI 1	05/13/2005	Colorado Co. Pct. 4	05/25/2005
Cameron Co. Pct. 5 PI 2	02/10/2009	Colorado Co. Pct. 1	02/13/2004
Cameron Co. Pct. 5 PI 3	04/03/2012	Columbus	08/27/2004
Camp County	04/21/2016	Comanche	09/11/2001
Camp Wood	08/10/2005	Comanche County	12/09/1998
Caney City	08/14/2009	Combes	02/08/2002
Canton	08/25/2003	Combine	09/30/2004
Canyon	04/15/2010	Commerce	05/28/1997
Carson Co. Pct. 1	02/24/2005	Como	06/06/2005
Carson Co. Pct. 2	10/19/2004	Concho Co. Dist. Clerk	07/03/2008
Carson Co. Pct. 4	02/25/2005	Concho Co. Pct. 1	12/13/2007
Carthage	09/10/2010	Concho Co. Pct. 2	09/15/2004
Cass Co. Pct. 1	06/10/2004	Conroe	09/09/1998
Cass Co. Pct. 2	10/15/2004	Converse	01/31/2001
Cass Co. Pct. 3	06/07/2004	Cooke Co. Pct. 1 PI 1	12/04/1998
Cass Co. Pct. 4	05/11/2007	Cooke Co. Pct. 1 PI 2	02/04/1999
Castle Hills	04/23/1997	Cooke Co. Pct. 2 (formerly Pct. 4)	05/20/1999
Castro County	09/10/2003	Coolidge	06/07/2016
Castroville	06/30/1997	Copper Canyon	10/22/2002
Cedar Hill	01/04/1999	Corinth	04/30/2003
Cedar Park	10/10/1996	Corpus Christi	08/01/1997
Celeste	04/18/1997	Corrigan	02/12/1997

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Celina	09/30/2003	Coryell Co. Pct. 1	03/13/2008
Center	11/17/2006	Coryell Co. Pct. 2	03/26/2008
Chambers Co. Pct. 2	05/27/1999	Coryell Co. Pct. 3	01/13/2014
Chambers Co. Pct. 1	09/30/1999	Coryell Co. Pct. 4	11/21/2013
Chambers Co. Pct. 4	05/19/2000	Cottle County	03/11/2005
Chambers Co. Pct. 5	09/23/1998	Cottonwood Shores	04/10/2008
Chambers Co. Pct. 6	09/02/1998	Covington	03/05/2004
Chambers Co. Pct. 3	09/10/2019	Crandall	05/04/2004
Chandler	07/21/1997	Crane	08/26/2003
Channing	03/22/2017	Crane Co.	07/21/2003
Charlotte	11/07/2001	Crane Co. Atty	05/27/2005
Cherokee Co. Judge	04/20/2001	Crawford	03/21/2006
Cherokee Co. Pct. 1	09/02/1999	Crockett	09/04/2001
Cherokee Co. Pct. 2	03/23/1999	Crockett Co. Pct. 1	04/17/2001
Cherokee Co. Pct. 3	07/09/1999	Crockett County Courts	12/19/2003
Cherokee Co. Pct. 4	07/12/1999	Crosby County	01/20/2000
Chico	04/26/2001	Cross Plains	12/03/2004
Childress	12/07/2016	Crowell	12/29/1999
Childress Co. Pct. 1	05/07/2004	Crowley	05/06/2010
Chillicothe	01/20/2005	Crystal City	10/22/2008
China Grove	02/20/2009	Cuero	09/17/2004
Cibolo	11/28/2000	Culberson Co. Pct. 1	12/12/2003
Cisco	07/11/2003	Culberson Co. Pct. 3	05/10/2006
Clarendon	09/26/2002	Cumby	03/11/2005
Clarksville	04/02/2002	Cuney	01/27/2009
Clay County	05/19/1999	Cut and Shoot	03/13/1998

**D**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Daingerfield	02/14/2002	Denton Co. Sheriffs	05/12/2004
Daisetta	01/14/2004	Denver City	02/02/2000
Dallam County	04/21/2004	Devine	04/27/2000
Dallas	01/28/2005	DeWitt County, Pct. 1	02/08/2007
Dallas Co. Pct. 1, PI 1	09/10/2004	DeWitt County, Pct. 2	01/10/2020
Dallas Co. Pct. 1, PI 2	09/10/2004	Diboll	12/13/1999
Dallas Co. Pct. 2, PI 1	09/10/2004	Dickens Co., Pct. 1	12/14/1999
Dallas Co. Pct. 2, PI 2	09/10/2004	Dickens Co. Pct. 3	11/10/2004
Dallas Co. Pct. 3 PI 2	08/03/2004	Dickinson	11/10/1997
Dallas Co. Pct. 3, PI 1	09/15/2004	Dilley	12/18/2008
Dallas Co. Pct. 3, PI 3	09/10/2004	Dimmit	01/28/2008

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Dallas Co. Pct. 4 PI 1	08/03/2004	Dimmit Co. Pct. 1	06/15/2001
Dallas Co. Pct. 4, PI 2	09/10/2004	Dimmit Co. Pct. 2	10/13/2004
Dallas Co. Pct. 5, PI 1	09/10/2004	Dimmit Co. Pct. 3	05/11/2007
Dallas Co. Pct. 5, PI 2	09/10/2004	Dimmit Co. Pct. 4	05/11/2007
Dalworthington Gardens	01/11/2002	Domino	04/18/2000
Danbury	09/18/2007	Donley Co. Pct. 2	06/04/2001
Dawson	01/30/2009	Donley Co. Pct. 3	05/14/1999
Dawson County	01/12/2000	Double Oak	10/06/2003
Dayton	05/26/2000	Driscoll	03/03/2009
De Leon	06/22/2005	Dublin	09/18/2002
Deaf Smith County	09/05/2003	Dumas	04/26/1999
Decatur	03/07/2002	Duncanville	02/26/1997
Deer Park	07/28/1997	Duval Co. Pct. 1	09/17/2015
DeKalb	06/03/1997	Duval Co. Pct. 2	05/11/2015
Del Rio	08/28/2002	Duval Co. Pct. 3	05/17/2015
Delta County	06/11/2007	Duval Co. Pct. 4	04/14/2016
Denison	01/19/2018		

**E**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Early	10/03/2001	El Cenizo	06/09/2015
East Bernard	03/23/2010	El Lago	12/16/1999
East Mountain	03/04/1998	El Paso	04/01/2010
East Tawakoni	01/14/1998	El Paso County, Pct. 2	02/06/2003
Eastland	10/15/2001	El Paso County, Pct. 7	05/08/2002
Eastland Co. Pct. 1	06/04/2004	El Paso County, Pct. 6	07/26/2000
Eastland Co. Pct. 2	05/25/2004	Electra	06/20/2003
Eastland Co. Pct. 4	05/25/2004	Elgin	04/22/2002
Easton	04/20/2000	Ellis Co. Pct. 1	11/04/2002
Ector Co. Atty	10/12/2009	Ellis Co. Pct. 2	06/03/2002
Ector Co. Compliance	03/26/2008	Ellis Co. Pct. 3	10/22/2002
Ector Co. Pct. 1	09/14/2006	Ellis Co. Pct. 4	05/10/2001
Ector Co. Pct. 2	03/20/2007	Elmendorf	11/07/2003
Ector Co. Pct. 3	09/25/2006	Emory	01/20/2004
Ector Co. Pct. 4	11/17/2006	Enchanted Oaks	06/09/2006
Eden	08/19/2015	Encinal	06/14/2013
Edgecliff Village	06/25/2004	Ennis	04/22/2003
Edgewood	04/26/2000	Erath Co. Pct. 1, 3, 4	02/05/1999
Edinburgh	07/27/2010	Erath Co. Pct. 2	01/18/2000
Edna	12/12/2000	Eules	04/01/2008

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Edwards Co. Pct. 1	06/17/2008	Eustace	12/15/2016
El Campo	01/05/2001		

**F**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Fair Oaks Ranch	01/12/2000	Fort Bend Co.	08/13/2012
Fairfield	06/06/2001	Fort Bend Co. Pct. 1 PI 1	09/06/2006
Fairview	06/01/2005	Fort Bend Co. Pct. 1 PI 2	09/06/2006
Falfurrias	01/23/2002	Fort Bend Co. Pct. 2	09/06/2006
Falls Co. Pct. 1	09/14/2004	Fort Bend Co. Pct. 3	09/06/2006
Falls Co. Pct. 2	09/21/2004	Fort Bend Co. Pct. 4	09/06/2006
Falls Co. Pct. 3	04/11/2006	Fort Stockton	03/02/2009
Falls Co. Pct. 4	02/03/2005	Franklin	10/01/1998
Farmersville	04/30/2010	Franklin County	07/09/1999
Farwell	06/13/2000	Frankston	04/30/2001
Fate	11/03/2016	Fredericksburg	01/08/1999
Fayette Co. Pct. 1	05/12/1998	Freeport	04/08/2005
Fayette Co. Pct. 2	12/14/1998	Freer	08/03/2007
Fayette Co. Pct. 3	05/12/1998	Freestone Co. Pct. 1	11/09/2004
Fayette Co. Pct. 4	05/12/1998	Freestone Co. Pct. 2	10/04/2004
Ferris	12/20/2006	Freestone Co. Pct. 3	11/09/2004
Fisher Co. Pct. 1, PI 1	11/05/2003	Freestone Co. Pct. 4	09/13/2004
Fisher Co. Pct. 3	10/08/2007	Friendswood	08/01/1997
Flatonia	06/10/2002	Frio Co. Pct. 1	07/14/2004
Florence	08/05/1999	Frio Co. Pct. 2	06/04/2004
Floresville	02/18/1998	Frio Co. Pct. 3	06/17/2004
Floyd Co. Pct. 1 & 4	02/18/2005	Frio Co. Pct. 4	05/25/2004
Floydada	05/24/2001	Friona	04/05/2007
Foard Co.	09/12/2000	Fritch	01/29/2003
Forest Hill	04/14/2009	Frost	12/17/2002
Forney	06/19/2013	Fulshear	04/14/2009
Fort Bend Co. Clerk	02/04/2014		

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**G**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Gaines Co. Pct. 2	06/04/1999	Goliad Co. Pct. 2	05/26/2004
Gainesville	04/30/2001	Gonzales	02/22/2000
Galena Park	06/05/1997	Gonzales Co. Pct. 3	08/07/2001
Galveston	03/02/2001	Gonzales Co. Pct. 4	06/29/2004
Galveston Co, Pct. 5 (no longer active)	08/08/2001	Gorman	11/27/2002
Galveston Co. Collections	08/03/2004	Grand Saline	03/14/2003
Galveston Co. Pct. 1	06/18/2003	Grandview	08/15/2003
Galveston Co. Pct. 2	04/01/2004	Granger	12/13/2004
Galveston Co. Pct. 3	06/26/2003	Grapeland	07/10/2002
Galveston Co. Pct. 4	08/27/2001	Gray Co. Pct. 1	03/27/2002
Galveston Co. Pct. 6 (no longer active)	02/27/2001	Gray Co. Pct. 2	06/03/1999
Galveston Co. Pct. 7 (no longer active)	04/25/2002	Gray Co. Pct. 4	06/16/2000
Galveston Co. Pct. 8 PI 1 (no longer active)	12/07/2001	Grayson County, Pct. 1	07/02/2001
Galveston Co. Pct. 8 PI 2 (no longer active)	02/19/2002	Grayson County, Pct. 2	04/07/2000
Galveston Co. Pct. 9 (no longer active)	02/22/2001	Grayson County, Pct. 3	02/26/2003
Garden Ridge	06/05/2008	Grayson County, Pct. 4	12/05/2000
Garland	04/23/2003	Grayson County, Pct. 6	08/07/2001
Garrett	02/23/2004	Grayson County, Pct. 8	02/06/2001
Garrison	10/06/1997	Greenville	03/17/2004
Garza Co. Clerk	01/10/2017	Gregory	07/13/2015
Garza Co. Pct. 1	08/11/2016	Grey Forest	08/28/2007
Garza Co. Pct. 2	05/26/2016	Grimes Co. Pct. 1	04/02/2002
Gatesville	01/27/2009	Grimes Co. Pct. 2	03/28/2002
George West	03/21/2002	Grimes Co. Pct. 3	02/02/2000
Georgetown	05/18/1998	Groesbeck	08/08/2001
Giddings	06/17/1998	Groves	09/05/2003
Gillespie Co. Pct. 1	04/07/1999	Groveton	10/03/1997
Gillespie Co. Pct. 2	04/12/1999	Gruver	01/28/2003
Gillespie Co. Pct. 3	07/17/2019	Guadalupe Co. Pct. 1	03/21/2019
Gilmer	11/18/1998	Guadalupe Co. Pct. 2	04/20/2015
Gladewater	10/05/2004	Guadalupe Co. Pct. 3	08/14/2008
Glasscock Co. Pct. 1	08/20/1998	Guadalupe Co. Pct. 4	06/03/2008
Glenn Heights	01/19/2005	Gun Barrel City	08/20/2002
Godley	03/29/2004	Gunter	03/23/2004
Goliad Co. Pct. 1	07/13/2004		

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

H

City/County	First Transaction	City/County	First Transaction
Hale Center	04/16/2008	Henrietta	05/25/1999
Hale Co. Pct. 1	09/28/2011	Hereford	09/19/2005
Hale Co. Pct. 2	09/28/2011	Hickory Creek	03/25/1998
Hall Co. Pct. 1	03/06/2014	Hico	05/06/2010
Hall Co. Pct. 2	03/06/2014	Hidalgo	03/08/2004
Hall Co. Pct. 3	03/06/2014	Hidalgo Co. Collections	07/14/2011
Hall Co. Pct. 4	09/04/2007	Hidalgo Co. Pct. 1 Pct. 2	02/14/2016
Hallettsville	08/22/2006	Hidalgo Co. Pct. 1 PI 1	06/02/2016
Hallsville	05/18/1999	Hidalgo Co. Pct. 2 PI 1	12/07/2011
Hamilton	04/15/2009	Hidalgo Co. Pct. 2 PI 2	02/14/2016
Hamilton Co. Pct. 1	02/16/2001	Hidalgo Co. Pct. 3 PI 1	03/14/2017
Hamlin	10/17/2018	Hidalgo Co. Pct. 3 PI 2	02/16/2016
Hansford Co.	11/15/2002	Highland Park	01/05/1998
Happy	01/24/2000	Hill Co. Dist Clerk	05/15/2012
Hardeman Co. Pct. 1	04/23/2001	Hill Co. Pct. 1	02/10/1999
Hardin Co. Pct. 1	08/26/1999	Hill Co. Pct. 2	07/01/1999
Hardin Co. Pct. 2	08/20/1999	Hill Co. Pct. 3	06/17/1999
Hardin Co. Pct. 3	08/16/1999	Hill Co. Pct. 4	02/12/2004
Hardin Co. Pct. 4	08/13/1999	Hill Country Village	03/12/2003
Hardin Co. Pct. 5	12/10/1999	Hillsboro	08/22/2000
Hardin Co. Pct. 6	08/18/1999	Hockley Co. Pct. 1	07/24/1998
Harker Heights	11/25/1997	Hockley Co. Pct. 2	06/23/2004
Harlingen	06/13/2001	Hockely Co. Pct. 4	04/14/2014
Harris Co. Pct. 1 PI 1	12/01/2005	Hockley Co. Pct. 5	01/29/1999
Harris Co. Pct. 1 PI 2	11/30/2006	Holiday Lakes	08/04/2004
Harris Co. Pct. 2 PI 1	04/09/2009	Holland	05/24/2001
Harris Co. Pct. 3 PI 2	01/27/2010	Holliday	01/26/2005
Harris Co. Pct. 4 PI 1	05/25/2006	Hollywood Park	10/21/1998
Harris Co. Pct. 5 PI 1	03/12/2009	Hondo	04/29/1998
Harris Co. Pct. 5 PI 2	09/21/2007	Honey Grove	10/28/1999
Harris Co. Pct. 6 PI 1	01/06/2010	Hood Co. Pct. 1	04/19/2011
Harris Co. Pct. 6 PI 2	08/03/2010	Hood Co. Pct. 2	07/22/2004
Harris Co. Pct. 7 PI 1	01/27/2010	Hood Co. Pct. 3	09/03/2004
Harris Co. Pct. 7 PI 2	01/27/2010	Hood Co. Pct. 4	04/04/2012
Harrison Co. Pct. 1	05/05/2006	Hood Co. Pct. 1 & 2 (no longer active)	05/28/2004
Harrison Co. Pct. 3	04/24/2007	Hood Co. Pct. 3 & 4 (no longer active)	07/20/2004
Hart	01/19/2006	Hooks	11/21/2003
Hartley Co.	08/22/2003	Hopkins Co. Pct. 1	01/08/1999
Hartley Co. Co. Clerk	02/14/2011	Hopkins Co. Pct. 2	01/08/1999

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Hartley Co. Dist Clerk	02/14/2011	Horizon City	03/23/2006
Haskell	04/23/1998	Horseshoe Bay	02/01/2007
Haslet	11/07/2007	Houston	06/25/1997
Hawk Cove	05/19/2000	Houston Co. Dist Clerk	07/27/2016
Hawkins	11/03/1999	Houston Co. Pct. 1	10/22/1999
Hawley	08/10/2000	Houston Co. Pct. 2	10/22/1999
Hays Co. CCL 1	02/24/2015	Howard Co. Dist Clerk	09/11/2013
Hays Co. CCL 2	02/24/2015	Howard Co. Pct. 1 PI 1	03/29/2001
Hays Co. Compliance Office	04/04/2008	Howard Co. Pct. 1 PI 2	04/02/2001
Hays Co. Pct. 1 Constable	08/30/2004	Howard Co. Pct. 2	04/03/2001
Hays Co. Pct. 1, PI 1	09/21/2004	Howe	04/20/2000
Hays Co. Pct. 1, PI 2	09/15/2004	Hubbard	05/30/2001
Hays Co. Pct. 2	09/14/2004	Hudson	12/18/2001
Hays Co. Pct. 3	09/21/2004	Hudson Oaks	07/16/2014
Hays Co. Pct. 4	09/21/2004	Hudspeth Co. Pct. 2	07/21/2004
Hays Co. Pct. 5	09/08/2004	Hudspeth Co. Pct. 3	07/01/2004
Hearne	02/03/2000	Hudspeth Co. Pct. 4	06/30/2004
Heath	10/09/2000	Hughes Springs	06/20/2000
Helotes	02/09/1999	Humble	09/10/2019
Hemphill	02/03/2009	Hunt Co. Pct. 1 PI 1	09/09/2005
Hemphill County	08/18/2004	Hunt Co. Pct. 1, PI 2	09/13/2004
Hempstead	12/27/2012	Hunt Co. Pct. 2	10/20/2004
Henderson Co. Atty	11/29/2017	Hunt Co. Pct. 3	05/14/2007
Henderson Co. Pct. 1	08/05/2010	Hunt Co. Pct. 4	04/17/2007
Henderson Co. Pct. 2	04/21/2010	Hunters Creek Village	02/01/2006
Henderson Co. Pct. 3	03/11/2005	Huntington	05/11/2001
Henderson Co. Pct. 4	07/30/2004	Hutchinson Co. Pct. 1	06/18/2004
Henderson Co. Pct. 5	05/26/2005	Hutchinson Co. Pct. 2	06/17/2004
Henderson Co. Pct. 5a	01/19/2005	Hutto	11/10/2003
Henderson Co. Pct. 6 (no longer active)	12/27/2004		

I

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Idalou	07/01/1999	Iowa Park	07/14/1999
Indian Lake	04/27/2000	Irion County	07/07/2004
Ingleside	03/18/2002	Italy	06/21/2002
Ingram	04/29/1997	Itasca	11/20/2003

**J**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Jack County	03/24/2004	Jewett	05/12/2006
Jacksboro	07/13/1998	Jim Hogg Co. Pct. 1	04/13/2015
Jackson County Pct. 1	04/16/1999	Jim Hogg Co. Pct. 2	02/22/2001
Jackson County Pct. 2	08/20/2009	Jim Hogg Co. Pct. 3	04/02/2015
Jacksonville	04/19/1997	Jim Hogg Co. Pct. 4	03/24/2015
Jamaica Beach	10/31/2019	Jim Wells Co. Pct. 1	06/08/2004
Jarrell	04/21/2004	Jim Wells Co. Pct. 3	06/04/2004
Jasper	12/11/2014	Jim Wells Co. Pct. 4	06/23/2004
Jasper Co. Pct. 1	08/19/2003	Jim Wells Co. Pct. 5	09/07/2004
Jasper Co. Pct. 2	05/30/2003	Jim Wells Co. Pct. 6	08/13/2004
Jasper Co. Pct. 3	06/06/2003	Johnson City	01/29/2008
Jasper Co. Pct. 4	07/02/2003	Johnson Co. Pct. 1	07/14/2003
Jasper Co. Pct. 5	07/17/2003	Johnson Co. Pct. 2	03/31/2004
Jasper Co. Pct. 6	06/08/2004	Johnson Co. Pct. 3	12/10/2003
Jeff Davis Co.	04/26/2000	Johnson Co. Pct. 4	05/17/2004
Jefferson	10/16/2002	Jones County	05/14/1999
Jefferson Co. Pct. 1 PI 1	03/13/2001	Jones Creek	08/15/2000
Jefferson Co. Pct. 1 PI 2	10/02/2000	Jonestown	01/23/2002
Jefferson Co. Pct. 2	05/09/2002	Josephine	05/20/2004
Jefferson Co. Pct. 4	07/14/2003	Joshua	09/01/2004
Jefferson Co. Pct. 6	08/04/2000	Jourdanton	08/14/2002
Jefferson Co. Pct. 7	11/07/2003	Junction	06/22/2005
Jefferson Co. Pct. 8	10/30/2000	Justin	06/05/2002
Jersey Village	02/28/2003		

**K**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Karnes City	07/23/1997	Kent Co. Pct. 4	03/08/2016
Karnes Co. Attorney	02/05/2007	Kerens	06/20/2005
Karnes Co. Pct. 1	09/03/2004	Kermit	10/03/2001
Karnes Co. Pct. 2	10/25/2005	Kerr Co. Pct. 1	08/10/2004
Karnes Co. Pct. 3	11/16/2004	Kerr Co. Pct. 2	10/21/2008
Karnes Co. Pct. 4	11/03/2004	Kerr Co. Pct. 3	06/30/2004
Karnes County Clerk	10/05/2007	Kerr Co. Pct. 4	04/27/2004
Katy	12/17/2001	Kerrville	08/11/2003
Kaufman Cty, Pct. 1	09/20/2001	Kilgore	06/12/2000
Kaufman Cty, Pct. 2	09/10/2002	Killeen	12/19/2003
Kaufman Cty, Pct. 3	05/02/2002	Kimble County	02/22/2006

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Kaufman Cty, Pct. 4	12/11/2000	King County	01/19/2000
Keene	05/01/2019	Kingsville	12/20/2012
Keller	05/10/2013	Kinney County	07/10/2002
Kemah	12/21/1999	Kirby	12/16/1999
Kemp	05/20/2005	Kirbyville	09/14/2005
Kempner	01/20/2005	Kleberg County Clerk	02/07/2012
Kendall Co. Pct. 1	09/01/1999	Kleberg Co. Pct. 1	06/17/1999
Kendall Co. Pct. 2	06/10/1999	Kleberg Co. Pct. 2 Pl 1	01/11/2000
Kendall Co. Pct. 3	05/21/1999	Kleberg Co. Pct. 3	09/15/1999
Kendall Co. Pct. 4	09/23/2002	Kleberg Co. Pct. 4	01/13/2000
Kenedy	09/03/2004	Knox	02/27/2019
Kenedy Co. Pct. 1	09/20/2000	Knox Co. Pct. 1 & 2	09/29/2004
Kenedy Co. Pct. 2	05/09/2000	Kosse	07/16/1999
Kenedy Co. Pct. 3	09/20/2000	Kountze	05/11/2000
Kenedy Co. Pct. 4	09/20/2000	Krugerville (Northeast Mun.Crt.)	04/21/2004
Kenefick	03/15/2005	Krum	03/14/1997
Kennedale	02/22/2007	Kyle	08/28/1998

**L**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
La Coste	12/08/1997	Liberty Co. Pct. 2	07/12/1999
La Feria	09/25/2002	Liberty Co. Pct. 3	07/12/1999
La Grange	05/11/2001	Liberty Co. Pct. 4	01/11/2000
La Joya	03/18/2005	Liberty Co. Pct. 5	08/03/1999
La Marque	04/17/1997	Liberty Co. Pct. 6	07/08/1999
La Porte	05/18/2005	Liberty Hill	02/06/2004
La Salle Co. Pct. 1	12/02/1998	Limestone Co. Pct. 1	06/30/2004
La Salle Co. Pct. 2	07/17/2015	Limestone Co. Pct. 2	08/04/2004
La Salle Co. Pct. 3	10/03/2013	Limestone Co. Pct. 3	06/28/2004
La Vernia	08/18/2006	Limestone Co. Pct. 4	07/27/2004
La Villa	09/23/2013	Lindale	11/25/2002
Lacy Lakeview	03/04/1997	Linden	05/03/2004
Ladonia	01/21/2000	Lindsay	08/28/2002
Lago Vista	09/22/1997	Lipan	10/01/2018
Laguna Vista	06/06/2000	Lipscomb Co.	07/07/2014
Lake Bridgeport	04/09/2014	Little Elm	11/14/2006
Lake Dallas	04/18/2017	Little River Academy	01/31/2002
Lake Jackson	05/04/1998	Littlefield	10/28/2003
Lake Worth	01/25/2019	Live Oak	11/01/2005

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Lakeport	01/21/1999	Live Oak Co. Pct. 1	07/13/2005
Lakeside	10/07/2002	Live Oak Co. Pct. 2	05/31/2005
Lakeway	05/07/1998	Live Oak Co. Pct. 3	10/12/2005
Lamar Co. Pct. 5 Pl. 1	03/11/1999	Live Oak Co. Pct. 4	10/14/2005
Lamar Co. Pct. 5 Pl. 2	09/10/1999	Liverpool	04/25/2001
Lamb Co. Pct. 1	07/06/2005	Livingston	11/03/1999
Lampasas	10/21/1997	Llano	12/19/1997
Lampasas Co. Pct. 1	02/08/1999	Llano Co. Pct. 1	03/26/1998
Lampasas Co. 2 & 3	04/26/2004	Llano Co. Pct. 2	08/26/1998
Lampasas Co. Collections	03/12/2007	Llano Co. Pct. 3	09/21/1998
Lampasas Co. Pct. 4, PI 1	04/21/2004	Llano Co. Pct. 4	11/10/1998
Lancaster	04/08/1999	Lockhart	10/31/2002
Laredo	02/26/2007	Log Cabin	01/24/2011
Lavaca Co. Pct. 1	04/24/1998	Lometa	04/24/2001
Lavaca Co. Pct. 2	04/03/2006	Lone Oak	09/27/2000
Lavaca Co. Pct. 3	11/10/2014	Lone Star	03/30/1999
Lavaca Co. Pct. 4	06/07/2000	Longview	08/12/2015
Lavon	12/01/1997	Loraine	08/10/2010
League City	09/18/1998	Lorena	10/05/2001
Leander	02/04/1999	Lorenzo	10/21/2005
Lee Co. Co. Clerk	04/17/2006	Los Fresnos	06/19/2001
Lee Co. Co. Judge	05/26/2006	Lott	03/09/1999
Lee Co. Pct. 2	08/03/1999	Loving County	07/12/2007
Lee Co. Pct. 3	08/19/1999	Lubbock Co. Collections	08/08/2005
Lee Co. Pct. 4	06/20/2000	Lubbock Co. Pct. 1	06/17/2004
Leon Co. County Court	12/22/2011	Lubbock Co. Pct. 2	07/30/2004
Leon Co. Pct. 2	10/02/2003	Lubbock Co. Pct. 3	06/17/2004
Leon Co. Pct. 1	07/21/1999	Lubbock Co. Pct. 4	06/17/2004
Leon Co. Pct. 4	01/20/2000	Lucas	05/05/2008
Leon Valley	04/15/2004	Lufkin	05/12/2004
Leonard	10/23/2000	Luling	12/06/2001
Levelland	06/21/2000	Lumberton	06/10/2010
Lewisville	04/06/2006	Lyford	09/20/1999
Lexington	01/14/1999	Lynn Co. Pct. 1	07/23/2004
Liberty	04/28/2000	Lynn Co. Pct. 4	04/29/2004
Liberty Co. Pct. 1	09/22/1999	Lytle	10/22/2003

**M**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Mabank	09/24/2004	Midland County Judge	10/28/2003
Madison Co. Pct. 1	10/05/1999	Midland Co. Pct. 1	10/08/2001
Madison Co. Pct. 2	10/23/2008	Midland Co. Pct. 2	07/24/2001
Madisonville	05/17/1999	Midland Co. Pct. 3	09/27/2001
Magnolia	08/04/1997	Midland Co. Pct. 4	07/19/2001
Malakoff	08/08/2005	Midlothian	06/24/1997
Malone	02/19/2002	Midway	08/13/2019
Manor	06/08/2010	Milam Co. Pct. 1	01/11/2000
Mansfield	08/12/2004	Milam Co. Pct. 2	01/20/2000
Manvel	03/20/1997	Milam Co. Pct. 3	08/01/2000
Marble Falls	11/11/1997	Milam Co. Pct. 4	01/06/2000
Marfa	08/23/1999	Milano	03/28/2014
Marion	02/02/2000	Miles	08/12/2013
Marion Co. Pct. 1	06/16/2004	Milford	02/24/2004
Marion Co. Pct. 2	06/03/2011	Mills County	03/11/2004
Marlin	08/03/2000	Mineola	08/10/1999
Marquez	08/23/2011	Mineral Wells	09/01/2011
Marshall Creek	12/27/2001	Missouri City	06/09/1997
Mart	05/10/1999	Mitchell Co. Pct. 1 & 4	06/07/2001
Martin Co. Pct. 1	11/05/1999	Mitchell Co. Pct. 2 & 3	08/24/1999
Martin Co. Pct. 2	10/29/1999	Mitchell County Judge	10/04/2004
Martindale	08/08/2003	Mont Belvieu	04/30/1998
Mason	03/24/2004	Montague Co. Pct. 1	03/16/2000
Mason County	09/30/1999	Montague Co. Pct. 2	03/24/1999
Matagorda Co. Pct. 1	08/27/2008	Montgomery	12/16/1997
Matagorda Co. Pct. 2	07/23/2009	Montgomery CCL #1	07/22/2004
Matagorda Co. Pct. 3	01/09/2009	Montgomery CCL #2	08/25/2004
Matagorda Co. Pct. 4	11/24/2008	Montgomery CCL #3	03/28/2007
Matagorda Co. Pct. 6	06/24/2019	Montgomery CCL #4	08/02/2004
Mathis	12/10/1999	Montgomery CCL #5	04/03/2009
Maud	04/23/2002	Montgomery Co. Dist #221	08/25/2004
Maverick Co. Collections	04/16/2007	Montgomery Co. Dist #284	09/13/2004
Maypearl	07/13/1998	Montgomery Co. Dist #359	08/25/2004
McAllen	07/26/2005	Montgomery Co. Dist #9	08/26/2004
McCulloch County	02/05/1999	Montgomery Co. Dist #410	08/18/2017
McCulloch Co. Dist. Clerk	10/05/2016	Montgomery Co. Dist #435	08/07/2009

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
McGregor	09/11/2003	Montgomery Co. Pct. 1	01/31/2001
McLennan Co. Pct. 1 PI 1	12/05/2012	Montgomery Co. Pct. 2	01/31/2001
McLennan Co. Pct. 1 PI 2	01/10/2013	Montgomery Co. Pct. 3	01/31/2001
McLennan Co. Pct. 2	01/29/2013	Montgomery Co. Pct. 4	09/19/2000
McLennan Co. Pct. 3	04/27/2012	Montgomery Co. Pct. 5	10/05/2004
McLennan Co. Pct. 4	10/19/2012	Montgomery Co. Contable Pct. 5	11/21/2009
McLennan Co. Pct. 5	04/27/2012	Moody	07/10/1998
McLennan Co. Dist. Clerk	12/04/2007	Moore Co. Pct. 1	03/30/2004
McMullen County	05/28/2004	Morgan	06/06/2007
Meadowlakes	10/15/2002	Morgan's Point	06/10/1997
Meadows Place	08/30/1999	Morgan's Point Resort	03/14/2001
Medina Co. Pct. 1	02/05/2003	Morris Co. Pct. 1	08/09/2004
Medina Co. Pct. 2	05/11/2000	Morris Co. Pct. 2	08/09/2004
Medina Co. Pct. 4	12/01/2000	Morris Co. Pct. 3	08/09/2004
Melissa	08/28/1997	Morris Co. Pct. 4	08/09/2004
Menard County	11/25/2003	Motley Co. Pct. 1	04/27/2004
Mercedes	06/22/2011	Moulton	08/17/1999
Meridian	02/14/2002	Mt. Enterprise	02/25/1997
Merkel	10/03/2001	Mt. Pleasant	09/23/2003
Mesquite	06/17/1997	Mt. Vernon	06/04/2008
Mexia	06/15/2004	Muleshoe	10/28/1999
Midland Co. District Clerk	05/25/2005	Munday	02/09/2011
Midland Co. District Atty	06/16/2004	Murphy	12/04/2001
Midland County Clerk	10/27/2003	Mustang Ridge	07/19/2013

**N**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Nacogdoches	02/09/2001	Newton Co. Pct. 1	04/16/2012
Nacogdoches Co. Pct. 1	10/25/1999	Newton Co. Pct. 2	04/16/2012
Nacogdoches Co. Pct. 2	06/05/2000	Newton Co. Pct. 3	04/16/2012
Nacogdoches Co. Pct. 3	06/15/2007	Newton Co. Pct. 4	04/16/2012
Nacogdoches Co. Pct. 4	09/01/1999	Nixon	09/10/2013
Naples	01/19/2005	Nocona	07/05/2002
Nash	03/20/1997	Nolan Co.	09/29/2000
Nassau Bay	04/16/2010	Nolan Co. Collections	01/11/2007
Natalia	11/09/2001	Nolanville	05/29/1997
Navarro Co. Pct. 1	04/25/2000	Noonday	01/30/2007
Navarro Co. Pct. 2	05/09/2000	Normangee	10/22/1997

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Navarro Co. Pct. 3	05/19/2000	Northeast Mun. Crt. (serves Krugerville and Cross Roads)	12/27/2016
Navarro Co. Pct. 4	04/25/2000	Northlake	11/14/2002
Navasota	04/08/1999	Nueces Co. Pct. 1 Pl. 1	06/14/1999
Nazareth	06/09/2008	Nueces Co. Pct. 1 Pl. 2	02/03/2003
Nederland	05/14/2001	Nueces Co. Pct. 1 Pl. 3	06/12/2003
New Boston	04/28/1998	Nueces Co. Pct. 2 Pl. 1	08/18/2003
New Braunfels	09/17/2001	Nueces Co. Pct. 2 Pl. 2	07/30/2003
New Deal	08/04/1997	Nueces Co. Pct. 3	05/02/2003
New London	03/31/2004	Nueces Co. Pct. 4	06/11/2003
New Summerfield	05/03/2007	Nueces Co. Pct. 5 Pl. 1	09/08/2003
Newark	03/25/2002	Nueces Co. Pct. 5 Pl. 2	04/25/2003

**O**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
O Donnell	03/29/2012	Olney	03/09/2004
Oak Point	03/26/1998	Olton	09/09/1999
Oak Ridge (Cooke)	12/21/1999	Onalaska	01/28/1997
Oak Ridge (Kaufman)	05/02/2019	Orange Co. Pct. 1	12/09/2004
Oak Ridge North	02/04/2003	Orange Co. Pct. 2	12/16/2004
Oakwood	03/06/2009	Orange Co. Pct. 3	07/28/2005
Ochiltree County	07/02/2009	Orange Co. Pct. 4	12/16/2004
Odem	04/02/2003	Orange Grove	11/17/2004
Odessa	01/10/2000	Ore City	06/19/2001
Old River-Winfree	06/10/1997	Overton	04/13/2004
Oldham Co.	04/22/2003	Ovilla	02/04/2014
Olmos Park	01/23/1997	Oyster Creek	12/09/1997

**P**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Palacios	06/06/1997	Petersburg	06/10/2009
Palestine	10/17/2003	Pharr	08/14/2007
Palm Valley	05/02/2003	Pilot Point	10/13/2011
Palmer	10/30/2001	Pine Forest	01/30/2009
Palmhurst	09/25/2008	Pinehurst	08/05/1997
Palo Pinto Co. Pct. 1	05/30/2000	Pineland	07/03/2013
Palo Pinto Co. Pct. 2	05/06/2005	Piney Point Village	03/03/2008

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Palo Pinto Co. Pct. 3	05/03/2000	Pittsburg	03/28/2007
Palo Pinto Co. Pct. 4	06/16/2010	Pleasanton	04/13/2007
Palo Pinto Co. Pct. 5	04/25/2000	Point	05/19/2004
Pampa	02/12/1999	Point Comfort	06/13/1997
Panhandle	08/18/1997	Polk Co. Pct. 1	05/25/1999
Panola Co. Pct. 1	09/20/2000	Polk Co. Pct. 2	06/17/1999
Panola Co. Pct. 2	09/20/2000	Polk Co. Pct. 3	08/12/2004
Panorama Village	06/05/1997	Polk Co. Pct. 4	06/03/1999
Pantego	10/27/2005	Ponder	03/08/2006
Parker	06/25/2009	Port Aransas	10/24/1997
Parker Co. Pct. 1	10/06/2003	Port Arthur	01/10/2000
Parker Co. Pct. 2	10/03/2003	Port Isabel	11/15/2001
Parker Co. Pct. 3	10/01/2003	Port Lavaca	11/05/1999
Parker Co. Pct. 4	10/03/2003	Port Neches	08/20/2002
Parmer Co. Pct. 1	07/02/2004	Portland	02/08/1999
Parmer Co. Pct. 2	06/22/2004	Post	03/16/2000
Parmer Co. Pct. 3	07/09/2004	Poteet	04/17/1997
Patton Village	07/31/1997	Poth	02/13/2004
Payne Springs	05/31/2005	Pottsboro	08/07/1997
Pearland	06/21/2005	Prairie View	04/03/2007
Pearsall	06/04/2013	Premont	04/02/1998
Pecan Hill	01/17/2006	Presidio	08/01/1997
Pecos Co. Pct. 1	04/28/2003	Presidio Co. Pct. 1	03/14/2001
Pecos Co. Pct. 3	07/23/2003	Presidio Co. Pct. 2	07/31/2000
Pecos Co. Pct. 4	08/26/2014	Primera	02/10/2003
Pecos Co. Pct. 6	04/28/2003	Princeton	06/15/2006
Pelican Bay	02/18/2003	Progreso	10/29/2002
Penitas	10/30/2006	Prosper	11/26/2002

**Q**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Queen City	07/10/1997	Quitman	01/27/1999
Quinlan	07/29/1998		

**R**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Rains County	05/13/2003	Robertson Co. Pct. 1	04/03/2006
Ralls	03/19/1997	Robertson Co. Pct. 2	04/06/2006
Rancho Viejo	09/24/1997	Robertson Co. Pct. 3	01/19/2006
Randall Co. Clerk	04/12/2012	Robertson Co. Pct. 4	02/28/2007
Randall Co. Dist Clerk	04/16/2012	Robinson	11/18/1997
Randall Co. Pct. 1	03/08/2010	Robstown	04/07/2000
Randall Co. Pct. 4	05/30/2003	Rockdale	03/07/2000
Ranger	09/15/2006	Rockport	04/04/2000
Ransom Canyon	03/10/2006	Rockwall Co. Collections	03/20/2012
Raymondville	07/27/2016	Rockwall Co. Pct. 1	08/24/2004
Reagan Co. Pct. 1	05/14/2001	Rockwall Co. Pct. 2	08/24/2004
Real Co. Pct. 1 & 2	01/05/2006	Rockwall Co. Pct. 3	01/22/2014
Real Co. Pct. 3 & 4	05/11/2015	Rockwall Co. Pct. 4	05/31/2013
Red Oak	01/26/2005	Rogers	06/25/1998
Red River County	06/01/1999	Rollingwood	11/19/2004
Refugio	05/11/1999	Roman Forest	03/08/1999
Refugio Co. Pct. 1	05/12/1999	Ropesville	05/10/1999
Refugio Co. Pct. 2	07/09/2003	Roscoe	12/12/2001
Reklaw	02/21/2003	Rose City	05/05/2003
Reno (Lamar)	01/15/1999	Rosebud	02/16/2000
Reno (Parker)	05/13/2003	Rosenberg	01/20/2000
Rhome	04/10/2000	Round Rock	08/11/1999
Rice	03/05/2003	Royse City	03/25/1997
Richmond	11/20/2008	Rule	06/23/2015
Richwood	11/24/2013	Runaway Bay	11/12/2001
Riesel	12/04/1997	Runnels Co. Pct. 1	09/03/2003
Rio Grande City	06/19/1998	Runnels Co. Pct. 2	08/04/2003
Rio Hondo	11/16/2007	Runnels County Judge	10/10/2003
Rio Vista	08/31/2005	Rusk	09/16/1998
Rising Star	06/06/2008	Rusk County	01/25/1999
Roanoke	08/15/2005	Rusk Co. Pct. 1	09/03/2004
Roberts County	02/22/2008	Rusk Co. Pct. 5	09/16/2011

**S**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Sabinal	03/06/1997	Sherman Co. Pct. 3	02/19/1998
Sabine Co. Pct. 1	08/24/2004	Shiner	11/25/2008
Sabine Co. Pct. 2	08/24/2004	Shoreacres	12/06/2002

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Saint Jo	03/21/2000	Silsbee	03/10/2000
Salado	05/07/2003	Sinton	03/26/1999
San Antonio	05/02/1997	Skellytown	10/29/2004
San Augustine	05/26/2000	Slaton	09/11/1997
San Augustine Co. Judge	10/09/2003	Smiley	09/14/2016
San Augustine Co. Pct. 1	03/10/1999	Smith Co. County Courts	04/07/2008
San Augustine Co. Pct. 2	02/08/2012	Smith Co. Pct. 1	07/05/2001
San Augustine Co. Pct. 3	03/24/2011	Smith Co. Pct. 2	06/14/2001
San Augustine Co. Pct. 4	02/08/2012	Smith Co. Pct. 3	06/13/2001
San Benito	02/11/2009	Smith Co. Pct. 4	06/14/2001
San Diego	06/16/2005	Smith Co. Pct. 5	06/05/2001
San Felipe	08/09/2005	Smith County	09/18/1998
San Jacinto Co. Pct.1	08/05/1999	Smithville	06/27/1998
San Jacinto Co. Pct. 2	05/14/2001	Snyder	05/20/1999
San Jacinto Co. Pct. 3	05/25/2005	Socorro	05/19/2000
San Jacinto Co. Pct.4	05/27/1999	Somerset	04/18/2006
San Marcos	01/14/2004	Somerville	09/03/1998
San Patricio Co. Pct. 5	08/27/2008	Somervell Co. Pct. 1	08/23/2004
San Patricio Co. Pct. 6	08/24/2007	Somerville Co. Pct. 2	05/12/2014
San Patricio Co. Pct. 8	05/07/2009	Sonora	01/29/1998
San Saba	01/10/2002	Sour Lake	06/11/1999
San Saba County	10/08/1998	South Houston	09/16/2013
Sandy Oaks	02/24/2020	Southmayd	06/04/2001
Sanger	02/13/2014	Southside Place	04/15/2016
Sansom Park	05/12/2011	Splendora	09/16/1997
Santa Anna	01/26/1999	Spring Valley	07/06/2007
Santa Fe	04/01/2004	Springtown	04/04/2008
Santa Rosa	10/31/2008	Spur	10/18/2006
Savoy	05/05/1997	Stafford	11/15/2001
Schertz	05/22/1998	Stagecoach	06/02/1997
Schleicher County	07/24/1998	Stamford	11/20/2007
Schulenberg	03/05/2002	Starr Co. Pct. 1	10/04/2005
Scurry Co. Pct. 1	02/14/2002	Stephens County	04/14/1999
Scurry Co. Pct. 2	07/24/2006	Stephenville	06/28/2000
Seabrook	12/27/2002	Sterling County	07/21/1999
Seagoville	05/18/1997	Stinnett	12/21/2016
Seagraves	08/15/2001	Stockdale	10/16/2014
Sealy	11/06/1997	Stonewall Co	01/02/2014
Seguin	01/02/2014	Stratford	11/14/2005
Selma	03/20/2007	Strawn	05/30/2012
Seminole	11/06/1997	Sudan	05/23/2005
Shackelford County	09/22/1998	Sugarland	07/27/2004
Shady Shores	11/06/2009	Sullivan City	04/02/2009

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Shallowater	04/17/2015	Sulphur Spring	06/12/1997
Shamrock	04/14/2003	Sundown	04/16/2002
Shavano Park	09/28/2000	Sunnyvale	06/06/1997
Shelby Co. Attorney	02/04/2004	Sunrise Beach	10/07/1997
Shelby Co. Pct. 1	08/14/2001	Sunset	12/02/2001
Shelby Co. Pct. 3	01/05/2005	Sunset Valley	01/28/2000
Shelby Co. Pct. 4	07/29/1999	Surfside Beach	01/26/2001
Shelby Co. Pct. 5	03/20/2003	Sutton Co.	06/17/2008
Shenandoah	07/24/1998	Sweeny	01/10/2007
Shepherd	10/03/2000	Sweetwater	04/30/2002
Sherman	03/16/2001	Swisher Co	06/27/2017
Sherman Co. P 1,2,4	05/04/1998		

**T**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Taft	12/01/2005	Thornton	05/05/2014
Tahoka	12/10/2015	Thrall	07/19/2000
Tarrant Co. Crim #6	03/30/2007	Three Rivers	06/23/2011
Tarrant Co. Crim #1	04/02/2007	Throckmorton Co.	06/15/2016
Tarrant Co. Crim #10	03/30/2007	Tiki Island	09/06/2000
Tarrant Co. Crim #2	04/06/2007	Timbercreek Canyon	10/26/2005
Tarrant Co. Crim #3	03/30/2007	Timpson	02/23/1998
Tarrant Co. Crim #4	04/17/2007	Tioga	09/15/2015
Tarrant Co. Crim #5	03/28/2007	Titus County, Pct. 1	07/24/2001
Tarrant Co. Crim #7	03/29/2007	Titus County, Pct. 2	08/07/2001
Tarrant Co. Crim #8	04/11/2007	Todd Mission	08/18/2017
Tarrant Co. Crim #9	04/11/2007	Tolar	03/26/1998
Tarrant Co. Pct. 1	04/24/2007	Tom Bean	01/28/2004
Tarrant Co. Pct. 2A	06/01/2007	Tom Green Co. Pct. 1	08/18/2005
Tarrant Co. Pct. 3H	04/24/2007	Tom Green Co. Pct. 2	08/18/2005
Tarrant Co. Pct. 3S	04/24/2007	Tom Green Co. Pct. 3	08/18/2005
Tarrant Co. Pct. 4	04/24/2007	Tom Green Co. Pct. 4	08/18/2005
Tarrant Co. Pct. 5	04/24/2007	Tomball	02/28/2008
Tarrant Co. Pct. 6	04/24/2007	Tool	02/24/2020
Tarrant Co. Pct. 7	06/01/2007	Travis Co. Pct. 1	01/16/2002
Tarrant Co. Pct. 8	04/24/2007	Travis Co. Pct. 2	05/07/2001
Tatum	06/23/1998	Travis Co. Pct. 3	12/13/2001
Taylor	03/19/2001	Travis Co. Pct. 4	01/10/2002
Taylor Co. Pct. 1 PI 1	12/17/1999	Travis Co. Pct. 5	12/24/2001
Taylor Co. Pct. 1 PI 2	05/06/2004	Trenton	02/27/2001

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Taylor Co. Pct. 2	04/15/2004	Trinidad	03/02/1998
Taylor Co. Pct. 3 PI 1	05/12/2004	Trinity	09/19/2001
Taylor Co. Pct. 4	12/19/2005	Trinity Co. Pct. 1	12/08/2004
Taylor Co. Clerk	12/12/2005	Trinity Co. Pct. 2	04/17/2002
Taylor Lake Village	12/05/2001	Trinity Co. Pct. 3	11/10/2005
Teague	11/22/2000	Trinity Co. Pct. 4	11/19/2004
Temple	06/23/2006	Trophy Club	05/27/2004
Tenaha	05/09/2003	Troup	09/25/2002
Terrell Co. Pct. 1 & 2	09/16/2004	Troy	06/29/2001
Terrell Co. Pct. 3 & 4	10/11/2004	Tulia	04/15/1999
Terrell Hills	11/06/2008	Tye	03/06/1998
Terry Co. Pct. 1	06/23/2004	Tyler	09/13/2006
Texas City	02/17/1997	Tyler Co. Pct. 1	08/19/2004
Texline	06/11/2008	Tyler Co. Pct. 3	03/17/2006
Thorndale	07/01/1998	Tyler Co. Pct. 4	12/12/2005

**U**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Universal City	11/14/2000	Upton Co. Pct. 3	01/26/2000
University Park	10/23/2006	Upton Co. Pct. 4	01/26/2000
Upshur Co. Pct. 1	09/17/2001	Uvalde	11/15/2002
Upshur Co. Pct. 3	09/14/2001	Uvalde Co. Pct. 1	02/24/2003
Upshur Co. Pct. 4	05/30/2001	Uvalde Co. Pct. 2	11/21/2002
Upshur CSCD	01/15/2002	Uvalde Co. Pct. 3	04/03/2003
Upton Co. Pct. 1	06/06/2013	Uvalde Co. Pct. 4	02/27/2003
Upton Co. Pct. 2	06/06/2013	Uvalde Co. Pct. 6	05/14/2003

**V**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Val Verde Co. Pct. 1	07/10/2002	Van Zandt Co. Pct. 1	03/15/2000
Val Verde Co. Pct. 2	07/03/2002	Van Zandt Co. Pct. 2	05/18/2000
Val Verde Co. Pct. 3	07/03/2002	Van Zandt Co. Pct. 3	02/03/2000
Val Verde Co. Pct. 4	07/10/2002	Van Zandt Co. Pct. 4	07/24/2000
Valley Mills	01/10/2003	Vega	01/22/2003
Valley View	04/07/1997	Vernon	03/07/2011
Van	08/29/2006	Victoria	06/17/2009
Van Alstyne	05/18/1998	Vidor	07/09/2003
Van Horn	12/16/2008		

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**W**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Waco	04/29/2003	Wichita Co. Pct. 2	10/22/2003
Wake Village	11/05/2009	Wichita Co. Pct. 3	09/10/2004
Walker Co. Pct. 1	02/12/2004	Wichita Co. Pct. 4	02/25/2005
Walker Co. Pct. 2	02/18/2004	Wichita Co., Pct. 1, PI 2	03/03/2003
Walker Co. Pct. 3	02/20/2004	Wichita Falls	04/19/2002
Walker Co. Pct. 4	02/20/2004	Wilbarger Co. Pct. 2	05/25/2004
Waller	08/22/2000	Wilbarger Co. Pct. 1	10/10/2000
Waller Co. Pct. 1	10/19/2004	Willacy Co. Pct. 1	01/24/2020
Waller Co. Pct. 2	03/30/1999	Willacy Co. Pct. 2	03/31/2015
Waller Co. Pct. 3	04/19/1999	Willacy Co. Pct. 3	11/22/2011
Waller Co. Pct. 4	07/15/2003	Willacy Co. Pct. 4	04/15/2015
Wallis	04/03/2007	Willacy Co. Pct. 5	04/17/2015
Ward Co. Pct. 1 & 4	07/15/2004	Williamson Co. Pct. 1	10/09/2003
Ward Co. Pct. 2 & 3	05/25/2004	Williamson Co. Pct. 2	09/20/2002
Washington Co. Pct. 1	04/16/1998	Williamson Co. Pct. 3	10/03/2016
Washington Co. Pct. 2	01/15/1998	Willis	06/27/1997
Washington Co. Pct. 3	12/01/1997	Willow Park	12/17/2008
Washington Co. Pct. 4	12/24/1997	Wills Point	07/25/2001
Waskom	06/05/1997	Wilmer	11/16/2002
Watauga	07/24/2008	Wilson Co. Dist Atty	05/09/2005
Waxahachie	11/04/2008	Wilson Co. Pct. 1	05/10/2004
Weatherford	11/22/2006	Wilson Co. Pct. 2	07/29/2009
Webster	12/12/2000	Wilson Co. Pct. 3	07/26/2004
Weimar	12/17/2007	Wilson Co. Pct. 4	05/11/2004
Wells	06/06/2000	Windcrest	03/08/2001
Weslaco	03/03/2003	Windthorst	02/11/2008
West	08/13/1997	Winfield	06/10/2003
West Columbia	08/18/1997	Wink	09/25/1998
West Lake Hills	02/15/2006	Winkler Co. Pct. 1	02/17/2012
West Orange	08/05/1998	Winnsboro	12/27/2000
West Tawakoni	04/21/1997	Winona	11/03/2005
Westlake	11/02/2007	Winters	02/23/1998
Westworth Village	07/24/2001	Wise Co. Pct. 1	03/29/2001
Wharton	04/30/2019	Wise Co. Pct. 2	09/21/1999
Wharton Co. Pct. 1	05/28/2004	Wise Co. Pct. 3	03/01/2000
Wharton Co. Pct. 2	06/11/2004	Wise Co. Pct. 4	10/06/1999
Wharton Co. Pct. 3	06/10/2004	Wolfe City	10/17/2003
Wharton Co. Pct. 4	05/20/2004	Wolfforth	02/04/2000
Wheeler Co. Pct. 2	05/18/2001	Wood Co. Pct. 2	12/08/2004

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
White Oak	07/12/2000	Wood Co. Pct. 1	10/27/2000
White Settlement	12/17/2004	Wood Co. Pct. 3	02/05/2001
Whiteface	02/03/2017	Wood Co. Pct. 4	05/15/2015
Whitehouse	04/09/2004	Woodbranch Village	04/12/2000
Whitesboro	03/19/2003	Woodsboro	02/17/2000
Whitewright	12/09/2013	Woodville	06/23/1997
Whitney	12/07/1998	Woodway	01/28/2005
Wichita Co. Pct. 1, PI 1	04/20/2004	Wortham	07/15/1997

**Y**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Yoakum	06/03/2015	Yorktown	12/09/2019
Yoakum Co. Pct. 1	08/15/2003	Young Co. Pct. 1	03/01/2004
Yoakum Co. Pct. 2	08/05/2003	Young Co. Pct. 3	05/11/2004

**Z**

<b>City/County</b>	<b>First Transaction</b>	<b>City/County</b>	<b>First Transaction</b>
Zapata Co. Pct. 1	N/A	Zavala Co. Pct. 2	03/09/2005
Zapata Co. Pct. 2	N/A	Zavala Co. Pct. 3	12/09/2004
Zapata Co. Pct. 3	N/A	Zavala Co. Pct. 4	09/15/2003
Zapata Co. Pct. 4	N/A	Zavala County Judge	03/15/2004
Zavala Co. Pct. 1	06/17/2003	Zavalla	03/20/2001

**MISC**

<b>City/County</b>	<b>First Transaction</b>
100th Jud Dist Adult Probation	10/03/2006

**Table II – Judicial Fund**

Constitutional, Statutory and Probate County Courts

The following dates reflect the county’s participation in the state court cost system for constitutional, statutory county and statutory probate courts.

County	Taxpayer Number	Constitutional Court	Statutory Courts	Statutory Probate Courts
Anderson	17560008124	Yes, 6/19/99	Yes, 7/1/92 forward	No
Andrews	17560008157	Yes, 6/19/99	No	No
Angelina	17560008090	Yes, 6/19/99 – 12/31/18, 9/1/2019 forward	Yes, 7/1/96 forward	No
Aransas	17460019981	6/19/99 – 8/31/01, 9/1/17 fwd	Yes, 9/19/01 forward	No
Archer	17560008173	Yes, 6/19/99	No	No
Armstrong	17560008181	Yes, 6/19/99	No	No
Atascosa	17460014685	Yes, 6/19/99	Yes, 9/1/13 fwd	No
Austin	17460003415	9/1/15 – 8/31/16 only	Yes, 10/1/07 forward	No
Bailey	17560008231	Yes, 6/19/99	No	No
Bandera	17460002169	Yes, 6/19/99	No	No
Bastrop	17460002268	Yes, 9/01/13 fwd	Yes. 7/1/01 forward	No
Baylor	17560008249	Yes, 6/19/99	No	No
Bee	17460003274	Yes, 6/19/99	No	No
Bell	17460003480	Yes, 6/19/99	Yes, 7/1/99 forward	No
Bexar	17460020393	No	Yes, 7/1/92 forward	Yes, 10/1/99 forward
Blanco	17460014602	Yes, 6/19/99	No	No
Borden	17560008272	Yes, 6/19/99	No	No
Bosque	17460017217	Yes, 6/19/99 – 8/31/17	Yes, 10/01/09 fwd	No
Bowie	17560008298	Yes, 6/19/99	Yes, 7/1/03 forward	No
Brazoria	17460000445	No, 9/1/07 – 12/31/14	Yes, 7/1/00 forward	No
Brazos	17460004330	No	Yes, 7/1/92 forward	No
Brewster	17460000213	Yes, 6/19/99	No	No
Briscoe	17560008314	Yes, 6/19/99	No	No
Brooks	17460008364	Yes, 6/19/99	No	No
Brown	17560008389	Yes, 6/19/99	Yes, 3/1/03	No
Burleson	17460004678	Yes, 6/19/99	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

County	Taxpayer Number	Constitutional Court	Statutory Courts	Statutory Probate Courts
Burnet	17460004546	Yes, 6/19/99 – 12/31/02, 9/1/07 fwd	Yes, 1/1/03 forward	No
Caldwell	17460016318	No, 9/1/12 – 12/31/14, 9/1/17 – 8/31/18	Yes, 7/1/92 forward	No
Calhoun	17460019239	Yes, 9/1/11 – 8/31/12, 9/1/14 – 8/31/17	Yes, 7/1/92 forward	No
Callahan	17560008413	Yes, 6/19/99	No	No
Cameron	17460004207	No	Yes, 7/1/93 forward	No
Camp	17560008454	Yes, 6/19/99	No	No
Carson	17560008488	Yes, 6/19/99	No	No
Cass	17560008504	Yes, 6/19/99	Yes, 8/1/05 forward	No
Castro	17560008520	Yes, 6/19/99 – 8/31/06, 9/1/07 forward	No	No
Chambers	17460000361	Yes, 9/1/99	(not effective until 1/1/21)	No
Cherokee	17560008546	Yes, 9/1/01	Yes, 7/1/92 – 6/30/93 & 7/1/94 forward	No
Childress	17560008587	Yes, 6/19/99	No	No
Clay	17560008611	Yes, 6/19/99	No	No
Cochran	17560008652	Yes, 6/19/99	No	No
Coke	17560008686	Yes, 6/19/99	No	No
Coleman	17560008702	Yes, 6/19/99	No	No
Collin	17560008736	No	7/1/92 – 6/30/00, 7/1/04 forward	Yes, 7/1/06 forward
Collingsworth	17560008769	Yes, 6/19/99	No	No
Colorado	17460005444	Yes, 6/19/99	No	No
Comal	17460017753	Yes, 9/1/99	Yes, 7/1/92 forward	No
Comanche	17560008819	Yes, 6/19/99	No	No
Concho	17560008843	Yes, 6/19/99	No	No
Cooke	17560008850	6/19/99 – 1/31/02	Yes, 2/1/02 forward	No
Coryell	17460009594	Yes, 6/19/99	Yes, 7/1/94 forward	No
Cottle	17560008934	Yes, 6/19/99	No	No
Crane	17560008942	Yes, 9/1/99	No	No
Crockett	17560008959	Yes, 6/19/99	No	No
Crosby	17560008991	Yes, 6/19/99	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

County	Taxpayer Number	Constitutional Court	Statutory Courts	Statutory Probate Courts
Culberson	17460024338	Yes, 6/19/99	No	No
Dallam	17560009031	Yes, 6/19/99	No	No
Dallas	17560009056	No	7/1/92 – 6/30/00, 1/1/04 forward	Yes, 10/1/99 forward
Dawson	17560009080	Yes, 6/19/99	No	No
DeafSmith	17560009106	Yes, 6/19/99	No	No
Delta	17560009148	Yes, 6/19/99	No	No
Denton	17560009205	No	Yes, 7/1/93 forward	Yes, 10/1/99 forward
DeWitt	17460006509	Yes, 6/19/99	No	No
Dickens	17560009247	Yes, 6/19/99	No	No
Dimmit	17460004959	Yes, 6/19/99	No	No
Donley	17560009270	Yes, 6/19/99	No	No
Duval	17460022266	Yes, 6/19/99	No	No
Eastland	17560009320	Yes, 6/19/99	No	No
Ector	17560035531	Yes, 9/1/99	Yes, 7/1/92 – 6/30/93 & 7/1/95 forward	No
Edwards	17460020039	Yes, 6/19/99 – 8/31/06, 9/1/07 forward	No	No
Ellis	17560009353	No, 6/19/99 – 8/31/03, 9/1/12 – 8/31/13	Yes, 7/1/92 forward	No
El Paso	17460007622	No	Yes, 7/1/92 – 6/30/00, 12/01/03 forward	Yes. 10/1/99 forward
Erath	17560009395	Yes, 1/1/19 forward	Yes, 7/1/95 forward	No
Falls	17460016946	Yes, 6/19/99	No	No
Fannin	17560009411	Yes, 6/19/99 – 8/31/17	Yes, 6/1/10 fwd	No
Fayette	17460015443	Yes, 6/19/99	No	No
Fisher**	17560009445	Yes, 6/19/99	Yes, 9/1/13 fwd – multi w/ 168 & 177	No
Floyd	17560009494	Yes, 6/19/99	No	No
Foard	17560009528	Yes, 6/19/99	No	No
Fort Bend	17460019692	No	Yes, 7/1/92 forward	No
Franklin	17560009551	Yes, 6/19/99	No	No
Freestone	17460008331	Yes, 9/1/99	No	No
Frio	17460035490	Yes, 6/19/99	-	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

County	Taxpayer Number	Constitutional Court	Statutory Courts	Statutory Probate Courts
Gaines	17560009601	Yes, 6/19/99	No	No
Galveston	17460009081	Yes, 1/1/11 fwd	Yes, 7/1/94 forward	Yes, 10/1/99 forward
Garza	17560009627	Yes, 6/19/99	No	No
Gillespie	17460008786	Yes, 6/19/99	Yes 10/1/19 forward	No
Glasscock	17560009643	Yes, 6/19/99	No	No
Goliad	17460009941	Yes, 9/1/07	No	No
Gonzales	17460010030	Yes, 6/19/99	No	No
Gray	17560009668	Yes, 6/19/99	No	No
Grayson	17560009692	Yes, 6/19/99	Yes, 7/1/92 forward	No
Gregg	17560009718	No, 6/19/99 – 8/31/03	Yes, 7/1/92 forward	No
Grimes	17460000411	Yes, 6/19/99 – 8/31/17, 9/1/18 fwd	No	No
Guadalupe	17460022829	Yes, 6/19/99 – 6/03, 1/07 – 4/12, 9/1/12 fwd	Yes, 7/1/92 forward	No
Hale	17562156046	Yes, 6/19/99	No	No
Hall	17560009775	Yes, 6/19/99	No	No
Hamilton	17460010345	Yes, 6/19/99	No	No
Hansford	17560009809	Yes, 6/19/99	No	No
Hardeman	17560009825	Yes, 6/19/99	No	No
Hardin	17460015369	Yes, 6/19/99	No	No
Harris	17604545149	No	Yes, 7/1/92 forward	Yes, 9/1/07
Harrison	17560009882	Yes, 6/19/99 – 8/31/06, 9/1/07 fwd	10/1/07 – 12/31/07 (rescinded)**(active)	No
Hartley	17560009866	Yes, 6/19/99	No	No
Haskell	17560009916	Yes, 6/19/99	No	No
Hays	17460022415	Yes, 9/1/07 – 12/31/10, 9/1/12 – 8/31/18, 1/1/19 fwd	Yes, 7/1/92 forward	No
Hemphill	17560009965	Yes, 6/19/99	No	No
Henderson	17560010005	Yes, 6/19/99	Yes, 7/1/92 forward	No
Hidalgo	17460007176	No	Yes, 7/1/94 forward	Yes, 3/1/02 forward
Hill	17460010915	Yes, 6/19/99	Yes, 9/1/05 forward	No
Hockley	17560010013	Yes, 6/19/99	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>County</b>	<b>Taxpayer Number</b>	<b>Constitutional Court</b>	<b>Statutory Courts</b>	<b>Statutory Probate Courts</b>
Hood	17560010047	Yes, 6/19/99	Yes, 10/1/01 forward	No
Hopkins	17560010070	Yes, 6/19/99	Yes, 7/1/93 forward	No
Houston	17560010112	Yes, 9/1/07 – 8/31/12, 4/1/15 fwd	Yes, 7/1/92 forward	No
Howard	17560010138	Yes, 6/19/99	No	No
Hudspeth	17460022969	Yes, 6/19/99	No	No
Hunt	17560010179	6/19/99 – 8/31/12	Yes, 7/1/97 forward	No
Hutchinson	17560010229	Yes, 6/19/99	No	No
Irion	17560010245	Yes, 6/19/99	No	No
Jack	17560010252	Yes, 6/19/99	No	No
Jackson	17460007259	Yes, 6/19/99	No	No
Jasper	17460014529	Yes, 6/19/99	No	No
Jeff Davis	17460029352	Yes, 6/19/99	No	No
Jefferson	17460002912	Yes, 6/19/99	Yes, 10/1/07 forward	No
Jim Hogg	17460010717	Yes, 6/19/99	No	No
Jim Wells	17460000155	Yes, 6/19/99	No	No
Johnson	17560010302	No	Yes, 7/1/92 – 6/30/93 & 7/1/94 forward	No
Jones	17560010336	Yes, 6/19/99	No	No
Karnes	17460014800	Yes, 6/19/99	No	No
Kaufman	17560010369	Yes, 6/19/99	Yes, 7/1/95 forward	No
Kendall	17460003746	6/19/99 – 12/31/00, 1/1/17 fwd	Yes 01/01/01 – 12/31/16	No
Kenedy	17460022704	No	No	No
Kent	17560010393	Yes, 6/19/99	No	No
Kerr	17460014941	Yes, 6/19/99	Yes, 7/1/92 forward	No
Kimble	17460014735	Yes, 6/19/99	No	No
King	17560010419	9/1/99 – 8/31/02	No	No
Kinney	17460003811	Yes, 6/19/99	No	No
Kleberg	17460015237	Yes, 6/19/99	Yes, 7/1/92 forward	No
Knox	17560010435	Yes, 6/19/99	No	No
Lamar	17560010476	Yes, 6/19/99	Yes, 7/1/00 forward	No
Lamb	17560010492	Yes, 6/19/99	No	No
Lampasas	17460015641	Yes, 6/19/99	No	No
La Salle	17460006293	Yes, 6/19/99	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

County	Taxpayer Number	Constitutional Court	Statutory Courts	Statutory Probate Courts
Lavaca	17460010303	Yes, 6/19/99	No	No
Lee	17460009867	Yes, 6/19/99	No	No
Leon	17460005030	Yes, 6/19/99	No	No
Liberty	17460016045	Yes, 10/1/99	Yes, 7/1/94 – 6/30/95 & 7/1/96 forward	No
Limestone	17460010170	Yes, 6/19/99	No	No
Lipscomb	17515054942	Yes, 6/19/99	No	No
Live Oak	17460009701	Yes, 6/19/99	No	No
Llano	17460016268	Yes, 6/19/99	No	No
Loving	17560010559	Yes, 6/19/99	No	No
Lubbock	17560010567	Yes, 6/19 – 8/31/99 & 9/00 – 8/31/01, 9/1/06 forward	Yes, 7/1/92 forward	No
Lynn	17560010591	Yes, 6/19/99	No	No
McCulloch	17460003910	Yes, 6/19/99	No	No
McLennan	17460024924	Yes, 6/19/99	Yes, 7/1/92 forward	No
McMullen	17460024056	Yes, 9/1/99	No	No
Madison	17460016722	Yes, 6/19/99	No	No
Marion	17560010617	Yes, 6/19/99	No	No
Martin	17560010658	Yes, 6/19/99	No	No
Mason	17460017068	Yes, 6/19/99	No	No
Matagorda	17460002391	Yes, 6/19/99	No	No
Maverick	17460007028	Yes, 6/19/99	No	No
Medina	17460011061	yes, 6/19/99 – 12/31/02, 09/01/12 forward	Yes, 7/1/92 forward	No
Menard	17560010666	Yes, 6/19/99	No	No
Midland	17560010690	Yes, 6/19/99	Yes, 7/1/92 – 6/30/93 & 7/1/94 forward	No
Milam	17460004819	Yes, 6/19/99	No	No
Mills	17560010724	Yes, 6/19/99 – 8/31/02, 1/1/03 – 12/31/18	No	No
Mitchell**	17560010740	Yes, 6/19/99	Yes, 9/1/13 fwd – multi w/ 76 & 177	No
Montague	17560010781	Yes, 6/19/99	No	No
Montgomery	17460005584	No	Yes, 7/1/92 forward	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

County	Taxpayer Number	Constitutional Court	Statutory Courts	Statutory Probate Courts
Moore	17560010815	Yes, 6/19/99 – 8/31/00, 10/1/03 forward	Yes, 7/1/92 forward	No
Morris	17560010831	Yes, 6/19/99	No	No
Motley	17560010856	Yes, 6/19/99	No	No
Nacogdoches	17560010880	No	Yes, 7/1/92 forward	No
Navarro	17560010922	Yes, 6/19/99	Yes, 12/1/11 forward	No
Newton	17460017902	Yes, 6/19/99	No	No
Nolan**	17560010948	Yes, 9/1/08	Yes, 11/97 – 9/1/13 – multi w/ 76 & 168	No
Nueces	17460005857	No	Yes, 7/1/92 forward	No
Ochiltree	17560010963	Yes, 6/19/99	No	No
Oldham	17560011003	Yes, 6/19/99	No	No
Orange	17460018264	Yes, 9/1/16 – 8/31/18	Yes, 7/1/92 forward	No
Palo Pinto	17560011029	Yes, 6/19/99	No	No
Panola	17560011060	No	Yes, 7/1/92 forward	No
Parker	17560011094	Yes, 6/19/99	Yes, 7/1/92 – 6/30/93 & 7/1/95 forward	No
Parmer	17560011128	Yes, 6/19/99	No	No
Pecos	17460008661	Yes, 6/19/99	No	No
Polk	17460016219	Yes, 9/1/99	Yes, 7/1/92 forward	No
Potter	17560011151	Yes, 6/19/99 – 8/31/13, 1/1/15 fwd	Yes, 7/1/92 – 6/30/93 & 7/1/94 forward	No
Presidio	17460016896	Yes, 6/19/99	No	No
Rains	17560011185	Yes, 6/19/99	No	No
Randall	17560011201	Yes, 6/19/99	Yes, 7/1/92 forward	No
Reagan	17560011235	Yes, 6/19/99	No	No
Real	17460015948	Yes, 6/19/99	No	No
Red River	17560011243	Yes, 6/19/99	No	No
Reeves	17460018702	No	Yes, 11/1/03 forward	No
Refugio	17460019593	Yes, 6/19/99	No	No
Roberts	17560011284	Yes, 6/19/99	No	No
Robertson	17460008711	Yes, 6/19/99	No	No
Rockwall	17560011292	6/19/99 – 8/31/05, 1/1/07 – 12/31/10	Yes, 11/1/04 forward	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

County	Taxpayer Number	Constitutional Court	Statutory Courts	Statutory Probate Courts
Runnels	17560011318	Yes, 6/19/99	No	No
Rusk	17560011334	Yes, 6/19/99	Yes, 7/1/92 forward	No
Sabine	17560011367	Yes, 6/19/99	No	No
San Augustine	17560011409	Yes, 6/19/99	No	No
San Jacinto	17460005253	Yes, 6/19/99	No	No
San Patricio	17460023074	Yes 9/1/99 – 2/28/02, 1/1/03 forward	Yes, 7/1/93 forward	No
San Saba	17460022530	Yes, 6/19/99	No	No
Schleicher	17560011466	6/19/99 – 3/31/08, 9/1/09 fwd	No	No
Scurry	17560011441	Yes, 6/19/99	No	No
Shackelford	17560011482	Yes, 6/19/99	No	No
Shelby	17560011508	Yes, 6/19/99	No	No
Sherman	17560011524	Yes, 6/19/99	No	No
Smith	17560011557	Yes, 6/19/99	Yes, 7/1/92 forward	No
Somervell	17460457280	Yes, 6/19/99	No	No
Starr	17460019767	Yes, 6/19/99	Yes, 10/1/07 forward	No
Stephens	17560011573	Yes, 6/19/99	No	No
Sterling	17560011615	Yes, 6/19/99	No	No
Stonewall	17560011623	Yes, 6/19/99	No	No
Sutton	17560011664	Yes, 6/19/99	No	No
Swisher	17560011680	Yes, 6/19/99	No	No
Tarrant	17560011706	No	Yes, 10/1/07 forward	Yes 10/1/99 forward
Taylor	17560011730	Yes, 9/1/00	Yes, 7/1/00 forward	No
Terrell	17460022605	Yes, 9/1/99	No	No
Terry	17560011763	Yes, 6/19/99	No	No
Throckmorton	17560011789	Yes, 6/19/99	No	No
Titus	17560011805	Yes, 6/19/99	No	No
Tom Green	17560011847	Yes, 6/19/99	Yes, 7/1/93 forward	No
Travis	17460001922	No	Yes, 7/1/92 forward	Yes 10/1/99 forward
Trinity	17460010246	Yes, 6/19/99	No	No
Tyler	17460025764	Yes, 6/19/99	No	No
Upshur	16907400192	Yes, 6/19/99	No	No
Upton	17560011896	Yes, 6/19/99	No	No
Uvalde	17460024221	Yes, 6/19/99	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>County</b>	<b>Taxpayer Number</b>	<b>Constitutional Court</b>	<b>Statutory Courts</b>	<b>Statutory Probate Courts</b>
Val Verde	17460006731	Yes, 6/19/99	Yes, 7/1/92 – 6/30/93 & 7/1/94 forward	No
Van Zandt	17560011904	Yes, 6/19/99	Yes, 1/1/11 forward	No
Victoria	17460024452	No	Yes, 7/1/92 forward	No
Walker	17460014321	Yes, 6/19/99	Yes, 7/1/92 forward	No
Waller	17460010790	Yes, 7/1/15 fwd	Yes, 7/1/99 forward	No
Ward	17560011938	Yes, 6/19/99	No	No
Washington	17460004082	No	Yes, 7/1/98 forward	No
Webb	16907408260	No	Yes, 7/1/92 – 6/30/93 & 7/1/95 forward	No
Wharton	17460025590	Yes, 6/19/99	No	No
Wheeler	17560011946	Yes, 6/19/99	No	No
Wichita	17560011987	Yes, 6/19/99	Yes, 7/1/92 forward	No
Wilbarger	17560012001	Yes, 6/19/99	No	No
Willacy	17460019528	Yes, 6/19/99 – 8/31/08, 1/1/2011 fwd	No	No
Williamson	17460009784	No	Yes, 7/1/92 forward	No
Wilson	17460008505	Yes, 6/19/99	No	No
Winkler	17560012027	Yes, 6/19/99	No	No
Wise	17560012035	No, 9/1/99 – 8/31/03, 9/1/07 – 8/31/14	Yes, 7/1/92 – 6/30/93 & 7/1/94 forward	No
Wood	17560012092	Yes, 6/19/99	No	No
Yoakum	17560012126	Yes, 6/19/99	No	No
Young	17560012167	Yes, 6/19/99	No	No
Zapata	17460030780	Yes, 6/19/99	No	No
Zavala	17460006400	Yes, 6/19/99	No	No

**Table III – Cities with Population of Less Than 5,000**

Subject to Excess Highway Fines

<b>FN</b>	<b>Description</b>
1	The population of these cities was less than 5,000 on the 2000 census but rose above 5,000 on the 2010 census.
2	The population of these cities was above 5,000 on the 2000 census but fell below 5,000 on the 2010 census.
3	These cities had populations of less than 5,000 on the 2010 and/or 2020 census and were not permitted for 38/64 as of 01/14/2022. The auditor should verify the status of these cities prior to fieldwork.
4	The population of these cities was less than 5,000 on the 2020 census.
5	These cities had a population of less than 5,000 on the 2000 or 2010 census but rose above 5,000 on the 2020 census.

Select a letter below to quickly locate the city:

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#)

**A**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Abbott <sup>3</sup>	17418450114	Annetta North <sup>3</sup>	30007973602
Abernathy	17560007043	Annetta South <sup>3</sup>	30008166255
Ackerly <sup>3</sup>	30006102500	Annona <sup>3</sup>	17560048161
Adrian <sup>3</sup>	30003312979	Anson	17560004487
Agua Dulce	17460034857	Anton	17560042131
Alba	17514609571	Appleby <sup>3</sup>	30000258605
Albany	17560004412	Aquilla <sup>3</sup>	30003620413
Aledo <sup>5</sup>	17522035660	Archer City	17560004495
Alma	30003312995	Arcola	17600417608
Alto	17560004420	Argyle, Town of	17513890768
Alvarado	17560004438	Arp	17560004511
Alvord	17516619107	Asherton <sup>3</sup>	17418233403
Ames	17419772466	Aspermont <sup>3</sup>	17560004529
Amherst	17560004453	Aubrey <sup>5</sup>	17512351374
Anahuac	17460031796	Aurora	30006102567
Anderson <sup>3</sup>	17604615942	Austwell	17460241130
Angus <sup>3</sup>	30003313019	Avery <sup>3</sup>	17511562575
Annetta <sup>3</sup>	30011205561	Avinger	17513793038

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**B**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Bailey <sup>3</sup>	30006102583	Blanket <sup>3</sup>	30003378764
Bailey's Prairie <sup>3</sup>	17603229554	Bloomburg	17521734586
Baird	17560004552	Blooming Grove	17514615149
Balcones Heights	17460240652	Blossom <sup>3</sup>	17514238017
Ballinger	17560004560	Blue Mound	17560053450
Balmorhea <sup>3</sup>	17460231339	Blue Ridge <sup>3</sup>	17519696854
Bandera	17416711699	Blum	17418906198
Bangs	17560004578	Bogata	17560040192
Bardwell	17560214193	Bonney <sup>3</sup>	11111111111
Barry <sup>3</sup>	17517422154	Booker	17560004651
Barstow <sup>3</sup>	30006102625	Bovina	17560035812
Bartlett	17310002245	Boyd	17512467634
Bartonville, Town of	30004120298	Brackettville	17460003803
Bayou Vista	17601446689	Brazoria	17460003969
Bayside, Town of	17419478213	Brazos Bend <sup>3</sup>	11111111111
Bayview <sup>3</sup>	17425231812	Brazos Country <sup>3</sup>	32002980302
Beach City <sup>3</sup>	30006102658	Bremond	16907409813
Bear Creek <sup>3</sup>	11111111111	Briarcliff <sup>3</sup>	11111111111
Beasley	17462052139	Briaroaks	17527933984
Beckville <sup>3</sup>	17513661557	Broaddus <sup>3</sup>	17515386005
Bedias <sup>3</sup>	32017717144	Bronte	17560004701
Bee Cave <sup>5</sup>	17425063652	Brookshire <sup>5</sup>	17460031176
Bellevue <sup>3</sup>	30003620330	Brookside Village	30003378780
Bells	17560045779	Browndell <sup>3</sup>	30006102708
Bellville	17460003456	Brownsboro	17515293078
Benavides	17417988056	Bruceville-Eddy	17418936328
Benjamin <sup>3</sup>	17560004594	Bryson <sup>3</sup>	17560004735
Berryville	30003178545	Buckholts	17424059032
Bertram	17417625591	Buffalo	17460225851
Beverly Hills	17414013064	Buffalo Gap <sup>3</sup>	17511726253
Bevil Oaks	17460832318	Buffalo Springs	17522068240
Big Lake	17560004602	Bullard	17512116983
Big Sandy	17560004610	Bulverde	17428618759
Big Wells <sup>3</sup>	17460003662	Bunker Hill Village	17460269693
Bishop	17460003688	Burke <sup>3</sup>	13006291630
Bishop Hills <sup>3</sup>	11111111111	Burton	17417945239
Blackwell <sup>3</sup>	17519112472	Byers <sup>3</sup>	17514332240
Blanco	17460035029	Bynum <sup>3</sup>	17422331813

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

C

City	Taxpayer No.	City	Taxpayer No.
Cactus	17513685986	Coffee City	30005851479
Caddo Mills	17514791981	Coldspring <sup>3</sup>	30003378897
Caldwell	17460004702	Coleman <sup>2</sup>	17560004958
Callisburg <sup>3</sup>	30004350945	Collinsville	17516932096
Calvert	17460004751	Colmesneil <sup>3</sup>	17416854069
Camp Wood	17415462013	Colorado City	30003186050
Campbell <sup>3</sup>	17517324624	Columbus	17460005436
Canadian	17560004768	Comanche	17560004974
Caney City	17513118491	Combes	17417173675
Canton	17560029328	Combine	30006104241
Carbon <sup>3</sup>	30006102757	Como	17513117972
Carl's Corner <sup>3</sup>	30008129451	Cool <sup>3</sup>	30006102799
Carmine <sup>3</sup>	17417905589	Coolidge	17460005626
Cashion Community <sup>3</sup>	17528873437	Cooper	17560008884
Castle Hills	17460231446	Copper Canyon, Town of	17522119621
Castroville	17460004975	Corral City <sup>3</sup>	17525911065
Celeste	17512240601	Corrigan	17416113516
Centerville <sup>3</sup>	17460283520	Cottonwood <sup>3</sup>	11111111111
Chandler	17514560121	Cottonwood Shores	17425187568
Channing	17514670276	Cotulla	17460006285
Charlotte	17460035185	Coupland <sup>4</sup>	11111111111
Chester <sup>3</sup>	17416498255	Cove <sup>3</sup>	17717722320
Chico	17560041182	Covington	17418723791
Chillicothe	17560004859	Coyote Flats <sup>4</sup>	11111111111
China <sup>3</sup>	17600405116	Crandall	17560044889
China Grove	17419451202	Crane	17560005013
Chireno <sup>3</sup>	30003378871	Cranfills Gap <sup>3</sup>	17419016468
Christine <sup>3</sup>	17420852414	Crawford	17422153357
Cibolo <sup>1</sup>	17418125765	Creedmoor <sup>3</sup>	11111111111
Cisco	17560004867	Cresson <sup>3</sup>	13836497886
Clarendon	17560004875	Crosbyton	17560005039
Clarksville	17560004883	Cross Plains	17560005047
Clarksville City	17513787121	Cross Roads <sup>3</sup>	30006102864
Claude	17560004891	Cross Timber	17523389579
Clear Lake Shores	17414642151	Crowell	17560005054
Clifton	17460005188	Cumby	17513799217
Clint, Town of	17418911073	Cuney	17520929948
Clyde	17560004925	Cushing <sup>3</sup>	17560026449
Coahoma <sup>3</sup>	17560004933	Cut and Shoot	30003620421
Cockrell Hill	17560004941		

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**D**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Daingerfield	16907406579	Devine	17460006798
Daisetta	17414860431	Diboll <sup>5</sup>	17511043444
Dalworthington Gardens	17560030698	Dickens <sup>3</sup>	17560034211
Danbury	17417808023	Dilley	17460006855
Darrouzett	17513038293	Dimmitt	17560005161
Dawson	17517444737	Dish	17528878444
Dayton Lakes	30010512595	Dodd City	17516942616
Dean <sup>3</sup>	30004120165	Dodson <sup>3</sup>	30006102922
DeCordova <sup>3</sup>	32011637066	Domino	17516102591
DeKalb	17560005112	Dorchester <sup>3</sup>	17517443341
DeLeon	17560005120	Double Oak, Town of	30006102948
Dell City <sup>3</sup>	17416517872	Douglassville <sup>3</sup>	30006102955
Denver City	17560005153	Dripping Springs <sup>5</sup>	17425400369
Deport <sup>3</sup>	17511804217	Driscoll	17419670603
Detroit <sup>3</sup>	17515265092	Dublin	17560005179
Devers <sup>3</sup>	17602413944		

**E**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Eagle Lake	17460006962	El Cenizo	17425669714
Early	17560042727	El Lago	17416126666
Earth	17560044814	Eldorado	17560005211
East Bernard	12011461055	Electra	17560005989
East Mountain	30004120207	Elkhart	17516886631
East Tawakoni	17512990759	Elmendorf	17417187246
Eastland	17560005195	Emhouse <sup>3</sup>	30006103003
Easton	17561743893	Emory	17513773253
Ector	17514477995	Enchanted Oaks	30006103029
Edcouch	17460007093	Encinal	17420568796
Eden	17560005203	Escobares	32020078906
Edgecliff Village	17510879855	Estelline	17519494839
Edgewood	17512209069	Eureka <sup>3</sup>	30009325710
Edmonson <sup>3</sup>	30003281570	Eustace	17514128146
Edom <sup>3</sup>	17516689431	Evant	17516581349

**F**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Fairchilds <sup>3</sup>	11111111111	Follett <sup>3</sup>	17560005278
Fairfield	17460008307	Forsan <sup>3</sup>	30006103037

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Falfurrias <sup>2</sup>	17460008398	Franklin	17416834897
Falls City	17414055149	Frankston	17560005294
Farmersville	17560005245	Freer	17419145275
Farwell	17560049565	Friona	17560005302
Fayetteville <sup>3</sup>	17420687257	Fritch	17560051843
Ferris	17560005252	Frost	17560035879
Flatonina	17460008422	Fruitvale <sup>3</sup>	30006103045
Florence	17460273463	Fulshear <sup>5</sup>	17421548821
Floydada	17560005260	Fulton <sup>3</sup>	11111111111

**G**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Gallatin <sup>3</sup>	30115395227	Goree	17560005393
Ganado	17460009537	Gorman	17560005401
Garden Ridge	30006103078	Graford	17517698936
Garrett	30006103086	Grand Saline	17560005443
Garrison	17560005351	Grandfalls <sup>3</sup>	17509406348
Gary City <sup>3</sup>	30115395235	Grandview	17513032114
George West	17460116886	Granger	17460010121
Gholson <sup>3</sup>	30003161343	Granite Shoals <sup>5</sup>	17416472953
Giddings <sup>5</sup>	17460009834	Granjeno <sup>3</sup>	17426689679
Gilmer <sup>5</sup>	17560005369	Grapeland	17560005450
Glen Rose	17460009891	Grays Prairie <sup>3</sup>	17522103294
Godley	17511874384	Gregory	17460145257
Goldsmith <sup>3</sup>	17560046397	Grey Forest	17415940851
Goldthwaite	17560005385	Groesbeck	17460010154
Goliad <sup>3</sup>	17460009933	Groom	17514819923
Golinda <sup>3</sup>	30006103110	Groveton	17460010220
Goodlow <sup>3</sup>	17517206722	Gruver	17560044376
Goodrich <sup>3</sup>	17418820670	Gunter	17560048179
Gordon	17560044061	Gustine <sup>3</sup>	30003379077

**H**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Hackberry	17522378987	Hico	17460010832
Hale Center	17560005492	Hideaway <sup>3</sup>	32004031764
Hallettsville	17460010287	Higgins <sup>3</sup>	17560005583
Hallsburg <sup>3</sup>	30003379085	Highland Haven	17427677566
Hallsville	17560051801	Hill Country Village	17419578448
Hamilton	17460010337	Hillcrest Village <sup>3</sup>	17417509423
Hamlin	17560005500	Hilshire Village	17421629654

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

City	Taxpayer No.	City	Taxpayer No.
Happy	17560005518	Holiday Lakes	17600384766
Hardin <sup>3</sup>	30006103169	Holland	17460011012
Hart	17560052627	Holliday	17560005591
Haskell	17560005526	Hollywood Park	17414042410
Haslet	17514474778	Honey Grove	17560005609
Hawk Cove	17528340650	Hooks	17560005617
Hawkins	30007568964	Horseshoe Bay	32025521272
Hawley	17514731136	Howardwick	17513905491
Hays <sup>3</sup>	17422266811	Howe	17510868106
Hearne	17460010683	Hubbard	17460014164
Hebron <sup>3</sup>	17522926496	Hudson <sup>5</sup>	17515343055
Hedley <sup>3</sup>	17510957420	Hudson Oaks	17519021012
Hedwig Village	17417584087	Hughes Springs	17560005625
Hemphill	17560028403	Hunters Creek Village	17460217312
Hempstead <sup>1</sup>	17460010758	Huntington	17560005633
Henrietta	17560005567	Huxley <sup>3</sup>	17513109045
Hickory Creek	17516682766		

I

City	Taxpayer No.	City	Taxpayer No.
Idalou	17560005641	Iowa Colony	17602118923
Impact <sup>3</sup>	30003379143	Iraan	17460110673
Indian Lake, Town of	17420750360	Iredell <sup>3</sup>	17418256982
Industry <sup>3</sup>	30116378669	Italy	17560005674
Ingleside on the Bay	17426312744	Itasca	17460014453
Ingram	17422940159	Ivanhoe <sup>3</sup>	11111111111
Iola <sup>3</sup>	13837841892	Ivanhoe North <sup>3</sup>	11111111111

J

City	Taxpayer No.	City	Taxpayer No.
Jacksboro	17560005682	Jolly <sup>3</sup>	30003386973
Jamaica Beach	17418618793	Jones Creek	30003379184
Jarrell	17430148142	Jonestown	17423673023
Jayton <sup>3</sup>	17560005708	Josephine <sup>5</sup>	17519578672
Jefferson	17560005716	Jourdanton	17460014677
Jewett	17460241163	Junction	17460014719
Joaquin	17515112567	Justin	17513383376
Johnson City	17460031465		

**K**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Karnes City	17460014784	Kirbyville	17460015328
Kemah	17416072423	Kirvin <sup>3</sup>	30006103292
Kemp	17560005732	Knollwood <sup>3</sup>	30008106004
Kempner	17428341584	Knox City	17560005773
Kendleton	17418520064	Kosse	17415010556
Kenedy	17460014859	Kountze	17460031879
Kenefick	17602423729	Kress	17560043469
Kennard <sup>3</sup>	17513970800	Krugerville	17523542151
Kerens	17560005740	Krum	17514262207
Kingsbury City <sup>4</sup>	11111111111	Kurten <sup>3</sup>	32041953970

**L**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
La Coste	17416743445	Leroy <sup>3</sup>	17423538242
La Grange	17460015435	Lexington	17460035623
La Grulla	17513891659	Liberty Hill	17429176567
La Joya	30003379267	Lincoln Park <sup>3</sup>	30003379325
La Vernia	17416145450	Lindale <sup>5</sup>	17560005849
La Villa	17418124784	Linden	17560005856
La Ward	18005217353	Lindsay	17518299692
Ladonia	17560047486	Lipan	17521633432
Laguna Vista	30003379259	Little River Academy	30003418016
Lake Bridgeport	17519284644	Liverpool	17421314174
Lake City	17422964175	Llano	17460016243
Lake Tanglewood	30006103318	Lockney	17560005872
Lake Worth	17560038030	Log Cabin	1721786453
Lakeport	17516790056	Lometa	17460016367
Lakeside (San Patricio County) <sup>3</sup>	11111111111	Lone Oak	17511544144
Lakeside, Town of (Tarrant County)	174225430111	Lone Star	17560038303
Lakeside City	17522135825	Loraine	17560005898
Lakeview <sup>3</sup>	17460019171	Lorena	17420013322
Lakewood Village	17521287981	Lorenzo	17513163554
Latexo <sup>3</sup>	30004120322	Los Indios	17427581396
Lavon	17520041041	Los Ybanez <sup>3</sup>	30000000686
Lawn <sup>3</sup>	17513718159	Lott	17460016433
Leakey <sup>3</sup>	17419328103	Lovelady <sup>3</sup>	17512317581
Leary <sup>3</sup>	17524233222	Lowry Crossing	17521881429
Lefors	30003379309	Lueders <sup>3</sup>	17518757715

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

City	Taxpayer No.	City	Taxpayer No.
Leona <sup>3</sup>	30004120124	Lyford	17414897060
Leonard	17560039806	Lytle	17460185212

**M**

City	Taxpayer No.	City	Taxpayer No.
Mabank	17560005922	Midway	30008134659
Madisonville	17460016714	Milano	17420487617
Magnolia	17417014689	Mildred <sup>3</sup>	30008079805
Malakoff	17560005930	Miles	17560006102
Malone	17460016771	Milford	17560006110
Marfa	17460016847	Miller's Cove <sup>3</sup>	30003620439
Marietta <sup>3</sup>	11111111111	Millican <sup>3</sup>	11111111111
Marion	17460260999	Millsap <sup>3</sup>	30007840199
Marquez <sup>3</sup>	17421395231	Mineola	17560006128
Mart	17460017001	Mingus <sup>3</sup>	30003161228
Martindale	17422963839	Mobeetie <sup>3</sup>	30003259592
Mason	17460017043	Mobile City <sup>3</sup>	30114371997
Matador	17560005963	Mont Belvieu <sup>5</sup>	17416835548
Mathis <sup>2</sup>	17460017092	Montgomery	17420635926
Maud	17510924834	Moody	17460017514
Maypearl	17512983689	Moore Station <sup>3</sup>	30006103482
McCamey	17560005971	Moran <sup>3</sup>	17560006151
McGregor <sup>5</sup>	17460016664	Morgan	17418999458
McLean	17560006003	Morgan's Point	17415479959
McLendon-Chisholm <sup>3</sup>	17519617272	Morgan's Point Resort	17417522301
Meadow	17511818951	Morton	17560006169
Meadowlakes	17427731678	Moulton	17460017563
Meadows Place	17601100757	Mount Calm <sup>3</sup>	17460133477
Megargel	17560049953	Mount Enterprise	17515703266
Melissa <sup>5</sup>	17517324533	Mount Vernon	17560006185
Melvin <sup>3</sup>	17420888137	Mountain City <sup>3</sup>	17423307093
Memphis	17560006037	Muenster	17511606190
Menard	17560006045	Muleshoe <sup>1</sup>	17560006193
Meridian	17460017258	Mullin <sup>3</sup>	13646645831
Merkel	17560006052	Munday	17560006201
Mertens <sup>3</sup>	30004120389	Murchison <sup>3</sup>	17521097323
Mertzon	17514264955	Mustang <sup>3</sup>	30003360184
Miami <sup>3</sup>	17514466998	Mustang Ridge	17424224180

**N**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Naples	17512108147	New Summerfield	17514530900
Nash	17560053062	New Waverly <sup>3</sup>	17418949263
Nassau Bay	17417174822	Newark	17514062144
Natalia	17416532558	Newcastle	17560006235
Navarro <sup>3</sup>	30114371971	Newton	17460017894
Nazareth	17514333040	Neylandville <sup>3</sup>	17523448482
Needville	17414974349	Niederwald <sup>3</sup>	17425476516
Nesbitt <sup>3</sup>	30006103508	Nixon	17460150984
Nevada	17522236250	Nocona	17560006243
New Berlin <sup>3</sup>	17418527614	Nolanville <sup>5</sup>	17415350879
New Boston	17560006227	Nome <sup>3</sup>	30005641250
New Chapel Hill <sup>3</sup>	30003400329	Noonday	17520855887
New Deal	17513318471	Nordheim <sup>3</sup>	17416877912
New Fairview	17521304034	Normangee	17420579181
New Home <sup>3</sup>	17511786349	North Cleveland <sup>3</sup>	30003360242
New Hope, Town of	30008063932	Northlake	17524148149
New London	17512142955	Novice <sup>3</sup>	17522349731

**O**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Oak Grove <sup>3</sup>	30006103581	Olmos Park	17460021920
Oak Leaf	17520454988	Olney	17560006284
Oak Point <sup>5</sup>	17519594257	Olton	17560006292
Oak Ridge (Kaufman County) <sup>3</sup>	30006103607	Omaha	30003386437
Oak Ridge North	17420874731	Onalaska	17417182627
Oak Ridge, Town of	17521863419	Opdyke West <sup>3</sup>	30008000025
Oak Valley <sup>3</sup>	18006003208	Orange Grove	17415400666
Oakwood	17520815634	Orchard	17418325845
O'Brien <sup>3</sup>	17516880741	Ore City	17511787313
Odem	17460018041	Overton	17560006300
O'Donnell	17560006276	Ovilla	17513993455
Oglesby <sup>3</sup>	17521763577	Oyster Creek	17418219253
Old River-Winfree	30007972281		

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**P**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Paducah	17560006318	Pinehurst	17460275633
Paint Rock <sup>3</sup>	17521315550	Pineland	17560046785
Palacios <sup>2</sup>	17460018421	Piney Point Village	12370151719
Palisades, Village of	17526426626	Pittsburg	17560006383
Palm Valley	30005547333	Plains <sup>3</sup>	17560037792
Palmer	17560392841	Plantersville <sup>4</sup>	
Palmhurst	30006103631	Pleak <sup>3</sup>	11111111111
Panhandle	17560006342	Pleasant Valley <sup>3</sup>	30118083333
Panorama Village	17417435579	Plum Grove	17802630380
Pantego	17512910971	Point	17514366941
Paradise <sup>3</sup>	17526811777	Point Blank <sup>3</sup>	30006103714
Parker <sup>5</sup>	17513829543	Point Comfort	17460123007
Pattison <sup>3</sup>	17462524079	Point Venture, Village of	17429855178
Patton Village	17420066718	Ponder, Town of	17517669655
Payne Springs	17519695021	Port Aransas	17460241106
Pecan Gap <sup>3</sup>	17515212748	Post Oak Bend <sup>3</sup>	17524388018
Pecan Hill	17522187958	Poteet	17460019353
Pelican Bay	17517849901	Poth	17460019379
Penelope <sup>3</sup>	17426196089	Pottsboro	17560039038
Penitas	17426767830	Powell <sup>3</sup>	11111111111
Petersburg	17560006375	Poynor <sup>3</sup>	30004120041
Petrolia <sup>3</sup>	17512333638	Premont	17460019429
Petronila <sup>3</sup>	30007329201	Presidio	17422304612
Pilot Point	17560028429	Primera <sup>5</sup>	17418300285
Pine Forest	17417003666	Progreso Lakes	30004120132
Pine Island <sup>3</sup>	30118083317	Putnam <sup>3</sup>	16907407924
		Pyote <sup>3</sup>	30006103755

**Q**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Quanah	17560006433	Quintana <sup>3</sup>	30003645014
Queen City	17513369458	Quitaque <sup>3</sup>	17560042875
Quinlan	17511899126	Quitman	17560006441

**R**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Ralls	17560030201	Riverside <sup>3</sup>	30003168686
Rancho Viejo	17422278501	Roaring Springs <sup>3</sup>	17512544994

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

City	Taxpayer No.	City	Taxpayer No.
Ranger	17560006458	Robert Lee	17560006508
Rangerville <sup>5</sup>	11111111111	Roby <sup>3</sup>	17560006516
Rankin <sup>3</sup>	17560006466	Rochester	30003386551
Ransom Canyon	30006103300	Rocksprings <sup>3</sup>	16907400663
Ravenna <sup>3</sup>	17525114389	Rocky Mound <sup>3</sup>	30003620371
Red Lick <sup>3</sup>	11111111111	Rogers	17460020088
Redwater <sup>3</sup>	17522496235	Rollingwood	17461228391
Refugio	17460019577	Roman Forest	17418386342
Reklaw	17515232183	Ropesville	30003386205
Reno (Lamar Co.)	17514684780	Roscoe	17560006532
Reno (Parker Co.)	17514800493	Rose City	17418452086
Retreat <sup>3</sup>	30006103763	Rose Hill Acres <sup>3</sup>	30006103789
Rhome	17513600225	Rosebud	17460020120
Rice	17516129677	Ross <sup>3</sup>	17462590047
Richland <sup>3</sup>	17518894385	Rosser, Village of <sup>3</sup>	17524828476
Richland Springs <sup>3</sup>	17460019650	Rotan <sup>3</sup>	17560006540
Richwood	17417105495	Round Mountain <sup>3</sup>	30114371989
Riesel	17418120998	Round Top <sup>3</sup>	30003219463
Rio Bravo <sup>3</sup>	17425456419	Roxton	17516889833
Rio Hondo	17460019809	Rule	17560006565
Rio Vista	17514518657	Runaway Bay	17516454513
Rising Star	17560006474	Runge <sup>3</sup>	17460020195

**S**

City	Taxpayer No.	City	Taxpayer No.
Sabinal	17460020211	Skellytown	17560051306
Sadler <sup>3</sup>	30006103805	Smiley	17460282522
Saint Hedwig <sup>3</sup>	30006200023	Smithville	17460023223
Saint Jo	17560006581	Smyer <sup>3</sup>	30006103896
Saint Paul <sup>3</sup>	30006103813	Snook <sup>3</sup>	17461790499
Salado, Village of	17429827243	Somerset	17417264698
San Augustine	17560006607	Somerville	17460023264
San Diego	17420164919	Sonora	17560006722
San Felipe	17422838684	Sour Lake	17460023280
San Leanna <sup>3</sup>	30006103821	South Mountain <sup>3</sup>	11111111111
San Patricio <sup>3</sup>	30006103839	South Padre Island	17417564428
San Perlita <sup>3</sup>	30006103847	Southmayd	17517047605
San Saba	17460022514	Southside Place	17460011665
Sanctuary <sup>3</sup>	11111111111	Spearman	17560006730
Sanford <sup>3</sup>	17512343868	Splendora	17414643966
Sansom Park	17560042008	Spofford <sup>3</sup>	30004574114
Santa Anna	17560006623	Spring Branch <sup>4</sup>	

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Santa Clara <sup>3</sup>	17429275120	Spring Valley	17460236833
Sandy Oaks <sup>4</sup>	11111111111	Springlake <sup>3</sup>	17517011395
Sandy Point <sup>4</sup>	11111111111	Springtown	17513338396
Santa Rosa	17417057811	Spur	17560006748
Savoy	17514749997	Stagecoach	17601350097
Schulenburg	17460022738	Stamford	17560006755
Scotland <sup>3</sup>	17513933089	Stanton	17560006763
Scottsville <sup>3</sup>	17519215721	Staples <sup>3</sup>	11111111111
Scurry <sup>3</sup>	17531333536	Star Harbor	17514271992
Seadrift	17460035219	Sterling City <sup>3</sup>	17560048237
Seagraves	17560006649	Stinnett	17560006789
Seven Oaks <sup>3</sup>	30003386627	Stockdale	17460023405
Seven Points	17513203814	Stratford	17560006797
Seymour	17560006664	Strawn	17560006805
Shady Shores, Town of	17503772240	Streetman <sup>3</sup>	17416218141
Shallowater	17560043592	Sudan	17560006813
Shamrock	17560006672	Sullivan City	17428596757
Shavano Park	17412946927	Sun Valley <sup>3</sup>	30003386668
Shenandoah	17420140620	Sundown	17560006839
Shepherd	17416061913	Sunray	17560006847
Shiner	17460022928	Sunrise Beach Village	17418105114
Shoreacres	17460035755	Sunset Valley	17462117353
Silverton <sup>3</sup>	17560028528	Surfside Beach	17420530432
Simonton <sup>3</sup>	17602617957	Sweeny	17460023462

**T**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Taft	17460023488	Tiki Island, Village of	30007612309
Tahoka	17560006862	Timber Creek Canyon	30118083341
Talco <sup>3</sup>	17560006870	Timpson	17560006920
Talty, Town of	17528438165	Tioga	17560006938
Tatum	17511028783	Tira <sup>3</sup>	30006104019
Taylor Lake Village	17417289950	Toco <sup>3</sup>	30003400410
Taylor Landing <sup>3</sup>	32030654738	Todd Mission <sup>3</sup>	30007324392
Teague	17460023603	Tolar	17513848436
Tehuacana <sup>3</sup>	30006103987	Tom Bean	17510951050
Tenaha	17514083850	Tool	30003186092
Terrell Hills <sup>5</sup>	17460021938	Toyah	17460024098
Texhoma	17518707793	Trent	17521749766
Texline	17420614764	Trenton	17560045043
The Hills <sup>3</sup>	17428583409	Trinidad	17560046009
Thompsons <sup>3</sup>	17600768182	Trinity	17460024114

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Thorndale	17460023975	Troup	17560006946
Thornton	17415085525	Troy	17414697700
Thorntonville	17517906370	Tulia <sup>2</sup>	17560006953
Thrall	17460251329	Turkey	17560006961
Three Rivers	17460024031	Tuscola <sup>3</sup>	17517441295
Throckmorton <sup>3</sup>	17560006912	Tye	17511822292

**U**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Uhland <sup>3</sup>	30008012152	Union Grove <sup>3</sup>	30005332033
Uncertain <sup>3</sup>	30003811772	Union Valley <sup>3</sup>	11111111111

**V**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Valentine <sup>3</sup>	30006104068	Vega	17560007019
Valley Mills	17917930751	Venus	17515180390
Valley View	30004497001	Vinton, Village of	17420519872
Van	17560006995	Volente <sup>3</sup>	18610694442
Van Alstyne	17560007001	Von Ormy	12638384052
Van Horn	17460024320		

**W**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Waelder	17460025376	Whitesboro	17560007126
Waller	17460145224	Whitewright	17514957269
Wallis	17417831660	Whitney	17460025665
Walnut Springs	17415980840	Wickett	17511525176
Warren City <sup>3</sup>	17515953499	Willow Park <sup>5</sup>	17517904318
Waskom	17560048617	Wills Point	17560007159
Webberville <sup>3</sup>	32011458299	Wilmer <sup>5</sup>	17560044145
Weimar	17460025426	Wilson	17560032165
Weinert	17512436068	Wimberley	17429713963
Weir <sup>3</sup>	17428987584	Windom <sup>3</sup>	17516910910
Wellington <sup>3</sup>	17560007084	Windthorst	17561789508
Wellman <sup>3</sup>	30113659780	Winfield	17515011660
Wells	17513376537	Wink	17560007167
West	17460025491	Winnsboro	17560007183
West Columbia	17460025525	Winona	17514544836
West Lake Hills	17416704520	Winters	17560007175

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
West Orange	17460153970	Wixon Valley <sup>3</sup>	30113797234
West Tawakoni	17514272008	Wolfe City	17560047494
Westbrook <sup>3</sup>	17515832545	Wolfforth <sup>5</sup>	17560043527
Westlake (Tarrant Co.)	17524493578	Woodbranch Village	30006104167
Weston <sup>3</sup>	30003386759	Woodcreek	30008009950
Weston Lakes <sup>3</sup>	18003152818	Woodloch <sup>3</sup>	17419426352
Westover Hills <sup>3</sup>	30006104134	Woodsboro	17460025715
Westworth Village	17560042354	Woodson <sup>3</sup>	17515750952
Wheeler	17560007092	Woodville	17460025749
White Deer	17560007100	Wortham	17460025814
Whiteface <sup>3</sup>	17560037339		

**Y**

<b>City</b>	<b>Taxpayer No.</b>	<b>City</b>	<b>Taxpayer No.</b>
Yantis <sup>3</sup>	17515344756	Yorktown	17460025863

**Z**

<b>City</b>	<b>Taxpayer No.</b>
Zavalla	30003386288

**Table IV – Counties with Population of Less Than 5,000**

Potentially Subject to Excess Highway Fines

<b>County</b>	<b>Taxpayer No.</b>	<b>County</b>	<b>Taxpayer No.</b>
Armstrong County	17560008181	Kimble County	17460014735
Baylor County	17560008249	King County	17560010419
Borden County	17560008272	Kinney County	17460003811
Briscoe County	17560008314	Knox County	17560010435
Cochran County	17560008652	Lipscomb County	17515054942
Coke County	17560008686	Loving County	17560010559
Collingsworth County	17560008769	Martin County	17560010658
Concho County	17560008843	Mason County	17460017068
Cottle County	17560008934	McMullen County	17460024056
Crane County	17560008942	Menard County	17560010666
Crockett County	17560008959	Mills County	17560010734
Culberson County	17460024338	Motley County	17560010856
Dickens County	17560009247	Oldham County	17560011003
Donley County	17560009270	Reagan County	17560011235
Edwards County	17460020039	Real County	17460015948
Fisher County	17560009445	Roberts County	17560011284
Foard County	17560009528	Schleicher County	17560011466
Glasscock County	17560009643	Shackelford County	17560011482
Hall County	17560009775	Sherman County	17560011524
Hardeman County	17560009825	Sterling County	17560011615
Hemphill County	17560009965	Stonewall County	17560011623
Hudspeth County	17460022969	Sutton County	17560011664
Irion County	17560010245	Terrell County	17460022605
Jeff Davis County	17460029352	Throckmorton County	17560011789
Kenedy County	17460022704	Upton County	17560011896
Kent County	17560010393	Wheeler County	17560011946

**Table V – Excess Motor Carrier Fines**

Cities/Counties Certified by DPS

City/County	Taxpayer No.	Certification Date	Withdrawn / Decertification Date
Allen, City of	17560049128	03/01/2014	N/A
Angelton, City of (was active through 2012 only)	17460000478	N/A	N/A
Arlington, City of	17560004503	08/01/1996	N/A
Austin, City of	17460000858	12/01/1993	N/A
Baytown, City of	17460002466	06/01/1997	N/A
Balch Springs, City of (Not yet active per CoP)	17560053088	01/01/2015	N/A
Beaumont, City of	17460002789	04/01/1996	N/A
Bedford, City of	17511662243	01/01/2017	N/A
Bexar County	17460020393	01/01/2015	N/A
Burleson, City of	17560004750	09/01/2011	04/27/2017
Carrollton, City of	17560004784	10/01/2010	N/A
Cedar Hill, City of	17560004800	01/01/2015	N/A
Cedar Park, City of	17461860086	08/01/2013	N/A
Collin County	17560008736	09/01/2015	N/A
Conroe, City of	17460005550	08/01/2013	N/A
Coppell, City of	17511832077	01/01/2016	06/07/2019
Corpus Christi, City of	17460005741	08/01/2010	06/05/2017
Dallas, City of	17560005088	08/01/1996	N/A
Dallas County	17560009056	12/01/2001	N/A
Deer Park, City of (never went active)	17460006608	N/A	N/A
Del Rio, City of	17414839344	04/01/2002	09/11/2017
Denton, City of	17560005146	03/01/2006	N/A
DeSoto, City of	17511025557	02/01/2005	06/06/2019
El Paso, City of	17460007499	10/01/1995	N/A
Eules, City of	17560046447	09/01/2009	N/A
Flower Mound, Town of	17513662100	01/01/2008	N/A
Fort Worth, City of	17560005286	02/01/2002	N/A
Freeport, City of	17460008893	09/01/2015	N/A
Friendswood, City of	17414932024	01/01/2001	N/A
Frisco, City of	17560005310	05/01/2008	N/A
Galena Park, City of (only started 2016)	17460008935	09/01/2015	N/A
Galveston, City of (officers not certified until 2016)	17408510018	N/A	N/A
Garland, City of	17560005344	12/01/2008	N/A
Grand Prairie, City of	17560005435	10/01/2007	N/A

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

City/County	Taxpayer No.	Certification Date	Withdrawn / Decertification Date
Grapevine, City of	17560005468	09/01/2009	N/A
Gregory, City of	17460145257	09/01/2016	10/26/2017
Haltom City, City of	17560031050	11/01/2015	N/A
Harris County	17604545149	12/01/2001	N/A
Hillsboro, City of	17460010899	01/01/2012	N/A
Houston, City of	17460011640	09/01/1990	N/A
Hudspeth County (never had certified officers)	17460022969	N/A	N/A
Hurst, City of	17560040200	09/01/2009	N/A
Irving, City of	17560005666	12/01/1995	N/A
Kemah, City of	17416072423	09/01/2007	06/07/2019
Killeen, City of	17460015047	10/01/2010	01/24/2017
La Joya, City of	30003379267	09/01/2015	05/11/2017
Lancaster, City of	17560005807	01/01/2005	N/A
La Porte, City of	17460015526	04/01/1996	N/A
Laredo, City of	17460015732	06/01/1994	N/A
League City, City of	17414689699	10/01/2006	N/A
Lewisville, City of	17560005831	01/01/2008	N/A
Little Elm, Town of	17513605562	01/01/2017	N/A
Longview, City of	17560005880	09/01/2009	N/A
Mansfield, City of	17560005948	03/01/2010	N/A
McKinney, city of	17560005997	01/01/2009	N/A
Midland, city of	17560006086	04/01/2013	N/A
Mission, city of	17460017381	09/01/2009	N/A
Missouri City, City of	17460290350	01/01/2005	N/A
Morgans Point, City of (never had certified officers)	17415479959	N/A	N/A
North Richland Hills, City	17560051942	10/01/2010	02/06/2018
Palmview, City of	17422778419	01/01/2015	01/28/2019
Pasadena, City of	17460018462	04/01/1996	N/A
Pearland, City of	17460289097	05/01/2002	N/A
Pflugerville, City of	17417374083	10/01/2010	N/A
Pharr, City of	17460018751	01/01/2017	N/A
Plano, City of	17560006409	08/01/1996	N/A
Port Arthur, City of	17460018850	09/01/2009	N/A
Richardson, City of	17560006482	12/01/2001	N/A
Round Rock, City of (withdrew 2011, never active)	17460174851	08/27/2017	N/A
Rowlett, City of	17512339866	01/01/2015	N/A
San Antonio, City of	17460020708	12/01/1995	N/A
Seabrook, City of	17414022891	01/01/2005	N/A
Socorro, City of (was active through 2009 only)	17424455826	N/A	N/A

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>City/County</b>	<b>Taxpayer No.</b>	<b>Certification Date</b>	<b>Withdrawn / Decertification Date</b>
Southlake, City of	17512511423	01/01/2012	N/A
Sugar Land, City of (withdrew 2011, never active)	17460274917	N/A	N/A
Temple, City of	17460023686	02/01/2014	11/05/2018
Texas City, City of	17460023843	09/01/2015	N/A
Travis County	17460001922	08/01/2013	N/A
Wylie, City of	17560007191	01/01/2015	N/A

**Table VI – Offenses, Statutory References and Classifications**

**Note:** This is not intended to be an all-inclusive listing of offenses in the statutory codes of Texas but is provided only as a quick reference for auditors. The statutes in particular should be referenced for details and exact provisions. The minimum classification shown here is the minimum classification only. Many offenses may rise to a higher level of offense under certain circumstances.

For Subtitle C, Rules of the Road offenses in the Transportation Code, if a specific penalty is not provided for the offense, Section 542.402 provides that the offense is a misdemeanor with a minimum penalty of \$1 and a maximum penalty of \$200. Fine-only offenses for commercial driver’s license offenses under Chapter 522 are Class C misdemeanors. The Transportation Code does not define Class C misdemeanors. Hence, courts must use the definition in Section 12.23 of the Penal Code, which provides for a maximum fine of \$500 for Class C misdemeanors. Section 12.41 of the Penal Code provides that any fine only offense outside of the Penal Code is a Class C misdemeanor. However, that does not mean that every Class C misdemeanor will have a maximum fine of \$500. Each code may set different fines for Class C misdemeanors. It is only if a code does not define Class C misdemeanor does a court use the Penal Code definition of Class C misdemeanor.

Transportation Code, Rules of the Road, only includes offenses in Chapters 541-600. One column of this table indicates whether this offense is included in Rules of the Road, which is important for application of State Traffic Fine. Another column indicates whether the offense is included in Title 7 (Chapters 501-1055) of the Transportation Code which is important for application of Excess Highway Fines.

<b>Offense</b>	<b>Statute Code</b>	<b>Minimum Classification</b>	<b>In Rules of The Road?</b>	<b>In Title 7?</b>
Allow minor child to ride in bed of pickup	Transp. Code, Sec. 545.414	Class C	Yes	Yes
Allow unauthorized person to drive	Transp. Code, Sec. 521.458	Class C	No	Yes
Arson	Penal Code, Sec. 28.02	Felony	No	No
Assembling amusement ride while intoxicated	Penal Code, Sec. 47.065	Class B	No	No
Boating while intoxicated	Penal Code, Sec. 49.06	Class B	No	No
Burglary	Penal Code, Chapter 30	Felony	No	No
Child safety seat, failure to use	Transp. Code, Sec. 545.412	Class C	Yes	Yes
Commercial Motor Vehicle Standards	Transp. Code, Chapter 644	Class C	No	Yes

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense</b>	<b>Statute Code</b>	<b>Minimum Classification</b>	<b>In Rules of The Road?</b>	<b>In Title 7?</b>
Criminally negligent homicide	Penal Code, Sec. 19.05	Felony	No	No
Cruelty to animals	Penal Code, Sec. 42.09	Class A	No	No
Disorderly conduct	Penal Code, Sec. 42.01	Class C	No	No
Driving while intoxicated	Penal Code, Sec. 49.04	Class B	No	No
Driving while intoxicated with child passenger	Penal Code, Sec. 49.045	Felony	No	No
Expired driver's license	Transp. Code, Sec. 521.025	Class C	No	Yes
Expired inspection	Transp. Code, Sec. 548.602	Class C	Yes	Yes
Expired registration	Transp. Code, Sec. 502.407	Class C	No	Yes
Failure to Appear	Penal Code, Sec. 38.10	Class C	No	No
Failure to change name or address on driver's license	Transp. Code, Sec. 521.054	Class C	No	Yes
Failure to maintain financial responsibility (no insurance)	Transp. Code, Sec. 601.191	Class C	No	Yes
Failure to drive in/maintain single lane	Transp. Code, Sec. 545.060	Class C	Yes	Yes
Fictitious driver's license (Represents person as being age 21; other fictitious driver's licenses are Class B—see Section 521.451)	Transp. Code, Sec. 521.453	Class C	No	Yes
Fishing, license required	Parks & Wildlife, Sec. 46.001	Class C	No	No
Fleeing police officer	Transp. Code, Sec. 545.421	Class B	Yes	Yes
Flying while intoxicated	Penal Code, Sec. 49.05	Class B	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense</b>	<b>Statute Code</b>	<b>Minimum Classification</b>	<b>In Rules of The Road?</b>	<b>In Title 7?</b>
Following too closely	Transp. Code, Sec. 545.062	Class C	Yes	Yes
Forgery	Penal Code, Sec. 32.21	Class C	No	No
Gambling	Penal Code, Section 47.02	Class C	No	No
Graffiti	Penal Code, Sec. 28.08	Class B	No	No
Handicapped parking, illegal parking	Transp. Code, 681.011	Class C	No	Yes
Headlights, not working	Transp. Code, Sec. 547.302	Class C	Yes	Yes
Hunting, at night	Parks & Wildlife, Sec. 62.004	Class A	No	No
Hunting, bag limits	Parks & Wildlife, Sec. 42.021	Class C	No	No
Hunting, from vehicles	Parks & Wildlife, Sec. 62.003	Class A	No	No
Hunting, license required	Parks & Wildlife, Sec. 42.002	Class C	No	No
Illegal parking	Transp. Code, Sec. 545.302	Class C	Yes	Yes
Illegal parking, handicapped parking	Transp. Code, Sec. 681.011	Class C	No	Yes
Illegal turn	Transp. Code, Sec. 545.101	Class C	Yes	Yes
Indecent exposure	Penal Code, Sec. 21.08	Class B	No	No
Intoxication assault	Penal Code, Sec. 49.07	Felony	No	No
Intoxication manslaughter	Penal Code, Sec. 47.08	Felony	No	No
Issuance of bad check	Penal Code, Sec. 32.41	Class C	No	No
Jaywalking	Transp. Code, Sec. 552.005	Class C	Yes	Yes
Kidnapping	Penal Code, Chapter 20	Felony	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense</b>	<b>Statute Code</b>	<b>Minimum Classification</b>	<b>In Rules of The Road?</b>	<b>In Title 7?</b>
Leaving child in vehicle	Penal Code, Sec. 22.10	Class C	No	No
License to be carried and exhibited upon demand	Transp. Code, Sec. 521.025	Class C	No	Yes
Insignia obscured, wrong or fictitious (fictitious is a Class B)	Transp. Code, Sec. 502.475	Class C	No	Yes
Lighting, brake lights	Transp. Code, Sec. 547.323	Class C	Yes	Yes
Lighting, taillights and license plate lights	Transp. Code, Sec. 547.322	Class C	Yes	Yes
Lighting, turn signals	Transp. Code, Sec. 545.106	Class C	Yes	Yes
Minor in possession of alcohol	Alcoholic Beverage Code, Sec. 106.05	Class C	No	No
Minor in possession of tobacco	Health & Safety Code, Sec. 161.252	Class C	No	No
Murder	Penal Code, Chapter 19	Felony	No	No
No brake lights	Transp. Code, Sec. 547.322	Class C	Yes	Yes
No driver's license	Transp. Code, Sec. 521.025	Class C	No	Yes
No insurance	Transp. Code, Sec. 601.191	Class C	No	Yes
No registration insignia	Transp. Code, Sec. 502.473	Class C	No	Yes
No license plate lighting	Transp. Code, Sec. 547.322	Class C	Yes	Yes
No vehicle registration	Transp. Code, Sec. 502.472	Class C	No	Yes
Operate improperly registered vehicle	Transp. Code, Sec. 502.472	Class C	No	Yes
Overweight vehicle (non-commercial)	Transp. Code, Sec. 502.412	Class C	No	Yes

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense</b>	<b>Statute Code</b>	<b>Minimum Classification</b>	<b>In Rules of The Road?</b>	<b>In Title 7?</b>
Parking violations	Transp. Code, Sec. 545.301, 545.302	Class C	Yes	Yes
Parking violations, handicapped parking	Transp. Code, Sec. 681.011	Class C	No	Yes
Passing authorized emergency vehicle	Transp. Code, Sec. 545.157	Class C	Yes	Yes
Passing tow truck (effective 09/01/2011; HB 378)	Transp. Code, Sec. 545.157	Class C	Yes	Yes
Passing Texas Department of Transportation vehicle (effective 09/01/2013; SB 510)	Transp. Code, Sec. 545.157	Class C	Yes	Yes
Passing school bus	Transp. Code, Sec. 545.066	Class C	Yes	Yes
Pedestrian, crossing at point other than crosswalk	Transp. Code, Sec. 552.005	Class C	Yes	Yes
Possession alcoholic beverage in motor vehicle	Penal Code, Sec. 49.031	Class C	No	No
Possession of drug paraphernalia	Health & Safety Code, Sec. 481.125	Class C	No	No
Prohibited equipment on vehicle	Transp. Code, Sec. 547.004	Class C	Yes	Yes
Public intoxication	Penal Code, Sec. 49.02	Class C	No	No
Racing on highway	Transp. Code, Sec. 545.420	Class B	Yes	Yes
Reckless driving	Transp. Code, Sec. 545.401	Class B	Yes	Yes
Riding in open beds of vehicles	Transp. Code, Sec. 545.414	Class C	Yes	Yes
Robbery	Penal Code, Chapter 29	Felony	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense</b>	<b>Statute Code</b>	<b>Minimum Classification</b>	<b>In Rules of The Road?</b>	<b>In Title 7?</b>
Running stop light	Transp. Code, Sec. 545.151	Class C	Yes	Yes
Running stop sign	Transp. Code, Sec. 545.153	Class C	Yes	Yes
School attendance, failure to attend school	Education Code, Sec. 25.094 (repealed effective 09/01/2015)	Class C	No	No
School attendance required, parent contributing to non-attendance	Education Code, Sec. 25.093	Class C	No	No
Seat belt, failure to use	Transp. Code, Sec. 545.413	Class C	Yes	Yes
Sexual offenses	Penal Code, Chapter 21	Class B	No	No
Special restrictions or endorsements	Transp. Code, Sec. 521.221	Class C	No	Yes
Speeding	Transp. Code, Sec. 545.351	Class C	Yes	Yes
Theft	Penal Code, Chapter 31	Class C (Pecuniary loss less of property than \$50)	No	No
Theft of telecommunications services	Penal Code, Sec. 33A.04	Class B	No	No
Towing, safety chains	Transp. Code, Sec. 545.410	Class C	Yes	Yes
Turn signals, failure to use	Transp. Code, Sec. 545.104	Class C	Yes	Yes
Unrestrained child under 4	Transp. Code, Sec. 545.412	Class C	Yes	Yes
Unsafe vehicle	Transp. Code, Sec. 547.004	Class C	Yes	Yes
Use of Portable Wireless Communication Device for Electronic Messaging	Transp. Code, Sec. 545.4251	Class C	Yes	Yes

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense	Statute Code	Minimum Classification	In Rules of The Road?	In Title 7?
Use of Portable Wireless Communication Device for Electronic Messaging that causes death or serious bodily injury of another person	Transp. Code, Sec. 545.4251	Class A	Yes	Yes
Using wireless communication device within active school crossing zone (effective 09/01/2009; HB 55)	Transp. Code 545.425	Class C	Yes	Yes
Using radar interference device (effective 09/01/2011; HB 1116)	Transp. Code 547.616	Class C	Yes	Yes
Vehicle equipment	Transp. Code, Chapter 547	Class C	Yes	Yes
Vessels, failure to provide life preserving devices	Parks & Wildlife, Sec. 31.066	Class C	No	No
Vessels, reckless or negligent operation	Parks & Wildlife, Sec. 31.094	Class C	No	No
Vessels, excessive speed	Parks & Wildlife, Sec. 31.095	Class C	No	No
Vessels, reckless operation and excessive speed	Parks & Wildlife, Sec. 31.096	Class B	No	No
Violation of Promise to Appear	Transp. Code, Sec. 543.009	Class C	Yes	Yes
Weapons	Penal Code, Chapter 46	Class A	No	No

**Note:** No means the offense is not in the Transportation Code, Rules of the Road and thus not subject to the State Traffic Fine or is not in Title 7 of the Transportation Code and not subject to Excess Highway Fines.

The Municipal Court Education Center published a listing of all Class C misdemeanors in Subtitle C, Rules of the Road, Transportation Code. This listing is dated 11/2003 and is very comprehensive for fine-only misdemeanors. It is categorized into offenses for:

- Bicycle offenses
- Drivers – Miscellaneous violations
- Following
- Highway
- Miscellaneous
- Oversize violations
- Overtaking
- Parking
- Pedestrians
- Right of Way
- Signal intention
- Speeding
- Traffic signals – pedestrians
- Traffic signs, signals and road markings
- Traffic violations – miscellaneous
- Turning movements
- Vehicle – brakes
- Vehicle lights, signal lamps and reflectors
- Vehicle – miscellaneous
- Vehicle – miscellaneous equipment
- Violations against pedestrians
- Wrong side or Wrong way

Use this link to access the TMCEC table of fine-only Rules of the Road offenses:

[http://www.tmcec.com/public/files/File/The%20Recorder/2003/NL11\\_03.pdf](http://www.tmcec.com/public/files/File/The%20Recorder/2003/NL11_03.pdf)

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

The following table is a listing of **Class A/B misdemeanors and felonies** also found in the Rules of the Road (and also subject to the State Traffic Fine):

Offense	Transportation Code Section	Classification
Accident involving damage to vehicle <ul style="list-style-type: none"> <li>• if damage is less than \$200</li> <li>• if damage is \$200 or more</li> </ul>	550.022	Class C Class B
Accident involving personal injury or death	550.021	Felony
Duty on striking fixture or highway landscaping <ul style="list-style-type: none"> <li>• if damage is less than \$200</li> <li>• if damage is \$200 or more</li> </ul>	545.025	Class C Class B
Duty on striking unattended vehicle <ul style="list-style-type: none"> <li>• if damage is less than \$200</li> <li>• if damage is \$200 or more</li> </ul>	545.024	Class C Class B
Fleeing or attempting to elude police officer <ul style="list-style-type: none"> <li>• if another in danger of severe bodily injury</li> </ul>	545.421	Class B Class A
Inspection certificate or insurance document, fictitious or counterfeit <ul style="list-style-type: none"> <li>• displays or causes to be displayed</li> <li>• makes counterfeit document or possesses with intent to sell</li> </ul>	548.603	Class B Felony
Passing authorized emergency vehicle, if it results in bodily injury	545.157	Class B
Passing school bus, if person causes serious bodily injury <ul style="list-style-type: none"> <li>• first offense</li> <li>• subsequent offense</li> </ul>	545.066	Class A Felony
Person riding in trailer or semi-trailer drawn by truck, road tractor or truck tractor	545.4191	Class B
Racing on highway <ul style="list-style-type: none"> <li>• first conviction</li> <li>• second conviction</li> <li>• third conviction, or if bodily injury or death results</li> </ul>	545.420	Class B Class A Felony
Reckless driving	545.401	Class B
Restrictions on airbags	547.614	Class A

**Table VII – Legislative Session Bill References**

This is not intended to be an all-inclusive listing of legislation each Session but is provided as a quick reference tool only. The auditor may find this useful if the court documents refer to a cost/fee by a House or Senate bill number rather than a name reference.

**72nd Session, 1991**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 70	Traffic Fee	Local
SB 460	Child Safety Fund	Local

**74th Session, 1995**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 120	Juvenile Justice and Teen Court	Local
HB 840	Excess Highway Fines	State
HB 1341	Birth Certificate Fees	State
HB 2265	County transaction fee	Local
HB 2398	Government code filing fees	Local
SB 187	Peace Officer Fees	Local
SB 206	Peace Officer Fees	Local
SB 349	Courthouse Security Fund; Municipal Court Building Security Fee; Certified Copy fee	Local
SB 359	Juror Donation Program	State
SB 959	Courthouse Security Fund	Local
SB 971	Excess Highway Fines; Motor Carrier Weight Violations;	-
SB 971	Expired driver's license, expired inspection, expired registration, administrative fee; Impound fees; Traffic fee	Local
SB 1060	Jury Fee; Trial fee repealed.	Local

**75th Session, 1997**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 1018	Child Safety Fund	Local
HB 1553	Child Safety Fund	Local
HB 1886	Juror Donation Program	State
HB 2272	Consolidated Court Cost	State
HB 2273	Government code filing fees	Local
HB 2837	Judicial Fund filing fees	State
SB 174	Insufficient Funds checks	Local

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
SB 182	Courthouse Security Fund, JP courts	Local
SB 758	Juvenile Delinquency Prevention Fund	Local
SB 898	Compensation to Victims of Crime Auxiliary; Failure to Appear/Pay; Motor Carrier Weight Violations	State
SB 898	Community Supervision fees	Local
SB 1417	Time Payment Fee	State
SB 1534	Filing Fee, Legal Services for Indigents	State

**76th Session, 1999**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 352	Excess Highway Fines	State
HB 662	County Transaction fee	Local
HB 707	Expired inspection fee	Local
HB 731	Clerk's Record Fee	Local
HB 924	Expired registration fee	Local
HB 1123	Judicial Fund filing fees	State
HB 1177	Courthouse Security fund	Local
HB 2968	Records Management and Preservation	Local
HB 3211	Judicial Fund filing fees	State
SB 163	Peace Officer Fees	State
SB 205	Bail fees	Local
SB 284	Insufficient Funds checks	Local
SB 577	Clerk fee, repealed subsection (e); Witness fees, repealed (a), (b) and (c)	Local
SB 601	Municipal Court Technology fund	Local
SB 898	Excess Motor Carrier Fines; Motor Carrier Weight Violations	State
SB 1230	Jury fees	Local

**77th Session, 2001**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 177	Justice Court Technology Fund	Local
HB 374	Child Safety Fund	Local
HB 598	Community Supervision fees	Local
HB 822	Juvenile Justice and Teen Court	Local
HB 1739	Child Safety Seat and Seat Belt Violations	State
HB 2810	Misdemeanor Fee	Local
HB 2812	Delinquent Traffic Fine fee	Local
SB 7	Consolidated Court Cost	State
SB 113	Child Safety Seat and Seat Belt Violations	State

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Bill No.	Topic	State/Local
SB 220	Excess Motor Carrier Fines	State
SB 638	DNA Testing Fee	State
SB 1367	Child Safety Seat and Seat Belt Violations	State
SB 1371	Failure to Appear/Pay	State
SB 1421	Correctional Management Institute; Juvenile Crime & Delinquency Fund	State
SB 1434	Magistrate's Fee, Brazos County	Local
SB 1475	Marriage License Fees	State

**78th Session, 2003**

Bill No.	Topic	State/Local
HB 249	Returned Check fee	Local
HB 418	Child Safety Seat and Seat Belt Violations	State
HB 1066	Municipal Court Building Security Fee; Municipal Court Technology Fund	Local
HB 1119	Animal Cruelty fees	Local
HB 1828	Juvenile Delinquency Prevention Fund	Local
HB 1905	Government code filing fees	Local
HB 1940	Bail Bond Fees	State
HB 1945	Judicial Fund filing fees	State
HB 2292	Family Protection Fee	Local
HB 2319	Juvenile Justice and Teen Court	Local
HB 2424	Consolidated Court <b>Fee</b> ; Compensation to Victims of Crime Auxiliary; Failure to Appear/Pay; Sexual Assault Program Fund; Substance Abuse Felony Program; Time Payment Fee	State
HB 2425	Sexual Assault Program Fund; Substance Abuse Felony Program	State
HB 3167	Government code filing fees	Local
HB 3507	Delinquent Traffic Fine fee, <b>repealed</b>	Local
HB 3588	State Traffic Fine	State
SB 782	Collection contracts	Local
SB 1131	EMS Trauma Fund	State
SB 1464	Toll fees	Local
SB 1477	Nondisclosure Fee	State
SB 1731	Records Archive Fee	Local
SB 1744	Vital Statistics Records	Local

**78th Third Called Session, 2003**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 2	State Traffic Fine	State

**79th Session, 2005**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 183	Child Safety Seat and Seat Belt Violations	State
HB 703	Driving Records Fee	State
HB 1418	Justice Court Technology Fund	Local
HB 1575	Juvenile Case Manager Fee	Local
HB 1751	Restitution fee	Local
HB 1934	Courthouse Security fund	Local
HB 2026	Parks & Wildlife fees	Local
HB 2470	State Traffic Fine	State
SB 6	Family Protection Fee	State
SB 6	Child Sexual Assault fee	Local
SB 239	Birth Certificate Fees	Local
SB 526	Records Management and Preservation	Local
SB 550	Courthouse Security fund	Local
SB 1006	Pretrial Intervention Program	Local
SB 1426	Expunction fees	Local
SB 1704	Jury Reimbursement Fee	State

**79th Second Called Session, 2005**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 11	Judicial Support Fee	State

**80th Session, 2007**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 8	Child Sexual Assault Fee	Local
HB 530	Drug Court Program	State
HB 764	Family Protection Fee	Local
HB 1204	Juror Donations	State
HB 1267	Indigent Defense Fee	State
HB 1623	Transportation Code Administrative Fees	Local
HB 1751	Restitution fee	Local
HB 2151	Juvenile Prevention Fund	Local
HB 2359	Judicial Fund	State
HB 2385	Pretrial Intervention Fund	Local

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 2685	Marriage License fees	State
HB 2949	Teen Court	Local
SB 325	9th Court of Appeals filing fees	Local
SB 600	Judicial Support Fee and Judicial Fund	State
SB 1083	Driving Records Fee	State
SB 1119	Photographic Signal Enforcement	State
SB 1182	Supreme Court and Appellate Courts filing fee	State
SB 1412	Justice Courts civil suit filing fees	Local

**81st Session, 2009**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 144	Filing Fee for Civil Cases in Bexar County	Local
HB 666	Drug Court Program	State
HB 1960	County Employed Peace Officers witness fee	Local
HB 2062	Excess Funds from Forfeited Property	Local
HB 3389	Moving Violation Fees	State
HB 3637	County and District Court Technology Fee	Local
HB 3637	Civil Filing Fee for Court Record Preservation	Local
HB 3637	Civil Filing Fee	State
HB 4529	Court Reporter Service Fee	Local
HB 4718	Ector County Courts at Law	State
SB 61	Child Safety Seat	State
SB 82	Family Violence Center Fee	Local
SB 333	Breath Alcohol Testing Fee	Local
SB 658	6th Court of Appeals Judicial System Support Fee	Local
SB 659	12th Court of Appeals Judicial System Support Fee	Local
SB 727	DNA Database Fees	State
SB 1269	7th Court of Appeals Judicial System Support Fee	Local
SB 1685	District Court Records Archive Fund	Local

**82nd Session, 2011**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 27	Time Payment Fees	State
HB 350	Juvenile Community Service and Tutoring	Local
HB 378	Tow Trucks added to Emergency Vehicles	State
HB 442	Emergency Radio Infrastructure Account	State
HB 1116	Radar Interference Devices	State
HB 1504	The State Electronic Internet Portal	State
HB 1517	Excess Highway Fines	State
HB 2357	Transportation Code Renumbering; Registration Sticker Fees	State

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 2496	Teen Court	Local
HB 2949	Collection Improvement Program	State
SB 605	Eighth Court of Appeals District	Local
SB 653	Texas Juvenile Justice Department	State
SB 694	Metal Recycling Regulations	State
SB 880	Pretrial Intervention Program; Community Supervision Programs	State
SB 953	Community Supervision; Administrative Fees	Local
SB 990	High Occupancy Vehicle Lanes	Local
SB 1233	County Court Efficiencies	Local
SB 1386	Administrative Fees	Local
SB 1489	Juvenile Case Manager Fee	Local

**82nd First Called Session, 2011**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
SB 1	Child Safety Seat Court Cost and Collection Improvement Program	State

**83rd Session, 2013**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 410	Appellate Judicial System Fees	Local
HB 595	Abolishment of Tertiary Care Fund	State
HB 1294	Child Safety Seat fine range	State
HB 1513	Records Archive and Preservation fees	Local
HB 2021	Collection contracts for unpaid civil fees	Local
HB 2302	Electronic Filing System Fund	State/Local
SB 389	Imposition of criminal court costs	State/Local
SB 390	Effective date of new/amended court cost/fee	State/Local
SB 391	Defendant's obligation to pay after expiration of community supervision	State/Local
SB 395	Criminal fines/costs imposed on child	State/Local
SB 462	Specialty court programs	State/Local
SB 510	TX DOT vehicles added to emergency vehicles	State
SB 686	Name change of Commission on Law Enforcement Officer Standards and Education to Texas Commission on Law Enforcement	State
SB 1093	Non-substantive additions/corrections to codes	State
SB 1237	Criminal dispute resolution	Local
SB 1419	Truancy prevention and diversion fund	State

**84th Session, 2015**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 7	Photographic Enforcement Fund	State
HB 121	Peace officer allowance for immediate payment	State
HB 642	Drug Education Program	State
HB 941	DNA \$50 fee	State
HB 1062	Records Technology & Infrastructure fee	Local
HB 2182	Jury fee	Local
HB 2299	Repeal of Code of Criminal Procedure 42.12	State
HB 2398	Repeal of certain statutes; new \$50 local fee	State/Local
HB 3996	Juror donation	State
SB 97	E-cigarettes added to tobacco awareness	State
SB 287	Repeal of local court costs	Local
SB 740	Court costs on a single criminal action	State
SB 983	Birth Certificate Fee exemption	State
SB 1139	Electronic Filing fee	State
SB 1902	Nondisclosure fee	State

**85th Session, 2017**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 62	Electronic Messaging Offense	State
HB 351	Discharge/Waiver of Fines/Costs	State/Local
HB 555	Marriage License Fee – non-resident	State/Local
HB 557	Expunction Fee	Local
HB 1866	Unclaimed restitution payments (CVCA)	State
HB 2065	Excess Motor Carrier Fines Reporting	State
HB 3016	Order of Nondisclosure eligibility	State
SB 42	Judicial & Court Personnel Training Fund – civil	State
SB 413	Uncollectible Fees	Local
SB 1913	Discharge/Waiver of Fines/Costs	State/Local
SB 2053	Consolidated Court Fee Distribution	State

**86th Session, 2019**

<b>Bill No.</b>	<b>Topic</b>	<b>State/Local</b>
HB 435	Civil Fees/Criminal Fees	State/Local
HB 714	Nondisclosure Fee	State
HB 1399	DNA Testing Specimens	State/Local
HB 1631	Photographic Enforcement Systems	State/Local
HB 2048	Driver Safety Program Repeal State Traffic Fine Driver Safety Courses	State/Local

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Bill No.	Topic	State/Local
	Intoxicated Driver Fine	
HB 2835	Operating a motor vehicle w/expired registration	State
HB 3361	Court Reporter Fee	Local
HB 3582	Nondisclosure Fee	State
HB 4170	Nondisclosure Fee	State
SB 20	Nondisclosure Fee	State
SB 346	Consolidated Court Costs Repealed court fees Increased some fee amounts Converts some state costs to local costs Changes references of “fee” or “costs” to “fine” or “reimbursements” Changed allocations of Consolidated Court Cost fee Indigent Notifications and requests	State/Local
SB 658	Records Management and Preservation Fee Records Archive Fee District Court Records Archive Fee	Local
SB 891	Court organization and adding new courts to various Counties Revised regulations for District and County Attorneys Revised regulations for Juvenile Boards Allows electronic publication, service and display of legal documents Revised regulations for Notaries Mandates OCA publish and interpret Legislative changes to court costs, fines, etc.	State/Local
SB 1801	Nondisclosure Fee	State
SB 2342	Increased amounts in dispute for Civil Cases	State/Local

**87th Regular Session, 2021**

HB569	Payments of fines and costs for misdemeanors	State/Local
SB41	Consolidated Civil Fees	State/Local
SB181	Non-Suspension Fine	State
SB1373	Clarification of the term reimbursement fee as a court cost	State/Local
SB1923	Cleans up various statutes for the term “fine” to “reimbursement fee” Revises the language in GC 51.607 to clarify the effective date of a new fee or change an existing fee that take effect after the Session ends	State/Local

## **APPENDIX**

The purpose of this appendix is to provide a historical reference for civil and criminal state and local costs, fees and fines for prior periods. The sections related to description of state and local funds are limited to funds not previously listed in Chapters 2 through 5 of this manual.

### **State Criminal Costs, Fees and Fines 01/01/2004 – 12/31/2013**

<b>COURT</b>	<b>FUND</b>	<b>01/01/2004 through 12/31/2005</b>	<b>01/01/2006 through 12/31/2007</b>	<b>01/01/2008 through 12/31/2009</b>	<b>01/01/2010 through 12/31/2013</b>
C, D	Bail Bond Fees	Yes	Yes	Yes	Yes
M, J	Child Safety Seat and Seat Belt Violations	Yes	Yes	Yes	Yes
M, J	Child Safety Seat Court Cost	No	No	No	Through 09/27/2011
C, D	Compensation to Victims of Crime Auxiliary Fund	Yes	Yes	Yes	Yes
M, J, C, D	Consolidated Court Fee (2004)	Yes	Yes	Yes	Yes
C, D	DNA Testing Fee – Convictions	Yes	Yes	Yes	Yes
C, D	DNA Testing Fee – Community Supervision	No	No	No	Yes
C, D	DNA Testing Fee – Community Supervision	No	No	No	Yes
C, D	DNA Testing Fee – Juvenile	No	No	No	Yes
M, J	Driving Records Fee	No	Yes	Yes	Yes
C, D	Electronic Filing System Fund	No	No	No	Effective 09/01/2013
C, D	EMS Trauma Fund	Yes	Yes	Yes	Yes
C, D	Excess Funds from Sale of Property Forfeited	Yes	Yes	Yes	Yes
M, J	Excess Highway Fines	Yes	Yes	Yes	Yes; for Counties, Effective 09/01/2011
M, J, C, D	Excess Motor Carrier Fines	Yes	Yes	Yes	Yes

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>COURT</b>	<b>FUND</b>	<b>01/01/2004 through 12/31/2005</b>	<b>01/01/2006 through 12/31/2007</b>	<b>01/01/2008 through 12/31/2009</b>	<b>01/01/2010 through 12/31/2013</b>
M, J, C, D	Failure to Appear/Pay	Yes	Yes	Yes	Yes
M, J, C, D	Indigent Defense Fund	No	No	Yes	Yes
C	Judicial Fund	Yes	Yes	Yes	Yes
M, J, C, D	Judicial Support Fee	Effective 12/01/2005	Yes	Yes	Yes
M, J, C, D	Jury Reimbursement Fee	Effective 09/01/2005	Yes	Yes	Yes
C, D	Juvenile Probation Diversion Fund	Yes	Yes	Yes	Yes
M, J	Metal Recycling	No	No	No	Effective 09/01/2011
M, J	Motor Carrier Weight Violations	Yes	Yes	Yes	Yes
M, J	Moving Violation Fees	No	No	No	Yes
M, J, C, D	Peace Officer Fees	Yes	Yes	Yes	Yes
C, D	Sexual Assault Program Fund	Yes	Yes	Yes	Yes
C, D	Specialty Court Program	No	Effective 06/15/2007	Yes	Yes
M, J, C, D	State Traffic Fine	Yes	Yes	Yes	Yes
C, D	Substance Abuse Felony Program	Yes	Yes	Yes	Yes
M, J, C, D	Time Payment Fee	Yes	Yes	Yes	Yes

- If No, then the fund is not effective for that time period.
- If Yes, then the fund was effective for the time periods in the column headings, unless otherwise indicated.
- The following abbreviations are used for the court and are listed for the court with original jurisdiction:
  - M = Municipal
  - J = Justice
  - C = County
  - D = District

**State Criminal Costs, Fees and Fines 09/01/1991 – 12/31/2003**

COURT	FUND	9/1/91 through 8/29/93	8/30/93 through 8/31/95	9/1/95 through 8/31/97	9/1/97 through 8/31/99	9/1/99 through 8/31/01	9/1/01 through 8/31/03	9/1/03 through 12/31/03
C, D	<a href="#">Abused Children's Counseling Fund</a> <sup>1</sup>	Yes	Yes	Yes	No	No	No	No
C, D	Bail Bond Fees	No	No	No	No	No	No	Yes
M, J, C, D	<a href="#">Breath Alcohol Testing</a> <sup>1</sup>	Yes	Yes	Yes	No	No	No	No
M, J, C, D	Child Safety Seat and Seat Belt Violations	No	No	No	No	No	Yes	Yes
M, J, C, D	<a href="#">Compensation to Victims of Crime</a> <sup>2</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes
C, D	Compensation to Victims of Crime Auxiliary Fund	Yes	Yes	Yes	Yes	Yes	Yes	Yes
M, J, C, D	<a href="#">Comprehensive Rehabilitation Fund</a> <sup>1</sup>	Yes	Yes	Yes	No	No	No	No
M, J, C, D	<a href="#">Consolidated Court Cost (1997-2003)</a> <sup>2</sup>	No	No	No	Yes	Yes	Yes	Yes
M, J, C, D	<a href="#">Correctional Management Institute</a> <sup>2</sup>	No	No	No	No	No	Yes	Yes
C, D	<a href="#">Crime Stopper's Assistance Fund</a> <sup>1</sup>	Yes	Yes	Yes	No	No	No	No
M, J, C, D	<a href="#">Criminal Justice Planning Fund</a> <sup>1</sup>	Yes	Yes	Yes	No	No	No	No
C, D	DNA Testing Fee	No	No	No	No	No	Yes	Yes
M	Excess Highway Fines	Yes	Yes	Yes	Yes	Yes	Yes	Yes
M, J, C, D	Excess Motor Carrier Fines	No	No	Yes	Yes	Yes	Yes	Yes
M, J, C, D	Failure to Appear	No	No	Yes	Yes	Yes	Yes	Yes
M, J, C, D	<a href="#">Fugitive Apprehension Fund</a> <sup>2</sup>	No	No	No	Yes	Yes	Yes	Yes
M, J, C, D	<a href="#">Judicial and Court Personnel Training Fund</a> <sup>2</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes
M, J, C, D	<a href="#">Juvenile Crime &amp; Delinquency</a> <sup>2</sup>	No	No	No	Yes	Yes	Yes	Yes
M, J, C, D	<a href="#">Law Enforcement</a>	Yes	Yes	Yes	No	No	No	No

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

COURT	FUND	9/1/91 through 8/29/93	8/30/93 through 8/31/95	9/1/95 through 8/31/97	9/1/97 through 8/31/99	9/1/99 through 8/31/01	9/1/01 through 8/31/03	9/1/03 through 12/31/03
	<a href="#">Management Institute Fund</a> <sup>1</sup>							
M, J, C, D	<a href="#">Law Enforcement Officers Administrative Fund</a> <sup>1</sup>	No	No	Yes	No	No	No	No
M, J, C, D	<a href="#">Law Enforcement Officers Continuing Education Fund</a> <sup>1</sup>	Yes	Yes	Yes	No	No	No	No
M, J, C, D	<a href="#">Misdemeanor Court Cost – General Revenue</a> <sup>1</sup>	Yes	Yes	Yes	No	No	No	No
M, J, C, D	Motor Carrier Weight Violations	No	No	Yes	Yes	Yes	Yes	Yes
M, J, C, D	<a href="#">Operator's and Chauffeur's License Fund</a> <sup>1</sup>	Yes	Yes	Yes	No	No	No	No
M, J, C, D	Peace Officer Fees	Yes	Yes	Yes	Yes	Yes	Yes	Yes
C, D	Sexual Assault Program Fund	No	Yes	Yes	Yes	Yes	Yes	Yes
M, J, C, D	State Traffic Fine	No	No	Yes	Yes	Yes	Yes	Yes
C, D	Substance Abuse Felony Program	No	No	No	No	Yes	Yes	Yes
M, J, C, D	Time Payment Fee	No	No	No	Yes	Yes	Yes	Yes

- If No, then the fund is not effective for that time period.
- If Yes, then the fund was effective for the time periods in the column headings, unless otherwise indicated.
- The following abbreviations are used for the court and are listed even if they are applicable for appeals:
  - M = Municipal
  - J = Justice
  - C = County
  - D = District

<sup>1</sup> These funds became part of the 09/01/1997 Consolidated Court Cost and are described under that fund.

<sup>2</sup> These funds became part of the 01/01/2004 Consolidated Court Fee.

## Description of State Funds

### Compensation to Victims of Crime Fund (CVC)

Courts	Municipal, Justice, County & District
Effective	09/01/1987 through 12/31/2003
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Local Government Code, Section 133.102 (Previously Vernon's Ann. Code Crim. Proc., art. 56.54-56.57, repealed 01/01/004.)
Report Form	Form 40-144 (City) or Form 40-145 (County), lines 1-5 based on date of offense
Purpose	Compensation to Victims of Crime Fund, administered by the Texas Attorney General for compensation to victims of crime for reimbursement of expenses, counseling, etc.

**Note:** As of 01/01/2004, the Compensation to Victims of Crime Fund is allocated 37.6338% of the Consolidated Court Fee. For offenses on/after 01/01/2004, a separate court cost should **not** be charged for Compensation to Victims of Crime.

### Rates

09/01/1987 through 12/31/2003

Offense	09/01/1987 through 08/31/1989	09/01/1989 through 08/31/1991	09/01/1991 through 08/29/1993	08/30/1993 through 12/31/2003
Municipal ordinance punishable by fine of \$200 or less	\$3	\$5	\$5	\$15
Municipal ordinance punishable by fine of more than \$200 but less than \$501	\$15	\$15	\$15	\$35
Municipal ordinance punishable by fine of more than \$500	N/A	N/A	\$15	\$35
Misdemeanor punishable by fine of \$200 or less	\$5	\$5	N/A	N/A
Misdemeanor punishable by fine of more than \$200	\$15	\$15	N/A	N/A
Misdemeanor punishable by fine of \$500 or less	N/A	N/A	\$5	\$15
Misdemeanor punishable by imprisonment or fine of more than \$500	N/A	N/A	\$15	\$35
Felony	\$20	\$20	\$20	\$45

**Description**

- Applies to offenses committed between September 1, 1979 and December 31, 2003.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

**Historical Background**

This fund was created in 1987, and rates were increased in 1989, 1991 and 1993. Effective 01/01/2004, Compensation to Victims of Crime was included in the Consolidated Court Fee (2004) and was no longer a stand-alone fund. It is allocated a specified percentage of the Consolidated Court Fee, as provided in Local Government Code, Chapter 133 (from House Bill 2424, 78th Session (2003), effective 01/01/2004).

### Consolidated Court Cost (1997-2003) (CCC)

Courts	Municipal, Justice, County & District
Effective	09/01/1997 through 12/31/2003
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Local Government Code, Chapter 133 (Previously Code of Criminal Procedure, Art. 102.075, repealed 01/01/2004.)
Report Form	Form 40-144 (City) or Form 40-145 (County), lines 1-5 based on date of offense
Purpose	0.02% Abused Children's Counseling Account 0.60% Crime Stoppers Assistance Account 1.28% Breath Alcohol Testing Program 5.04% Bill Blackwood Law Enforcement Management Institute 11.63% Law Enforcement Officers Standards and Education 12.37% Comprehensive Rehabilitation 25.9% Operator's and Chauffeur's License Fund 29.18% Criminal Justice Planning Fund 13.98% Fair Defense Account

**Note:** As of 01/01/2004, this was replaced by the Consolidated Court Fee (2004). For offenses on/after 01/01/2004, this Consolidated Court Cost should not be separately charged.

#### Rate

09/01/1997 through 12/31/2003:

- **\$80** on conviction of a felony, or an offense punishable by imprisonment or confinement in jail for a term of more than one year;
- **\$40** on conviction of a Class A or B misdemeanor, an offense punishable by confinement in jail for a term of not more than one year, or a municipal ordinance punishable by a fine of more than \$500;
- **\$17** on conviction of any offense punishable by fine only (other than municipal ordinances punishable by a fine of more than \$500).

#### Description

- Applies to offenses committed between September 1, 1997 and December 31, 2003.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication, or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

**Note:** The three levels of court costs were allocated to the following eleven funds, whose separate statutes were repealed on 08/31/1997:

- A. Abused Children's Counseling Account (0.02%) (*originally created by Senate Bill 1175, effective 09/01/1989*)

The Abused Children's Counseling Account (Vernon's Ann. Code Crim. Proc., Art. 37.072 and Art. 42.151) was a stand-alone fund from 09/01/1989 through 08/31/1997 and was reported by County and District Courts only because it applied only to Class A and B Misdemeanors and felonies. It was reported quarterly and allowed a 10% collection fee upon timely filing (as of 09/01/1991).

The fee was not to exceed \$500 from a defendant convicted of a misdemeanor under certain sections of the Penal Code (Class A or B Misdemeanors), and a fee not to exceed \$1,000 from a defendant convicted of a felony under certain sections of the Penal Code. In determining the amount a defendant must pay, the court must have considered the ability of the defendant to make the payment, and the financial hardship on the defendant to make the payment. The court may have directed the defendant to pay the entire fee when sentence is pronounced, to pay the fee at some later date, or to pay in installments.

Conviction must be under one of the following sections of the Penal Code:

Section 21.08. Indecent exposure. (Class B misdemeanor)

Section 21.11. Indecency with a child. (Felony)

Section 22.011. Sexual assault. (Felony)

Section 22.021. Aggravated sexual assault. (Felony)

Section 25.02. Prohibited sexual conduct. (Felony)

Section 43.24. Sale, distribution or display of harmful material to minor. (Class A misdemeanor or felony)

Section 43.25. Sexual performance by a child. (Felony)

Section 43.251. Employment harmful to children. (Class A misdemeanor)

Section 43.26. Possession or promotion of child pornography. (Felony)

**Historical Note:** The Abused Children's Counseling Account was originally created by Senate Bill 1175, effective 09/01/1989, and it did not include provision for a collection fee at that time. House Bill 2578, effective 09/01/1991, allowed a 10% collection fee upon timely filing.

B. Breath Alcohol Testing Program (1.28%) (*originally created by House Bill 11, 72nd Legislature, 1st Special Session, effective 09/01/1991*)

The Breath Alcohol Testing Program (BAT) (Vernon's Ann. Code Crim. Proc., Art. 102.016) was a stand-alone fund from 09/01/1991 through 08/31/1997 and was reported by all municipal and county courts. It was reported quarterly; no collection fee was allowed.

The fee was \$30.00 per offense under Transportation Code, Chapter 522, Commercial Driver's Licenses, or Penal Code, Chapter 49, Intoxication and Alcoholic Beverage Offenses (except misdemeanors in Sec. 49.02 and

49.03). The \$30 court cost was to be collected in each of these violations. The breath alcohol test did not actually have to be administered for the court cost to apply. The amount to be remitted to the state, however, was dependent upon the following:

- The city/county remitted 100% of the court cost to the state when they used the services of a certified technical supervisor employed by the Department of Public Safety to administer the certified alcohol testing program.
- The city/county remitted \$7.50 of each \$30 court cost and retained \$22.50 if they maintained a certified breath alcohol testing program but did **not** use the services of a certified technical supervisor employed by the Department of Public Safety.

C. Comprehensive Rehabilitation Fund (12.37%) (originally created by Senate Bill 195, 72nd Session, effective 09/01/1991)

The Comprehensive Rehabilitation Fund (CR) (Vernon's Ann. Code Crim. Proc., Art. 102.081-102.085) was a stand-alone fund from 09/01/1991 through 08/31/1997. It was reported by all municipal and county courts, reported quarterly, and a 10% collection fee was allowed upon timely filing.

The fee applied only to certain offenses:

- \$5 per offense under Transportation Code, Sec. 661.001-661.004 (motorcycle protective headgear)
- \$5 per offense under Transportation Code, Sec. 545.351, 545.352, 545.364 (speeding)
- \$25 per offense under Penal Code, Chapter 49, Intoxication and Alcoholic Beverage Offenses, other than an offense punishable as a Class C misdemeanor.

D. Crime Stopper's Assistance Fund Bond Fee (0.6%) (*originally created by Senate Bill 1451, 71st Regular Legislative Session, effective 09/01/1989*)

The Crime Stopper's Assistance Fund Bond Fee (CS) (Vernon's Ann. Code Crim. Proc. art. 102.013) was a stand-alone fund from 09/01/1989 through 08/31/1997. It was reported by County and District courts only because the \$2 fee per conviction only applied to offenses other than those punishable by fine only. The fee was remitted to the Comptroller quarterly and a 10% collection fee was allowed upon timely filing.

E. Criminal Justice Planning Fund (29.18%)

The Criminal Justice Planning Fund (CJP) (Vernon's Ann. Code Crim. Proc., art. 102.051-102.056) was a stand-alone fund from 08/30/1971 through 08/31/1997. It was reported by all municipal and county courts quarterly and a

10% collection fee was allowed upon timely filing. The rate after 09/01/1991 was:

- \$5 per misdemeanor conviction punishable by a fine of \$500 or less;
- \$10 per misdemeanor conviction punishable by a fine of more than \$500;
- \$20 per felony conviction.
- Prior to 09/01/1991, the \$5 and \$10 costs applied to misdemeanors punishable by \$200 or less, or more than \$200, respectively.

F. Fair Defense Fund (13.98%)

The Fair Defense Fund applied to offenses between 01/01/2002 through 12/31/2003 only. This was never a stand-alone fund but was allocated 13.98% of the Consolidated Court Cost for these two years only.

The Fair Defense Fund was allocated 13.98% of the Consolidated Court Cost (1997) by Senate Bill 7, 77th Session (2001).

G. General Revenue Fund (13.98%) (*originally created in House Bill 11, 72nd Session, effective 09/01/1991*)

The Misdemeanor Court Cost – General Revenue Fund (MGR) (Vernon's Ann. Code Crim. Proc., Art. 102.015) was a stand-alone fund between 09/01/1991 and 08/31/1997. The fee of \$2.50 per conviction was reported quarterly by all municipal and county courts and a 10% collection fee was allowed upon timely filing.

When the Consolidated Court Cost was created in 1997, the General Revenue Fund was allocated 13.98% of the total instead of this separate court cost, for offenses between 09/01/1997 through 12/31/2001 only. This money was re-directed to the Fair Defense Fund on 01/01/2002 by Senate Bill 7, 77th Session (2001).

H. Law Enforcement Management Institute Fund (5.04%)

The Bill Blackwood Law Enforcement Management Institute Fund (LEMI) (V.T.C.A. Government Code, Sec. 415.081-415.086) was a stand-alone fund from 09/01/1987 through 08/31/1997. The 50-cent fee per conviction was reported quarterly by all municipal and county courts and a 10% collection fee was allowed upon timely filing.

I. Law Enforcement Officers Administrative Fund

The Law Enforcement Officers Administrative Fund (LEOAF) (V.T.C.A. Government Code, Sec. 415.081-415.086) was a stand-alone fund between 09/01/1977 and 08/31/1997. The \$1.00 fee per conviction was reported

quarterly by all municipal and county courts and a 10% collection fee was allowed upon timely filing.

J. Law Enforcement Officers Continuing Education Fund (11.63%)

The Law Enforcement Officers Continuing Education Fund (LEOCE) (V.T.C.A. Government Code, Sec. 415.081-415.086) was a stand-alone fund between 09/01/1995 and 08/31/1997. The \$2 fee per conviction was reported quarterly by all municipal and county courts and a 10% collection fee was allowed upon timely filing.

K. Operator's and Chauffeur's License Fund (25.9%) (*originally created in House Bill 2, 1987*)

The Operator's and Chauffeur's License Fund (OCL) (V.T.C.A. Transportation Code, Sec. 601.191) was a stand-alone fund between 09/01/1987 and 08/31/1997. The fee was \$75 per conviction for failure to maintain financial responsibility (proof of liability insurance). It was reported quarterly by all municipal and county courts and a 10% collection fee was allowed upon timely filing. The first offense for no insurance was punishable by a fine of not less than \$175 and not more than \$350. A subsequent offense was punishable by a fine of not less than \$350 and not more than \$1,000. Fine and court costs were based on the fine level.

**Historical Background**

House Bill 2272, 75th Session (1997), effective 09/01/1997, repealed the individual statutes as indicated here and created the Consolidated Court Cost in the Code of Criminal Procedure, Article 102.075.

Senate Bill 7, 77th Session (2001), effective 01/01/2002, did not change the percentages shown above, but did re-allocate the 13.98% that had been going to General Revenue to the Fair Defense Fund.

House Bill 2424, 78th Session (2003), repealed Article 102.075, and created the Consolidated Court Fee (2004), effective 01/01/2004.

### Correctional Management Institute (CMI)

Courts	Municipal, Justice, County & District
Effective	09/01/2001 through 12/31/2003
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Local Government Code, Chapter 133 (Previously Vernon's Ann. Code Crim. Proc., Art. 102.075(n), repealed 01/01/2004.)
Report Form	Form 40-144 (City) or Form 40-145 (County), lines 1-5 based on date of offense
Purpose	Correctional Management Institute of Texas and Criminal Justice Center account, administered by Sam Houston State University in funding the Correctional Management Institute

**Note:** As of 01/01/2004, the Correctional Management Institute is allocated 1.2090% of the Consolidated Court Fee. For offenses on/after 01/01/2004, a separate court cost should **not** be charged for Correctional Management Institute.

#### Rate

09/01/2001 through 12/31/2003:  
\$0.50 per conviction

#### Description

- Applies to offenses committed between September 1, 2001 and December 31, 2003.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

#### Historical Background

This fund was created by Senate Bill 1421, 77th Session, effective 09/01/2001. This bill created a new Correctional Management Institute and Criminal Justice Center Fund.

House Bill 2424, 78th Session (2003), repealed Code of Criminal Procedure, Article 102.075 and included the Correctional Management Institute in the Consolidated Court Fee (2004).

### Fugitive Apprehension Fund (FA)

Courts	Municipal, Justice, County & District
Effective	09/01/1997 through 12/31/2003
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Local Government Code, sec. 133.102 (Previously Code Crim. Proc., art. 102.019, repealed 01/01/2004)
Report Form	Form 40-144 (City) or Form 40-145 (County), lines 1-5 based on date of offense
Purpose	Fugitive Apprehension Account, administered by the Department of Public Safety, for use in the apprehension program conducted by the Texas Department of Criminal Justice

**Note:** As of 01/01/2004, the Fugitive Apprehension Fund receives 12.0904% of the Consolidated Court Fee – 2004. For offenses on/after 01/01/2004, no separate charge should be made for the Fugitive Apprehension Fund.

#### Rate

09/01/1997 through 12/31/2003:

- \$5 per conviction of a felony, misdemeanor or municipal ordinance.

#### Description

- Applies to offenses committed between September 1, 1997 and December 31, 2003.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

#### Historical Background

This fund was created by House Bill 2272, 75th Session (1997).

The previous statute in the Code of Criminal Procedure, Article 102.075, was repealed and this new Consolidated Court Fee was created in the Local Government Code by House Bill 2424, 78th Regular Session, effective 01/01/2004.

**Judicial and Court Personnel Training Fund (JCPT)**

Courts	Municipal, Justice, County & District
Effective	09/01/1985 through 12/31/2003
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Local Government Code, sec. 133.102 (Previously V.T.C.A. Government Code, Sec. 56.001-56.003. Subsection 56.001 was repealed effective 01/01/2004)
Report Form	Form 40-144 (City) or Form 40-145 (County), lines 1-5 based on date of offense
Purpose	Judicial and Court Personnel Training Fund, administered by the Court of Criminal Appeals, to provide training for court personnel

**Note:** As of 01/01/2004, the Judicial and Court Personnel Training Fund receives 4.8362% of the Consolidated Court Fee – 2004. For offenses on/after 01/01/2004, no separate charge should be made for the Judicial and Court Personnel Training Fund.

**Rates**

09/01/1985 through 12/31/2003:

<b>Offense</b>	<b>09/01/1985 through 08/30/1999</b>	<b>08/31/1999 through 12/31/2003</b>
Per conviction	\$1.00	\$2.00

**Description**

- Applies to offenses committed between September 1, 1985 and December 31, 2003.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

**Historical Background**

The previous provision in the Government Code was repealed and this fund became part of the Consolidated Court Fee (2004) in Chapter 133, Local Government Code, by House Bill 2424, 78th Regular Session (2003), effective 01/01/2004.

**Juvenile Crime & Delinquency Fund (JCD)**

Courts                   Municipal, Justice, County & District  
 Effective               09/01/1997 through 12/31/2003  
 Due date               Quarterly  
 Collection Fee        10% upon timely filing  
 Statute                Local Government Code, Section 133.102 (Previously Code of Criminal Proc., Art. 102.075(m), repealed 01/01/2004)  
 Report Form          Form 40-144 (City) or Form 40-145 (County), lines 1-5 based on date of offense  
 Purpose               Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University

**Note:** As of 01/01/2004, the Juvenile Crime and Delinquency Fund receives 1.2090% of the Consolidated Court Fee – 2004. For offenses on/after 01/01/2004, no separate charge should be made for the Juvenile Crime and Delinquency Fund.

**Rate**

Offense	09/01/1997 through 08/31/2001	09/01/2001 through 12/31/2003
Per conviction	\$0.25	\$0.50

**Description**

- Applies to offenses committed between September 1, 1997 and December 31, 2003.
- Applies to all felonies, Class A, B and C misdemeanors, and municipal ordinances.
- Includes cases in which deferred disposition, deferred adjudication or probation is granted.
- Excludes offenses pertaining to pedestrians or the parking of a motor vehicle.

**Historical Background**

This fund was created by House Bill 2272, 75th Session, effective 09/01/1997.

The 77th Session, Senate Bill 1421, effective 09/01/2001, increased this court cost from 25 cents to 50 cents for offenses on or after 09/01/2001.

Art. 102.075(m) was repealed by House Bill 2424, 78th Regular Session, effective 01/01/2004 when it became part of the Consolidated Court Fee (2004).

**Abbreviations**

The following abbreviations are used on the court cost charts.

<b>Abbreviation</b>	<b>Fund</b>
BAT	Breath Alcohol Testing Program
CCC (1997)	Consolidated Court Cost (1997)
CMI	Correctional Management Institute
CR	Comprehensive Rehabilitation
CVC	Compensation to Victims of Crime Fund
CS	Crime Stopper's Assistance Fund
CJP	Criminal Justice Planning Fund
FA	Fugitive Apprehension Fund
GR	Misdemeanor Court Cost – General Revenue
JCD	Juvenile Crime & Delinquency Fund
JCPT	Judicial and Court Personnel Training Fund
LEOA, LEMI, LEOCE	Law Enforcement Funds
OCL	Operator's and Chauffeur's License Fund

## Rate Charts

### Municipal Courts

Charts, Court Costs and Fees for Offenses Committed

- [January 1, 2010 through December 31, 2013](#)
- [January 1, 2008 through December 31, 2009](#)
- [January 1, 2006 through December 31, 2007](#)
- [January 1, 2004 through December 31, 2005](#)
- [September 1, 2003 through December 31, 2003](#)
- [September 1, 2001 through August 31, 2003](#)
- [August 31, 1999\\* through August 31, 2001](#)
- [September 1, 1997 through August 30, 1999](#)
- [September 1, 1995 through August 31, 1997](#)
- [August 30, 1993\\* through August 31, 1995](#)
- [September 1, 1991 through August 29, 1993](#)

**January 1, 2010 Through December 31, 2013**

<b>Offense Category</b>	<b>Offense Description</b>	<b>CCF (2004)</b>	<b>JRF</b>	<b>STF</b>	<b>JS</b>	<b>IDF</b>	<b>Total</b>
Municipal Ordinances	All municipal ordinances, excluding parking & pedestrian	\$40	\$4	\$0	\$6	\$2	\$52.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$0	\$30.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$6	\$2	\$82.00
State Law	Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$6	\$2	\$52.00
State Law	Education Code, Sec. 25.094, Failure to Attend School	\$40	\$4	\$0	\$6	\$2	\$52.00
State Law	All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$6	\$2	\$52.00

Add the following mandatory fees, when applicable:

- Child Safety Seat Court Cost (CSS CC): Effective **January 1, 2010** (unless qualifying under warning provision prior to 06/01/2010) **through September 27, 2011**, a \$0.15 court cost is assessed for criminal conviction of child safety seat requirements. Children under the age of 8 (unless taller than 4 feet, 9 inches in height) must be secured by a child safety seat. Reported monthly.
- Driving Records Fee (DRF): Effective **January 1, 2008**, a judge may require a defendant to pay \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal Fee. Between **January 1, 2006 and December 31, 2007**, the fee was \$10. Code of Criminal Procedure, Article 45.0511. Reported on quarterly report form.

- Failure To Appear Or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Moving Violation Fees (MVF): Effective January 1, 2010, a \$0.10 court cost is assessed on conviction of moving violations. Reported on quarterly report form.
- Peace Officer Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Metal Recycling Fines: Effective 09/01/2011, cities collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

**January 1, 2008 Through December 31, 2009**

<b>Offense Category</b>	<b>Offense Description</b>	<b>CCF (2004)</b>	<b>JRF</b>	<b>STF</b>	<b>JS</b>	<b>IDF</b>	<b>Total</b>
Municipal Ordinances	All municipal ordinances, excluding parking & pedestrian	\$40	\$4	\$0	\$6	\$2	\$52.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$0	\$30.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$6	\$2	\$82.00
State Law	Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$6	\$2	\$52.00
State Law	Education Code, Sec. 25.094, Failure to Attend School	\$40	\$4	\$0	\$6	\$2	\$52.00
State Law	All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$6	\$2	\$52.00

**Note:** Any amounts collected for offenses during this time period should be reported on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- Driving Records Fee (DRF): Effective **January 1, 2008**, a judge may require a defendant to pay \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal Fee. Between **January 1, 2006 and**

**December 31, 2007**, the fee was \$10. Code of Criminal Procedure, Article 45.0511. Reported on line 14 of quarterly report form.

- Failure To Appear or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

**January 1, 2006 Through December 31, 2007**

<b>Offense Category</b>	<b>Offense Description</b>	<b>CCF (2004)</b>	<b>JRF</b>	<b>STF</b>	<b>JS</b>	<b>Total</b>
Municipal Ordinances	All municipal ordinances, excluding parking & pedestrian	\$40	\$4	\$0	\$4	\$48.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$30.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$4	\$78.00
State Law	Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$4	\$48.00
State Law	Education Code, Sec. 25.094, Failure to Attend School	\$40	\$4	\$0	\$4	\$48.00
State Law	All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$4	\$48.00

**Note:** Any amounts collected for offenses during this time period should be reported on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- Driving Records Fee (DRF): **Effective January 1, 2006**, a judge may require a defendant to pay \$10 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. Code of Criminal Procedure, Article 45.0511. Reported on quarterly report form.
- Failure To Appear Or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Peace Officers Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.

- Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506 Reported on line 12 of quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

**January 1, 2004 Through December 31, 2005**

<b>Offense Category</b>	<b>Offense Description</b>	<b>CCF (2004)</b>	<b>JRF Effective 09/01/2005 <sup>(1)</sup></b>	<b>STF</b>	<b>JS Effective 12/01/2005 <sup>(2)</sup></b>	<b>Total See Notes</b>
Municipal Ordinances	All municipal ordinances, excluding parking & pedestrian	\$40	\$4	\$0	\$4	\$48.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$30.00
State Law	Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$4	\$78.00
State Law	Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$4	\$48.00
State Law	Education Code, Sec. 25.094, Failure to Attend School	\$40	\$4	\$0	\$4	\$48.00
State Law	All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$4	\$48.00

Notes:

(1) Offenses committed prior to 09/01/2005 are not subject to the Jury Reimbursement Fee (JRF).

(2) Offenses committed prior to 12/01/2005 are not subject to the Judicial Support Fee (JS).

**Note:** Any amounts collected for offenses during this time period should be reported on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Peace Officers Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 2003 Through December 31, 2003**

<b>Offense Category</b>	<b>Offense Description</b>	<b>JCPT</b>	<b>CVC</b>	<b>CCC (1997)</b>	<b>FA</b>	<b>JCD</b>	<b>CMI</b>	<b>STF</b>	<b>Total</b>
Municipal Ordinances	Municipal Ordinances, punishable by a fine of \$200 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
Municipal Ordinances	Municipal Ordinances, punishable by a fine of \$201 through \$500	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$0	\$60
Municipal Ordinances	Municipal Ordinances, punishable by a fine of more than \$500	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$0	\$83
State Law	V.T.C.A., Education Code, §25.093 – Parent Contributing to Nonattendance	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
State Law	V.T.C.A., Education Code, §25.094 – Failure to Attend School	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$30	\$30
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$30	\$90
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$30	\$70

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Category	Offense Description	JCPT	CVC	CCC (1997)	FA	JCD	CMI	STF	Total
State Law	All other misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
State Law	All other misdemeanors punishable by a fine of more than \$500	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$0	\$60

**Note:** Any of the above amounts collected for offenses during this time period should be reported on the City Quarterly Report.

Add the following mandatory fees, when applicable:

- **Failure To Appear Or Pay (FTA):** If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **Peace Officer Fees:**
  - **Arrest Fee:** \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - **Warrant Fee:** \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- **Time Payment Fee:** \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- **Child Safety Seat and Seat Belt Violations:** a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- **Excess Highway Fines,** for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- **Excess Motor Carrier Fines,** for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- **Motor Carrier Weight Violations,** per Transportation Code, Sec. 621.506.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 2001 Through August 31, 2003**

<b>Offense Category</b>	<b>Offense Description</b>	<b>JCPT</b>	<b>CVC</b>	<b>CCC (1997)</b>	<b>FA</b>	<b>JCD</b>	<b>CMI</b>	<b>Total</b>
Municipal Ordinances	Parking authorized by V.T.C.A., Transportation Code §542.202-542.203	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Other municipal offenses punishable by a fine of \$200 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$40.00
Municipal Ordinances	Other municipal offenses punishable by a fine of \$201 through \$500	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$60.00
Municipal Ordinances	Punishable by a fine of more than \$500	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$83.00
State Law	V.T.C.A., Education Code § 25.093, Parent Contributing to Truancy and §25.094, Failure to Attend School	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$40.00
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$60.00
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$40.00
State Law	All other misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$40.00
State Law	All other misdemeanors punishable by a fine of more than \$500	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$60.00

**Note:** Any of the above amounts collected for offenses during this time period should be reported on the City Quarterly Report.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or *capias*. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations, **effective 09/01/2001**: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(a) and (b). Reported on Form 40-138.
- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102 Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**August 31, 1999\* Through August 31, 2001**

<b>Offense Category</b>	<b>Offense Description</b>	<b>JCPT</b>	<b>CVC</b>	<b>CCC (1997)</b>	<b>FA</b>	<b>JCD</b>	<b>Total *</b>
Municipal Ordinances	Parking authorized by V.T.C.A., Transportation Code §542.202-542.203	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Pedestrian	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Other municipal offenses punishable by a fine of \$200 or less	\$2	\$15	\$17	\$5	\$0.25	\$39.25
Municipal Ordinances	Other municipal offenses punishable by a fine of \$201 through \$500	\$2	\$35	\$17	\$5	\$0.25	\$59.25
Municipal Ordinances	Punishable by a fine of more than \$500	\$2	\$35	\$40	\$5	\$0.25	\$82.25
State Law	V.T.C.A., Education Code § 25.093, Thwarting Compulsory Attendance and §25.094, Failure to Attend School	\$2	\$15	\$17	\$5	\$0.25	\$39.25
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$2	\$35	\$17	\$5	\$0.25	\$59.25
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$2	\$15	\$17	\$5	\$0.25	\$39.25

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Category	Offense Description	JCPT	CVC	CCC (1997)	FA	JCD	Total *
State Law	All other misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.25	\$39.25
State Law	All other misdemeanors punishable by a fine of more than \$500	\$2	\$35	\$17	\$5	\$0.25	\$59.25

\* The rate change for Judicial and Court and Personnel Training Fund (JCPT) was effective August 31, 1999.

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on line 12 of quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 1997 Through August 30, 1999**

<b>Offense Category</b>	<b>Offense Description</b>	<b>JCPT</b>	<b>CVC</b>	<b>CCC</b>	<b>FA</b>	<b>JCD</b>	<b>Total</b>
Municipal Ordinances	Parking authorized by V.T.C.A., Transportation Code §542.202-542.203	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Pedestrian	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Other municipal offenses punishable by a fine of \$200 or less	\$1	\$15	\$17	\$5	\$0.25	\$38.25
Municipal Ordinances	Other municipal offenses punishable by a fine of \$201 through \$500	\$1	\$35	\$17	\$5	\$0.25	\$58.25
Municipal Ordinances	Punishable by a fine of more than \$500	\$1	\$35	\$40	\$5	\$0.25	\$81.25
State Law	V.T.C.A., Education Code § 25.093, Thwarting Compulsory Attendance and §25.094, Failure to Attend School	\$1	\$15	\$17	\$5	\$0.25	\$38.25
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$1	\$35	\$17	\$5	\$0.25	\$58.25
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$1	\$15	\$17	\$5	\$0.25	\$38.25

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Category	Offense Description	JCPT	CVC	CCC	FA	JCD	Total
State Law	All other misdemeanors punishable by a fine of \$500 or less	\$1	\$15	\$17	\$5	\$0.25	\$38.25
State Law	All other misdemeanors punishable by a fine of more than \$500	\$1	\$35	\$17	\$5	\$0.25	\$58.25

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.
- Time Payment Fee: \$25.00 from a person who seeks to pay any part of a fine, court costs or restitution over a period of time rather than immediately. One-half (\$12.50) sent to the state.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 1995 Through August 31, 1997**

Offense Category	Offense Description	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total
Municipal Ordinances	Parking authorized by V.T.C.A., Transportation Code §542.202-542.203	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Other municipal offenses punishable by a fine of \$200 or less	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$27
Municipal Ordinances	Other municipal offenses punishable by a fine of \$201 through \$500	\$1	\$1	\$2	\$0.50	\$35	\$5	\$0	\$0	\$2.50	\$0	\$47
Municipal Ordinances	Punishable by a fine of more than \$500	\$1	\$1	\$2	\$0.50	\$35	\$10	0	\$0	\$2.50	\$0	\$52
State Law	V.T.C.A., Education Code § 25.093, Thwarting Compulsory Attendance	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$27
State Law	V.T.C.A., Transportation Code, Chapter 522, Texas Commercial Driver's License Act	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$30	\$57
State Law	V.T.C.A., Transportation Code § 661.003, Motorcycle Protective Headgear	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$32
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Category	Offense Description	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total
	and pedestrian											
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$0	\$52
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.351, 545.352, 545.364, speed restrictions	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$32
State Law	V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$27
State Law	V.T.C.A., Transportation Code, §601.192, Failure to Maintain Financial Responsibility, first convictions	\$1	\$1	\$2	\$0.50	\$15	\$5	\$75	\$0	\$2.50	\$0	\$102
State Law	V.T.C.A., Transportation Code, §601.192, Failure to Maintain Financial Responsibility, first convictions	\$1	\$1	\$2	\$0.50	\$35	\$10	\$75	\$0	\$2.50	\$0	\$127
State Law	All other misdemeanors punishable by	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$27

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Category	Offense Description	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total
	a fine of \$500 or less											
State Law	All other misdemeanors punishable by a fine of more than \$500	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$0	\$52

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or *capias*. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Note:** Municipal Courts may also be responsible for remitting the following fines:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on line 12 of quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**August 30, 1993\* Through August 31, 1995**

Offense Category	Offense Description	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total *
Municipal Ordinances	Parking authorized by 6701d, Section 27	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Other municipal offenses punishable by a fine of \$200 or less	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25
Municipal Ordinances	Other municipal offenses punishable by a fine of \$201 through \$500	\$1	\$1	\$0.50	\$35	\$5	\$0	\$0	\$2.50	\$0	\$45
Municipal Ordinances	Punishable by a fine of more than \$500	\$1	\$1	\$0.50	\$35	\$10	0	\$0	\$2.50	\$0	\$50
State Law	V.T.C.A., Education Code § 4.25, Thwarting Compulsory Attendance	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25
State Law	VACS Article 6687b-2, Texas Commercial Driver's License Act	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$30	\$55
State Law	VACS Article 6701c-3, Motorcycle Protective Headgear	\$1	\$1	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$30
State Law	VACS Article 6701d, Uniform Act Regulating Traffic, parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Law	VACS Article 6701d, Uniform Act Regulating Traffic, Sec. 166 speeding (outside a school zone)	\$1	\$1	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$30
State Law	VACS Article 6701d, Uniform Act Regulating Traffic, other	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25
State Law	VACS Article 6701h, Failure to	\$1	\$1	\$0.50	\$15	\$5	\$75	\$0	\$2.50	\$0	\$100

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Category	Offense Description	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total *
	Maintain Financial Responsibility										
State Law	All other misdemeanors punishable by a fine of \$500 or less	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25

\* The rate change for Compensation to Victims of Crime (CVC) was effective on August 30, 1993.

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Note:** Municipal Courts may also be responsible for remitting the following:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 1991 Through August 29, 1993**

Offense Category	Offense Description	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total *
Municipal Ordinances	Parking authorized by 6701d, Section 27	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Municipal Ordinances	Other municipal offenses punishable by a fine of \$200 or less	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$15
Municipal Ordinances	Other municipal offenses punishable by a fine of \$201 through \$500	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25
Municipal Ordinances	Punishable by a fine of more than \$500	\$1	\$1	\$0.50	\$15	\$10	0	\$0	\$2.50	\$0	\$30
State Law	Parks and Wildlife Code, misdemeanors punishable by a fine of \$500 or less	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$15
State Law	V.T.C.A., Education Code § 4.25, Thwarting Compulsory Attendance	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$15
State Law	VACS Article 6687b-2, Texas Commercial Driver's License Act	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$30	\$45
State Law	VACS Article 6701c-3, Motorcycle Protective Headgear	\$1	\$1	\$0.50	\$5	\$5	\$0	\$5	\$2.50	\$0	\$20
State Law	VACS Article 6701d, Uniform Act Regulating Traffic, parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Law	VACS Article 6701d, Uniform Act Regulating Traffic, Sec. 104, overtaking and	\$1	\$1	\$0.50	\$5	\$5	\$0	\$5	\$2.50	\$0	\$15

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Category	Offense Description	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total *
	passing a school bus										
State Law	VACS Article 6701d, Uniform Act Regulating Traffic, Sec. 166 speeding	\$1	\$1	\$0.50	\$5	\$5	\$0	\$5	\$2.50	\$0	\$20
State Law	VACS Article 6701d, Uniform Act Regulating Traffic, other in a school zone	\$1	\$1	\$0.50	\$5	\$5	\$0	\$	\$2.50	\$0	\$15
State Law	VACS Article 6701d, Uniform Act Regulating Traffic, other	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25
State Law	VACS Article 6701h, Failure to Maintain Financial Responsibility	\$1	\$1	\$0.50	\$5	\$5	\$75	\$0	\$2.50	\$0	\$90
State Law	All other misdemeanors punishable by a fine of \$500 or less	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$15
State Law	All other misdemeanors punishable by a fine of more than \$500	\$1	\$1	\$0.50	\$15	\$10	\$0	\$0	\$2.50	\$0	\$30

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the City Quarterly Report form.

Add the following mandatory fees, when applicable:

- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Note:** Municipal Courts may also be responsible for remitting the following:

- Excess Highway Fines, for cities under 5,000 population only, per Transportation Code, Sec. 542.402. Reported on Form 40-128.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

## Justice Courts

### Charts, Court Costs and Fees for Offenses Committed

- [January 1, 2010 through December 31, 2013](#)
- [January 1, 2008 through December 31, 2009](#)
- [January 1, 2006 through December 31, 2007](#)
- [January 1, 2004 through December 31, 2005](#)
- [September 1, 2003 through December 31, 2003](#)
- [September 1, 2001 through August 31, 2003](#)
- [August 31, 1999\\* through August 31, 2001](#)
- [September 1, 1997 through August 30, 1999](#)
- [September 1, 1995 through August 31, 1997](#)
- [August 30, 1993\\* through August 31, 1995](#)
- [September 1, 1991 through August 29, 1993](#)

**January 1, 2010 Through December 31, 2013**

Offense Description	CCF (2004)	JRF	STF	JS	IDF	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$0	\$30.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$6	\$2	\$82.00
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$6	\$2	\$52.00
Education Code, Sec. 25.094, Failure to Attend School	\$40	\$4	\$0	\$6	\$2	\$52.00
All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$6	\$2	\$52.00

Add the following mandatory fees, when applicable:

- Child Safety Seat Court Cost (CSS CC): **Effective January 1, 2010** (unless qualifying under warning provision prior to 06/01/2010) **through September 27, 2011**, a \$0.15 court cost is assessed for criminal conviction of child safety seat requirements. Children under the age of 8 (unless taller than 4 feet, 9 inches in height) must be secured by a child safety seat. Reported monthly.
- Driving Records Fee (DRF): **Effective January 1, 2008**, a judge may require a defendant to pay \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 Texas Online Fee. **Between January 1, 2006 and December 31, 2007**, the fee was \$10. Code of Criminal Procedure, Article 45.0511. Reported on quarterly report form.
- Failure To Appear Or Pay (FTA): If the City has contracted with DPS to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a municipal court, for a violation of which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Moving Violation Fees (MVF): Effective January 1, 2010, a \$0.10 (ten cent) court cost is assessed on conviction of moving violations. Reported on quarterly report form.
- Peace Officer Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.

- Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state. The fee is sent to another local government if their officer provides the service and a written request is made within 15 days.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying cities only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Metal Recycling Fines: Effective 09/01/2011, counties collecting fine amounts on offenses under Occupations Code 1956.040(a-1) shall remit 90% to the state. Reported on Form 40-150.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506  
Reported on quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

**January 1, 2008 Through December 31, 2009**

Offense Description	CCF (2004)	JRF	STF	JS	IDF	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$0	\$30.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$6	\$2	\$82.00
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$6	\$2	\$52.00
Education Code, Sec. 25.094, Failure to Attend School	\$40	\$4	\$0	\$6	\$2	\$52.00
All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$6	\$2	\$52.00

**Note:** The above amounts collected for offenses during this time period should be reported on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **Driving Record Fee (DRF):** Effective January 1, 2008, a judge may require a defendant to pay \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal fee. **Between January 1, 2006 and December 31, 2007**, the fee was \$10. Code of Criminal Procedure, Article 45.0511. Reported on quarterly report form.
- **Failure To Appear Or Pay (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- **Peace Officer Fees:** Reported on quarterly report form.
  - **Arrest Fee:** \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - **Warrant Fee:** \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.

- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on Line 20 of quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

**January 1, 2006 Through December 31, 2007**

Offense Description	CCF (2004)	JRF	STF	JS	Total
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$30.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$4	\$78.00
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$4	\$48.00
Education Code, Sec. 25.094, Failure to Attend School	\$40	\$4	\$0	\$4	\$48.00
All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$4	\$48.00

**Note:** The above amounts collected for offenses during this time period should be reported on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Driving Record Fee (DRF): **Effective January 1, 2006**, a judge may require a defendant to pay \$10 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. Reported on quarterly report form.
- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, and/or \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Peace Officers Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

- Excess Motor Carrier Fines, for qualifying counties only, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on Line 20 of quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

**January 1, 2004 Through December 31, 2005**

Offense Description	CCF (2004)	JRF Effective 09/01/2005 <sup>(1)</sup>	STF	JS Effective 12/01/2005 <sup>(2)</sup>	Total See Notes
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$30	\$0	\$30.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors except parking & pedestrian	\$40	\$4	\$30	\$4	\$78.00
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$4	\$0	\$4	\$48.00
Education Code, Sec. 25.094, Failure to Attend School	\$40	\$4	\$0	\$4	\$48.00
All other misdemeanors punishable by fine only	\$40	\$4	\$0	\$4	\$48.00

Notes:

(1) Offenses committed prior to 09/01/2005 are not subject to the Jury Reimbursement Fee (JRF).

(2) Offenses committed prior to 12/01/2005 are not subject to the Judicial Support Fee (JS).

**Note:** Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or, \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Peace Officers Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.

- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

**September 1, 2003 Through December 31, 2003**

<b>Offense Description</b>	<b>JCPT</b>	<b>CVC</b>	<b>CCC (1997)</b>	<b>FA</b>	<b>JCD</b>	<b>CMI</b>	<b>STF</b>	<b>Total</b>
V.T.C.A., Education Code, §25.093 – Parent Contributing to Nonattendance	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
V.T.C.A., Education Code, §25.094 – Failure to Attend School	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$30	\$30
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$30	\$90
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$30	\$70
All other misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
All other misdemeanors punishable by a fine of more than \$500	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$0	\$60

**Note:** Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form in one lump-sum amount on line 2, except for State Traffic Fine, reported on line 15.

Add the following mandatory fees, when applicable:

- **Failure To Appear Or Pay (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or, \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- **Peace Officer Fees:** Reported on quarterly report form.
  - **Arrest Fee:** \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.

- Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on Line 20 of quarterly report form.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) – Justice Courts later in this chapter.

**September 1, 2001 Through August 31, 2003**

Offense Description	JCPT	CVC	CCC (1997)	FA	JCD	CMI	Total *
V.T.C.A., Education Code § 25.093, Parent Contributing to Truancy and §25.094, Failure to Attend School	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$40.00
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$60.00
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$40.00
All other misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$40.00
All other misdemeanors punishable by a fine of more than \$500	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$60.00

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or, \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Child Safety Seat and Seat Belt Violations: **Effective 09/01/2001**, a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(a) and (b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties **effective 09/01/2001**, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) – Justice Courts later in this chapter.

**August 31, 1999\* Through August 31, 2001**

Offense Description	JCPT	CVC	CCC (1997)	FA	JCD	Total *
V.T.C.A., Education Code § 25.093, Thwarting Compulsory Attendance and §25.094, Failure to Attend School	\$2	\$15	\$17	\$5	\$0.25	\$39.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$2	\$35	\$17	\$5	\$0.25	\$59.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$2	\$15	\$17	\$5	\$0.25	\$39.25
All other misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.25	\$39.25
All other misdemeanors punishable by a fine of more than \$500	\$2	\$35	\$17	\$5	\$0.25	\$59.25

\* The rate increased for Judicial and Court Personnel Training Fund (JCPT) on August 31, 1999.

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) – Justice Courts later in this chapter.

**September 1, 1997 Through August 30, 1999**

Offense Description	JCPT	CVC	CCC	FA	JCD	Total
V.T.C.A., Education Code § 25.093, Thwarting Compulsory Attendance and §25.094, Failure to Attend School	\$1	\$15	\$17	\$5	\$0.25	\$38.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$1	\$35	\$17	\$5	\$0.25	\$58.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$1	\$15	\$17	\$5	\$0.25	\$38.25
All other misdemeanors punishable by a fine of \$500 or less	\$1	\$15	\$17	\$5	\$0.25	\$38.25
All other misdemeanors punishable by a fine of more than \$500	\$1	\$35	\$17	\$5	\$0.25	\$58.25

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.
- Time Payment Fee: Effective 09/01/1997, \$25.00 from a person who seeks to pay any part of a fine, court costs or restitution over a period of time rather than immediately. One-half (\$12.50) sent to the state.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) – Justice Courts later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 1995 Through August 31, 1997**

<b>Offense Description</b>	<b>JCPT</b>	<b>LEOA</b>	<b>LEOCE</b>	<b>LEMI</b>	<b>CVC</b>	<b>CJP</b>	<b>OCL</b>	<b>CR</b>	<b>GR</b>	<b>BAT</b>	<b>Total</b>
V.T.C.A., Education Code § 25.093, Thwarting Compulsory Attendance	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$27
V.T.C.A., Transportation Code, Chapter 522, Texas Commercial Driver's License Act	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$30	\$57
V.T.C.A., Transportation Code § 661.003, Motorcycle Protective Headgear	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$32
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$0	\$52
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.351, 545.352, 545.364, speed restrictions	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$32
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$27
V.T.C.A., Transportation Code, §601.192, Failure to Maintain Financial Responsibility, first convictions	\$1	\$1	\$2	\$0.50	\$15	\$5	\$75	\$0	\$2.50	\$0	\$102
V.T.C.A., Transportation Code, §601.192, Failure to Maintain Financial Responsibility, subsequent convictions	\$1	\$1	\$2	\$0.50	\$35	\$10	\$75	\$0	\$2.50	\$0	\$127
All other misdemeanors punishable by a fine of \$500 or less	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$27
All other misdemeanors punishable by a fine of more than \$500	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$0	\$52

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): **Effective 09/01/1995**, if the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation for which they have jurisdiction under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Note:** Justice Courts may also be responsible for remitting the following fines:

- Motor Carrier Weight Violations, effective 09/01/1995, per Transportation Code, Sec. 621.506.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) – Justice Courts later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**August 30, 1993\* Though August 31, 1995**

Offense Description	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total *
V.T.C.A., Education Code § 4.25, Thwarting Compulsory Attendance	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25
VACS Article 6687b-2, Texas Commercial Driver's License Act	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$30	\$55
VACS Article 6701c-3, Motorcycle Protective Headgear	\$1	\$1	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$30
VACS Article 6701d, Uniform Act Regulating Traffic, sec. 104, overtaking and passing a school bus	\$1	\$1	\$0.50	\$35	\$10	\$0	\$5	\$2.50	\$0	\$50
VACS Article 6701d, Uniform Act Regulating Traffic, parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
VACS Article 6701d, Uniform Act Regulating Traffic, Sec. 166 speeding	\$1	\$1	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$30
VACS Article 6701d, Uniform Act Regulating Traffic, other	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25
VACS Article 6701h, Failure to Maintain Financial Responsibility, first convictions	\$1	\$1	\$0.50	\$15	\$5	\$75	\$0	\$2.50	\$0	\$100
All other misdemeanors punishable by a fine of \$500 or less	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$25
All other misdemeanors punishable by a fine of more than \$500	\$1	\$1	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$0	\$50

\* The rate increased for Compensation to Victims of Crime (CVC) effective August 31, 1993.

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Peace Officer Fees
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) at the end of this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 1991 Through August 29, 1993**

Offense Description	JCPT	LEOSE	LEMI	CVC	CJP	OCL	CR	GR	BAT	Total *
V.T.C.A., Education Code § 4.25, Thwarting Compulsory Attendance	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$15
VACS Article 6687b-2, Texas Commercial Driver's License Act	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$30	\$45
VACS Article 6701c-3, Motorcycle Protective Headgear	\$1	\$1	\$0.50	\$5	\$5	\$0	\$5	\$2.50	\$0	\$20
VACS Article 6701d, Uniform Act Regulating Traffic, Sec. 104, overtaking and passing a school bus	\$1	\$1	\$0.50	\$5	\$5	\$0	\$5	\$2.50	\$0	\$15
VACS Article 6701d, Uniform Act Regulating Traffic, Sec. 166 speeding	\$1	\$1	\$0.50	\$5	\$5	\$0	\$5	\$2.50	\$0	\$20
VACS Article 6701d, Uniform Act Regulating Traffic, other	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$15
VACS Article 6701d, Uniform Act Regulating Traffic, parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
VACS Article 6701h, Failure to Maintain Financial Responsibility, first convictions	\$1	\$1	\$0.50	\$5	\$5	\$75	\$0	\$2.50	\$0	\$90
VACS Article 6701h, Failure to Maintain Financial Responsibility, subsequent convictions	\$1	\$1	\$0.50	\$15	\$10	\$75	\$0	\$2.50	\$0	\$105
All other misdemeanors punishable by a fine of \$500 or less	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$15
All other misdemeanors punishable by a fine of more than \$500	\$1	\$1	\$0.50	\$15	\$10	\$0	\$0	\$2.50	\$0	\$30

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Peace Officer Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or *capias*. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

## County and District Courts

### Charts, Court Costs and Fees for Offenses Committed

- [January 1, 2008 through June 13, 2013](#)
- [January 1, 2006 through December 31, 2007](#)
- [January 1, 2004 through December 31, 2005](#)
- [September 1, 2003 through December 31, 2003](#)
- [September 1, 2001 through August 31, 2003](#)
- [August 31, 1999\\* through August 31, 2001](#)
- [September 1, 1997 through August 30, 1999](#)
- [September 1, 1995 through August 31, 1997](#)
- [August 30, 1993\\* through August 31, 1995](#)
- [September 1, 1991 through August 29, 1993](#)

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**January 1, 2008 Through June 13, 2013**

<b>Offense/Description</b>	<b>CCF (2004)</b>	<b>DNA</b>	<b>EMS</b>	<b>JRF</b>	<b>STF</b>	<b>JS</b>	<b>IDF</b>	<b>SCP</b>	<b>Total</b>
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$52.00
Education Code, Sec. 25.094, Failure to Attend School	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$52.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, parking & pedestrian	\$0	\$0	\$0	\$0	\$30	\$0	\$0	\$0	\$30.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, all other misdemeanors punishable by fine only	\$40	\$0	\$0	\$4	\$30	\$6	\$2	\$0	\$82.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, Class A and B misdemeanors	\$83	\$0	\$0	\$4	\$30	\$6	\$2	\$0	\$125.00
Transportation Code, Title 7, Subtitle C, Rules of the Road, Felonies	\$133	\$0	\$0	\$4	\$30	\$6	\$2	\$0	\$175.00
Penal Code, Sec. 21.07 – Public lewdness	\$83	\$50	\$0	\$4	\$0	\$6	\$2	\$0	\$145.00
Penal Code, Sec. 21.08 – Indecent Exposure	\$83	\$50	\$0	\$4	\$0	\$6	\$2	\$0	\$145.00
Penal Code, Sec. 20.04(a)(4) – Aggravated kidnapping	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00
Penal Code, Sec. 21.11 – Indecency with a child	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense/Description</b>	<b>CCF (2004)</b>	<b>DNA</b>	<b>EMS</b>	<b>JRF</b>	<b>STF</b>	<b>JS</b>	<b>IDF</b>	<b>SCP</b>	<b>Total</b>
Penal Code, Sec. 22.011 – Sexual Assault	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00
Penal Code, Sec. 22.021 – Aggravated sexual assault	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00
Penal Code, Sec. 25.02 – Prohibited Sexual Conduct	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00
Penal Code, Sec. 30.02(d) – Burglary	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00
Penal Code, Sec. 43.05 – Compelling prostitution	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00
Penal Code, Sec. 43.25 – Sexual performance by a child	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00
Penal Code, Sec. 43.26 – Possession or promotion of child pornography	\$133	\$250	\$0	\$4	\$0	\$6	\$2	\$0	\$395.00
Penal Code, Sec. 49.02, Public intoxication, Class C misdemeanor	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$52.00
Penal Code, Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$52.00
Penal Code, Sec. 49.04, driving while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$245.00
Penal Code, Sec. 49.04, driving while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$295.00
Penal Code, Sec. 45.045, driving while intoxicated with child passenger, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$295.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense/Description</b>	<b>CCF (2004)</b>	<b>DNA</b>	<b>EMS</b>	<b>JRF</b>	<b>STF</b>	<b>JS</b>	<b>IDF</b>	<b>SCP</b>	<b>Total</b>
Penal Code, Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$245.00
Penal Code, Sec. 49.05, Flying while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$295.00
Penal Code, Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$245.00
Penal Code, Sec. 49.06, Boating while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$295.00
Penal Code, Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$245.00
Penal Code, Sec. 49.065, assembling/operating amusement ride while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$295.00
Penal Code, Sec. 49.07, Intoxication assault, felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$295.00
Penal Code, Sec. 49.08, Intoxication manslaughter, felony	\$133	\$0	\$100	\$4	\$0	\$6	\$2	\$50	\$295.00
Health & Safety Code, Chapter 481, Class B	\$83	\$0	\$0	\$4	\$0	\$6	\$2	\$50	\$145.00
Health & Safety Code, Chapter 481, Felonies	\$133	\$0	\$0	\$4	\$0	\$6	\$2	\$50	\$195.00
All other Class C, punishable by fine only	\$40	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$52.00
All other Class A/B	\$83	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$95.00
All other Felonies	\$133	\$0	\$0	\$4	\$0	\$6	\$2	\$0	\$145.00

**Note:** Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form other than noted below:

- [Specialty Court Program \(SCP\)](#), Form 40-147.

Add the following mandatory fees, when applicable:

- Bail Bond Fee: \$15.00 from a surety posting a bail bond for an offense other than a misdemeanor punishable by fine only, not to exceed \$30 per person per surety per incident. Not required on the posting of a personal or cash bond. Reported on quarterly report form.
- Driving Records Fee (DRF): **Effective January 1, 2008**, a judge may require a defendant to pay a fee of \$22 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. The \$22 fee is a combination of the \$10 fee in Transportation Code, Section 521.048 and the \$12 State electronic Internet portal fee. Between January 1, 2006 and December 31, 2007, the fee was \$10. Reported on quarterly report form.
- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or, \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on quarterly report form.
- Peace Officer Fees: Reported on quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant, capias or capias pro fine. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Judicial Fund: \$15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court. This is mandatory for all statutory county courts as of October 1, 2006, but optional for constitutional county courts if the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on the quarterly report form.
- Juvenile Probation Diversion Fund: \$20 fee if a disposition hearing is held, collected only if the child, parent or other person responsible for the child's support is financially able to pay the fee. Reported on quarterly report form.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on quarterly report form.

**Note:** County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited.
- Sexual Assault Fund Reported on Form 40-139.
- Substance Abuse Felony Program Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**January 1, 2006 Through December 31, 2007**

<b>Offense Description</b>	<b>CCF (2004)</b>	<b>DNA</b>	<b>EMS</b>	<b>JRF</b>	<b>STF</b>	<b>JS</b>	<b>SCP Effective 06/15/2007</b>	<b>Total</b>
Education Code, Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$0	\$0	\$4	\$0	\$4	\$0	\$48.00
Education Code Sec. 25.094, Failure to Attend School	\$40	\$0	\$0	\$4	\$0	\$4	\$0	\$48.00
Transportation Code, Title 7, Subtitle C, Rules of the Road – parking & pedestrian	\$0	\$0	\$0	\$0	\$30	\$0	\$0	\$30.00
Transportation Code, Title 7, Subtitle C, Rules of the Road – all other misdemeanors punishable by fine only	\$40	\$0	\$0	\$4	\$30	\$4	\$0	\$78.00
Transportation Code, Title 7, Subtitle C, Rules of the Road – Class A and B misdemeanors	\$83	\$0	\$0	\$4	\$30	\$4	\$0	\$121.00
Transportation Code, Title 7, Subtitle C, Rules of the Road – Felonies	\$133	\$0	\$0	\$4	\$30	\$4	\$0	\$171.00
Penal Code, Chapter 49, Sec. 21.07 – Public lewdness	\$83	\$50	\$0	\$4	\$0	\$4	\$0	\$141.00
Penal Code, Chapter 49, Sec. 21.08 – Indecent Exposure	\$83	\$50	\$0	\$4	\$0	\$4	\$0	\$141.00
Penal Code, Chapter 49, Sec. 20.04(a)(4) – Aggravated kidnapping	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00
Penal Code, Chapter 49, Sec. 21.11 – Indecency with a child	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00
Penal Code, Chapter 49, Sec. 22.011 – Sexual Assault	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00
Penal Code, Chapter 49, Sec. 22.021 – Aggravated sexual assault	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00
Penal Code, Chapter 49, Sec. 25.02 – Prohibited Sexual Conduct	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00
Penal Code, Chapter 49, Sec. 30.02(d) – Burglary	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00
Penal Code, Chapter 49, Sec. 43.05 – Compelling prostitution	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00
Penal Code, Chapter 49, Sec. 43.25 – Sexual performance by a child	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00
Penal Code, Chapter 49, Sec. 43.26 – Possession or promotion of child pornography	\$133	\$250	\$0	\$4	\$0	\$4	\$0	\$391.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Description	CCF (2004)	DNA	EMS	JRF	STF	JS	SCP Effective 06/15/2007	Total
Penal Code, Chapter 49, Sec. 49.02, Public intoxication, Class C misdemeanor	\$40	\$0	\$0	\$4	\$0	\$4	\$0	\$48.00
Penal Code, Chapter 49, Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	\$40	\$0	\$0	\$4	\$0	\$4	\$0	\$48.00
Penal Code, Chapter 49, Sec. 49.04, driving while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$4	\$50	\$241.00
Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$50	\$291.00
Penal Code, Chapter 49, Sec. 45.045, driving while intoxicated with child passenger, Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$50	\$291.00
Penal Code, Chapter 49, Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$4	\$50	\$241.00
Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$50	\$291.00
Penal Code, Chapter 49, Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$4	\$50	\$241.00
Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$50	\$291.00
Penal Code, Chapter 49, Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$4	\$50	\$241.00
Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$50	\$291.00
Penal Code, Chapter 49, Sec. 49.07, Intoxication assault, felony	\$133	\$0	\$100	\$4	\$0	\$4	\$50	\$291.00
Penal Code, Chapter 49, Sec. 49.08, Intoxication manslaughter, felony	\$133	\$0	\$100	\$4	\$0	\$4	\$50	\$291.00
Health & Safety Code, Chapter 481, Class B	\$83	\$0	\$0	\$4	\$0	\$4	\$50	\$141
Health & Safety Code, Chapter 481, Felonies	\$133	\$0	\$0	\$4	\$0	\$4	\$50	\$191
All other Class C, punishable by fine only	\$40	\$0	\$0	\$4	\$0	\$4	\$0	\$48.00
All other Class A/B	\$83	\$0	\$0	\$4	\$0	\$4	\$0	\$91.00
All other Felonies	\$133	\$0	\$0	\$4	\$0	\$4	\$0	\$141.00

**Note:** Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form other than noted below:  
Specialty Court Program (SCP), Form 40-147.

**Note:** Specialty Court Program should not be collected on offenses prior to 06/15/2007.

Add the following mandatory fees, when applicable:

- Bail Bond Fee: \$15.00 from a surety posting a bail bond for an offense other than a misdemeanor punishable by fine only, not to exceed \$30 per person per surety per incident. Not required on the posting of a personal or cash bond. Reported on quarterly report form.
- Driving Records Fee (DRF): **Effective January 1, 2006**, a judge may require a defendant to pay a fee of \$10 for a copy of a driving record when the defendant requests a driving safety course or a motorcycle operator training course dismissal. Reported on quarterly report form.
- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or, \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on the quarterly report form.
- Peace Officers Fees: Reported on the quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Judicial Fund: \$15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court, if the court **is** participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on the quarterly report form. If the Statutory County Court **is not** participating in the program, the \$15 court cost shall be assessed in Statutory County Court but is retained locally. (**Note:** Effective October 1, 2006, participation is mandatory for all statutory county courts.) See "Table of Local Costs and Fees"
- Juvenile Probation Diversion Fund: \$20 fee if a disposition hearing is held, collected only if the child, parent or other person responsible for the child's support is financially able to pay the fee. Reported on the quarterly report form.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on the quarterly report form.

**Note:** County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form 40-139.
- Substance Abuse Felony Program Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**January 1, 2004 Through December 31, 2005**

<b>Offense / Description</b>	<b>CCF (2004)</b>	<b>DNA</b>	<b>EMS</b>	<b>JRF Effective 09/01/2005 (1)</b>	<b>STF</b>	<b>JS Effective 12/01/2005 (2)</b>	<b>Total See Notes</b>
Education Code – Sec. 25.093, Parent Contributing to Nonattendance	\$40	\$0	\$0	\$4	\$0	\$4	\$48
Education Code – Sec. 25.094, Failure to Attend School	\$40	\$0	\$0	\$4	\$0	\$4	\$48
Transportation Code, Title 7, Subtitle C, Rules of the Road – parking & pedestrian	\$0	\$0	\$0	\$0	\$30	\$0	\$30
Transportation Code, Title 7, Subtitle C, Rules of the Road – all other misdemeanors punishable by fine only	\$40	\$0	\$0	\$4	\$30	\$4	\$78
Transportation Code, Title 7, Subtitle C, Rules of the Road – Class A and B misdemeanors	\$83	\$0	\$0	\$4	\$30	\$4	\$121
Transportation Code, Title 7, Subtitle C, Rules of the Road – Felonies	\$133	\$0	\$0	\$4	\$30	\$4	\$171
Penal Code, Chapter 49, Sec. 21.07 – Public lewdness	\$83	\$50	\$0	\$4	\$0	\$4	\$141
Penal Code, Chapter 49, Sec. 21.08 – Indecent Exposure	\$83	\$50	\$0	\$4	\$0	\$4	\$141
Penal Code, Chapter 49, Sec. 20.04(a)(4) – Aggravated kidnapping	\$133	\$250	\$0	\$4	\$0	\$4	\$391
Penal Code, Chapter 49, Sec. 21.11 – Indecency with a child	\$133	\$250	\$0	\$4	\$0	\$4	\$391

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense / Description</b>	<b>CCF (2004)</b>	<b>DNA</b>	<b>EMS</b>	<b>JRF Effective 09/01/2005 (1)</b>	<b>STF</b>	<b>JS Effective 12/01/2005 (2)</b>	<b>Total See Notes</b>
Penal Code, Chapter 49, Sec. 22.011 – Sexual Assault	\$133	\$250	\$0	\$4	\$0	\$4	\$391
Penal Code, Chapter 49, Sec. 22.021 – Aggravated sexual assault	\$133	\$250	\$0	\$4	\$0	\$4	\$391
Penal Code, Chapter 49, Sec. 25.02 – Prohibited Sexual Conduct	\$133	\$250	\$0	\$4	\$0	\$4	\$391
Penal Code, Chapter 49, Sec. 30.02(d) – Burglary	\$133	\$250	\$0	\$4	\$0	\$4	\$391
Penal Code, Chapter 49, Sec. 43.05 – Compelling prostitution	\$133	\$250	\$0	\$4	\$0	\$4	\$391
Penal Code, Chapter 49, Sec. 43.25 – Sexual performance by a child	\$133	\$250	\$0	\$4	\$0	\$4	\$391
Penal Code, Chapter 49, Sec. 43.26 – Possession or promotion of child pornography	\$133	\$250	\$0	\$4	\$0	\$4	\$391
Penal Code, Chapter 49, Sec. 49.02, Public intoxication, Class C misdemeanor	\$40	\$0	\$0	\$4	\$0	\$4	\$48
Penal Code, Chapter 49, Sec. 49.031, Possession of Alcoholic Beverage in Motor Vehicle, Class C misdemeanor	\$40	\$0	\$0	\$4	\$0	\$4	\$48
Penal Code, Chapter 49, Sec. 49.04, driving while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$4	\$191

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense / Description</b>	<b>CCF (2004)</b>	<b>DNA</b>	<b>EMS</b>	<b>JRF Effective 09/01/2005 (1)</b>	<b>STF</b>	<b>JS Effective 12/01/2005 (2)</b>	<b>Total See Notes</b>
Penal Code, Chapter 49, Sec. 49.04, driving while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$241
Penal Code, Chapter 49, Sec. 49.045, driving while intoxicated with child passenger, Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$241
Penal Code, Chapter 49, Sec. 49.05, Flying while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$4	\$191
Penal Code, Chapter 49, Sec. 49.05, Flying while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$241
Penal Code, Chapter 49, Sec. 49.06, Boating while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$4	\$191
Penal Code, Chapter 49, Sec. 49.06, Boating while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$241
Penal Code, Chapter 49, Sec. 49.065, assembling/operating amusement ride while intoxicated, Class A/B misdemeanor	\$83	\$0	\$100	\$4	\$0	\$4	\$191
Penal Code, Chapter 49, Sec. 49.065, assembling/operating amusement ride while intoxicated, Felony	\$133	\$0	\$100	\$4	\$0	\$4	\$241
Penal Code, Chapter 49, Sec. 49.07, Intoxication assault, felony	\$133	\$0	\$100	\$4	\$0	\$4	\$241

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense / Description	CCF (2004)	DNA	EMS	JRF Effective 09/01/2005 (1)	STF	JS Effective 12/01/2005 (2)	Total See Notes
Penal Code, Chapter 49, Sec. 49.08, Intoxication manslaughter, felony	\$133	\$0	\$100	\$4	\$0	\$4	\$241
All other Class C, punishable by fine only	\$40	\$0	\$0	\$4	\$0	\$4	\$48
All other Class A/B	\$83	\$0	\$0	\$4	\$0	\$4	\$91
All other Felonies	\$133	\$0	\$0	\$4	\$0	\$4	\$141

(1) Offenses committed prior to 09/01/2005 are not subject to the Jury Reimbursement Fee (JRF).

(2) Offenses committed prior to 12/01/2005 are not subject to the Judicial Support Fee (JS).

**Note:** Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Bail Bond Fee: \$15.00 from a surety posting a bail bond for an offense other than a misdemeanor punishable by fine only, not to exceed \$30 per person per surety per incident. Not required on the posting of a personal or cash bond. Reported on the quarterly report form.
- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or, \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on the quarterly report form.
- Peace Officers Fees: Reported on the quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Judicial Fund: \$15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court, IF the court is participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on lines 18 and 19 of the quarterly report form. (If the Statutory County Court is **not** participating in the program, the \$15 court cost shall be assessed in the Statutory County Court but is retained locally.)

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

- Juvenile Probation Diversion Fund: \$20 fee if a disposition hearing is held, collected only if the child, parent or other person responsible for the child's support is financially able to pay the fee. Reported on the quarterly report form.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on the quarterly report form.

**Note:** County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties, per Transportation Code, Sec. 644.102 Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form 40-139.
- Substance Abuse Felony Program Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 2003 Through December 31, 2003**

<b>Offense Description</b>	<b>JCPT</b>	<b>CVC</b>	<b>CCC</b>	<b>FA</b>	<b>JCD</b>	<b>CMI</b>	<b>DNA</b>	<b>STF</b>	<b>Total</b>
Education Code, Sec. 25.093, Parent contributing to nonattendance	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$0	\$40.00
Education Code, Sec. 25.094, Failure to attend school	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$0	\$40.00
Transportation Code, Title 7, Subtitle C (Rules of the Road) – parking & pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$30	\$30.00
Transportation Code, Title 7, Subtitle C (Rules of the Road) – Sec. 545.066, overtaking and passing school bus	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$0	\$30	\$90.00
Transportation Code, Title 7, Subtitle C (Rules of the Road), Other Class C misdemeanors punishable by fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$30	\$70.00
Transportation Code, Title 7, Subtitle C (Rules of the Road), Class A/B misdemeanors	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$0	\$30	\$113.00
Transportation Code, Title 7, Subtitle C (Rules of the Road), Felonies	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$0	\$30	\$163.00
Penal Code, Chapter 49, Sec. 21.07 – Public lewdness	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$50	\$0	\$133.00
Penal Code, Chapter 49, Sec. 21.08 – Indecent Exposure	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$50	\$0	\$133.00
Penal Code, Chapter 49, Sec. 20.04(a)(4) – Aggravated kidnapping	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00
Penal Code, Chapter 49, Sec. 21.11 – Indecency with a child	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Description	JCPT	CVC	CCC	FA	JCD	CMI	DNA	STF	Total
Penal Code, Chapter 49, Sec. 22.011 – Sexual Assault	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00
Penal Code, Chapter 49, Sec. 22.021 – Aggravated sexual assault	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00
Penal Code, Chapter 49, Sec. 25.02 – Prohibited Sexual Conduct	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00
Penal Code, Chapter 49, Sec. 30.02(d) – Burglary	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00
Penal Code, Chapter 49, Sec. 43.05 – Compelling prostitution	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00
Penal Code, Chapter 49, Sec. 43.25 – Sexual performance by a child	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00
Penal Code, Chapter 49, Sec. 43.26 – Possession or promotion of child pornography	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$0	\$383.00
All other Misdemeanors – Class C misdemeanors punishable by fine \$500 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$0	\$40.00
All other Misdemeanors – Class C misdemeanors punishable by fine of more than \$500	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$0	\$0	\$60.00
All other Misdemeanors – Class A/B misdemeanors	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$0	\$0	\$83.00
Felonies	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$0	\$0	\$133.00

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form except for:

- DNA Testing Fee (DNA),
- State Traffic Fine (STF)

Add the following mandatory fees, when applicable:

- **Bail Bond Fee: Effective 09/01/2003**, \$15.00 from a surety posting a bail bond for an offense other than a misdemeanor punishable by fine only, not to exceed \$30 per person per surety per incident. Not required on the posting of a personal or cash bond.
- **Failure To Appear Or Pay (FTA):** If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or, \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state.
- **Peace Officers Fees:**
  - **Arrest Fee:** \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - **Warrant Fee:** \$50.00 for executing or processing an issued arrest warrant or *capias*. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- **Judicial Fund:** \$15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court, is the court **is** participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) (If the Statutory County Court **is not** participating in the program, the \$15 court cost shall be assessed in the Statutory County Court but is retained locally.
- **Juvenile Probation Diversion Fund:** \$20 fee if a disposition hearing is held, collected only if the child, parent or other person responsible for the child's support is financially able to pay the fee.
- **Time Payment Fee:** \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state.

**Note:** County and District Courts may also be responsible for remitting the following:

- **Child Safety Seat and Seat Belt Violations:** a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- **Excess Motor Carrier Fines**, for qualifying counties, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- **Motor Carrier Weight Violations**, per Transportation Code, Sec. 621.506.
- **Compensation to Victims of Crime Auxiliary Fund** Reported on Form 40-142.
- **Excess Funds from Sale of Property Forfeited.**
- **Sexual Assault Fund** Reported on Form 40-139.
- **Substance Abuse Felony Program** Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 2001 Through August 31, 2003**

<b>Offense Description</b>	<b>JCPT</b>	<b>CVC</b>	<b>CCC</b>	<b>FA</b>	<b>JCD</b>	<b>CMI</b>	<b>DNA</b>	<b>Total *</b>
V.T.C.A., Education Code, §25.093 – Parent Contributing to Truancy and §25.094 – Failure to Attend School	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking & pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$0	\$60
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other class C misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other class a/b misdemeanors	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$0	\$83
Penal Code, Chapter 49, Sec. 21.07 – Public lewdness	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$50	\$133
Penal Code, Chapter 49, Sec. 21.08 – Indecent Exposure	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$50	\$133
Penal Code, Chapter 49, Sec. 20.04(a)(4) – Aggravated kidnapping	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383
Penal Code, Chapter 49, Sec. 21.11 – Indecency with a child	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383
Penal Code, Chapter 49, Sec. 22.011 – Sexual Assault	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383
Penal Code, Chapter 49, Sec. 22.021 –	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense Description	JCPT	CVC	CCC	FA	JCD	CMI	DNA	Total *
Aggravated sexual assault								
Penal Code, Chapter 49, Sec. 25.02 – Prohibited Sexual Conduct	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383
Penal Code, Chapter 49, Sec. 30.02(d) – Burglary	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383
Penal Code, Chapter 49, Sec. 43.05 – Compelling prostitution	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383
Penal Code, Chapter 49, Sec. 43.25 – Sexual performance by a child	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383
Penal Code, Chapter 49, Sec. 43.26 – Possession or promotion of child pornography	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$250	\$383
Other Misdemeanors Class C misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.50	\$0.50	\$0	\$40
Other Misdemeanors, Class C misdemeanors punishable by a fine of more than \$500	\$2	\$35	\$17	\$5	\$0.50	\$0.50	\$0	\$60
Other Misdemeanors, Class A/B misdemeanors	\$2	\$35	\$40	\$5	\$0.50	\$0.50	\$0	\$83
Felonies	\$2	\$45	\$80	\$5	\$0.50	\$0.50	\$0	\$133

**Note:** Any of the above amounts collected for offenses during this time period should be reported on the County Quarterly Report form.

\* Add the following mandatory fees, when applicable:

- Failure To Appear Or Pay (FTA): If the County has contracted with DPS (Omnibase) to deny renewal of driver's licenses, add \$30.00 on each violation when a person fails to appear for a complaint or citation, or, \$30 for failure to pay or satisfy an amount ordered by a justice court, for a violation which they have jurisdiction of under art. 4.11 or 4.14, CCP. Two-thirds of the fee is to be remitted to the state. Reported on the quarterly report form.
- Peace Officers Fees: Reported on the quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.

- Warrant Fee: \$50.00 for executing or processing an issued arrest warrant or *capias*. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- Judicial Fund: \$15 court cost on conviction of any offense (excluding parking and pedestrian) in statutory or constitutional county court, if the court **is** participating in the supplemental salary program under Government Code, Chapters 25 or 26. (See Table II in Chapter 10 for participating courts and effective dates.) Reported on the quarterly report form.
- Juvenile Probation Diversion Fund: \$20 fee if a disposition hearing is held, collected only if the child, parent or other person responsible for the child's support is financially able to pay the fee. Reported on the quarterly report form.
- Time Payment Fee: \$25.00 from a person who pays any part of a fine, court costs or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Reported on the quarterly report form.

**Note:** County and District Courts may also be responsible for remitting the following:

- Child Safety Seat and Seat Belt Violations: **Effective 09/01/2001**, a portion of the fines for violations of the Transportation Code, Sec. 545.412 and 545.413(b). Reported on Form 40-138.
- Excess Motor Carrier Fines, for qualifying counties, **effective 09/01/2001**, per Transportation Code, Sec. 644.102. Reported on Form 40-130.
- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on the quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form 40-139.
- Substance Abuse Felony Program Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

**August 31, 1999\* Through August 31, 2001**

<b>OFFENSE / DESCRIPTION</b>	<b>JCPT</b>	<b>CVC</b>	<b>CCC</b>	<b>FA</b>	<b>JCD</b>	<b>Total</b>
V.T.C.A., Education Code, §25.093 – Thwarting Compulsory Attendance and §25.094 – Failure to Attend School	\$2	\$15	\$17	\$5	\$0.25	\$39.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking & pedestrian	\$0	\$0	\$0	\$0	\$0	\$0
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$2	\$35	\$17	\$5	\$0.25	\$59.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other class C misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.25	\$39.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other class A/B misdemeanors	\$2	\$35	\$40	\$5	\$0.25	\$82.25
All Other Misdemeanors, class C misdemeanors punishable by a fine of \$500 or less	\$2	\$15	\$17	\$5	\$0.25	\$39.25
All Other Misdemeanors, class C misdemeanors punishable by a fine of more than \$500	\$2	\$35	\$17	\$5	\$0.25	\$59.25
All Other Misdemeanors, class A/B misdemeanors	\$2	\$35	\$40	\$5	\$0.25	\$82.25
Felonies	\$2	\$45	\$80	\$5	\$0.25	\$132.25

\* The rate for Judicial and Court Personnel Training Fund (JCPT) was increased effective August 31, 1999.

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure to Appear (FTA): \$30.00 on each specific violation when a person fails to appear for a complaint or citation, if the county has contracted with the DPS to deny renewal of driver's licenses. Two-thirds (\$20.00) shall be sent to the state and one-third (\$10.00) shall be retained locally. (V.T.C.A. Transportation Code, § 706.006). Reported on the quarterly report form.
- Juvenile Probation Diversion Fund: \$20.00 fee if a disposition hearing is held; collected only if the child, parent or other person responsible for the child's support is financially able to pay it. (Family Code, Sec. 54.0411). Reported on the quarterly report form.

- **Judicial Fund Court Cost:** \$10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.) Reported on the quarterly report form.
- **Peace Officers Fees:** Reported on the quarterly report form.
  - **Arrest Fee:** \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - **Warrant Fee:** \$50.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$10.00) is sent to the state.
- **Time Payment Fee (TP):** \$25.00 from a person who pays any part of a fine, court cost or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Four-tenths (\$10.00) retained locally with no restrictions. One-tenth (\$2.50) retained locally for judicial efficiency. (Government Code, Sec. 51.921) Reported on the quarterly report form.

**Note:** County and District Courts may also be responsible for remitting the following:

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on the quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited.
- Sexual Assault Fund Reported on Form 40-139.
- Substance Abuse Felony Program, **effective 09/01/1999**, Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

**September 1, 1997 Through August 30, 1999**

Offense Description	JCPT	CVC	CCC	FA	JCD	Total
V.T.C.A., Education Code, §25.093 – Thwarting Compulsory Attendance and §25.094 – Failure to Attend School	\$1	\$15	\$17	\$5	\$0.25	\$38.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), parking & pedestrian	\$0	\$0	\$0	\$0	\$0	\$0
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), §545.066 overtaking and passing a school bus	\$1	\$35	\$17	\$5	\$0.25	\$58.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other class C misdemeanors punishable by a fine of \$500 or less	\$1	\$15	\$17	\$5	\$0.25	\$38.25
V.T.C.A., Transportation Code, Title 7, Subtitle C (Rules of the Road), other class A/B misdemeanors	\$1	\$35	\$40	\$5	\$0.25	\$81.25
All Other Misdemeanors, class C misdemeanors punishable by a fine of \$500 or less	\$1	\$15	\$17	\$5	\$0.25	\$38.25
All Other Misdemeanors, class C misdemeanors punishable by a fine of more than \$500	\$1	\$35	\$17	\$5	\$0.25	\$58.25
All Other Misdemeanors, class A/B misdemeanors	\$1	\$35	\$40	\$5	\$0.25	\$81.25
Felonies	\$1	\$45	\$80	\$5	\$0.25	\$131.25

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Failure to Appear (FTA): \$30.00 on each specific violation when a person fails to appear for a complaint or citation, if the county has contracted with the DPS to deny renewal of driver's licenses. Two-thirds (\$20.00) shall be sent to the state and one-third (\$10.00) shall be retained locally. (V.T.C.A. Transportation Code, § 706.006). Reported on the quarterly report form.
- Juvenile Probation Diversion Fund: \$20.00 fee if a disposition hearing is held; collected only if the child, parent or other person responsible for the child's support is financially able to pay it. (Family Code, Sec. 54.0411). Reported on the quarterly report form.
- Judicial Fund Court Cost: \$10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under

any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.) Reported on the quarterly report form.

- Peace Officers Fees: Reported on the quarterly report form.
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.
- Time Payment Fee (TP): **Effective 09/01/1997**, \$25.00 from a person who pays any part of a fine, court cost or restitution on or after the 31st day after judgment is entered. One-half (\$12.50) sent to the state. Four-tenths (\$10.00) retained locally with no restrictions. One-tenth (\$2.50) retained locally for judicial efficiency. (Government Code, Sec. 51.921) Reported on the quarterly report form.

**Note:** County and District Courts may also be responsible for remitting the following:

- Motor Carrier Weight Violations, per Transportation Code, Sec. 621.506. Reported on the quarterly report form.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 1995 Through August 31, 1997**

<b>Offense / Description</b>	<b>JCPT</b>	<b>LEOA</b>	<b>LEOCE</b>	<b>LEMI</b>	<b>CVC</b>	<b>CJP</b>	<b>OCL</b>	<b>CR</b>	<b>MGR</b>	<b>CS</b>	<b>BAT</b>	<b>Total</b>
V.T.C.A., Education Code §25.093, Thwarting Compulsory Attendance	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$0	\$27.00
V.T.C.A., Transportation Code, Chapter 522, Texas Commercial Driver's License Act	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$30	\$57.00
V.T.C.A., Transportation Code §661.003, Motorcycle Protective Headgear	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$0	\$32.00
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road, Parking & pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road, Punishable by fine only	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$0	\$0	\$52.00
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road, Punishment can include suspension of driver's license	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$2	\$0	\$54.00
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road, Sections 545.351, 545.352, 545.364 speed restrictions	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$0	\$32.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense / Description	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	MGR	CS	BAT	Total
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road, Other Class C misdemeanors	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$0	\$27.00
V.T.C.A., Transportation Code, Subtitle C, Rules of the Road, Other Class A/B misdemeanors	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$2	\$0	\$54.00
V.T.C.A., Transportation Code §601.192, Failure to Maintain Financial Responsibility, First conviction	\$1	\$1	\$2	\$0.50	\$15	\$5	\$75	\$0	\$2.50	\$0	\$0	\$102.00
V.T.C.A., Transportation Code §601.192, Failure to Maintain Financial Responsibility – Subsequent conviction, punishable by fine only	\$1	\$1	\$2	\$0.50	\$35	\$10	\$75	\$0	\$2.50	\$0	\$0	\$127.00
V.T.C.A., Transportation Code §601.192, Failure to Maintain Financial Responsibility – Subsequent conviction, – punishment can include impoundment of vehicle	\$1	\$1	\$2	\$0.50	\$35	\$10	\$75	\$0	\$2.50	\$2	\$0	\$129.00
V.T.C.A., Penal Code, Chapter 49 – Intoxication and Alcoholic	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$25	\$2.50	\$2	\$30	\$109.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Offense / Description	JCPT	LEOA	LEOCE	LEMI	CVC	CJP	OCL	CR	MGR	CS	BAT	Total
Beverage Offenses Class A/B misdemeanors												
V.T.C.A., Penal Code, Chapter 49 – Intoxication and Alcoholic Beverage Offenses Felonies	\$1	\$1	\$2	\$0.50	\$45	\$20	\$0	\$25	\$0	\$2	\$30	\$126.50
Other Class C Misdemeanors Punishable by fine of \$500 or less	\$1	\$1	\$2	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$0	\$27.00
Other Class C Misdemeanors Punishable by fine of more than \$500	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$0	\$0	\$52.00
Other Class A/B Misdemeanors	\$1	\$1	\$2	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$2	\$0	\$54.00
Other Felonies	\$1	\$1	\$2	\$0.50	\$45	\$20	\$0	\$0	\$0	\$2	\$0	\$71.50

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- Abused Children's Counseling Account Fee: A fee applicable to certain sections of the Penal Code. Fee must not exceed \$500 for certain misdemeanor convictions and must not exceed \$1,000 for certain felony convictions. Court shall consider ability of the defendant to make the payment and the financial hardship on the defendant in setting the amount of the fee. (Code of Criminal Procedure, Art. 37.072).
- Failure to Appear (FTA): **Effective 09/01/1995**, \$30.00 on each specific violation when a person fails to appear for a complaint or citation, if the county has contracted with the DPS to deny renewal of driver's licenses. Two-thirds (\$20.00) shall be sent to the state and one-third (\$10.00) shall be retained locally. (V.T.C.A. Transportation Code, § 706.006).
- Juvenile Probation Diversion Fund: \$20.00 fee if a disposition hearing is held; collected only if the child, parent or other person responsible for the child's support is financially able to pay it. (Family Code, Sec. 54.0411).
- Judicial Fund Court Cost: \$10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded.

See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.)

- Peace Officers Fees:
  - Arrest Fee: \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - Warrant Fee: \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Note:** County and District Courts may also be responsible for remitting the following:

- Motor Carrier Weight Violations, **effective 09/01/1995**, per Transportation Code, Sec. 621.506.
- Compensation to Victims of Crime Auxiliary Fund Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**August 30, 1993\* Through August 31, 1995**

<b>Offense / Description</b>	<b>JCPT</b>	<b>LEOSE</b>	<b>LEMI</b>	<b>CVC</b>	<b>CJP</b>	<b>OCL</b>	<b>CR</b>	<b>MGR</b>	<b>CS</b>	<b>BAT</b>	<b>Total</b>
Education Code, Section 4.25, Thwarting Compulsory Attendance	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$0	\$25.00
VACS Article 6687b-2, Texas Commercial Driver's License Act	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$30	\$55.00
VACS Article 6701c-3, Motorcycle Protective Headgear	\$1	\$1	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$0	\$30.00
VACS Article 6701d, Uniform Act Regulating Traffic Parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sec. 104, overtaking and passing a school bus punishable by fine only	\$1	\$1	\$0.50	\$35	\$10	N/A	N/A	\$2.50	N/A	N/A	\$50.00
Sec. 104, overtaking and passing a school bus punishment can include suspension of driver's license	\$1	\$1	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$2	\$0	\$52.00
Sec. 166, maximum speed of vehicles	\$1	\$1	\$0.50	\$15	\$5	\$0	\$5	\$2.50	\$0	\$0	\$30.00
Other Class C misdemeanors	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$0	\$25.00
Other Class A/B misdemeanors	\$1	\$1	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$2	\$0	\$52.00
VACS Article 6701h, Failure to Maintain Financial Responsibility first convictions	\$1	\$1	\$0.50	\$15	\$5	\$75	\$0	\$2.50	\$0	\$0	\$100.00
VACS Article 6701h, Failure to Maintain Financial Responsibility subsequent	\$1	\$1	\$0.50	\$35	\$10	\$75	\$0	\$2.50	\$0	\$0	\$125.00

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

<b>Offense / Description</b>	<b>JCPT</b>	<b>LEOSE</b>	<b>LEMI</b>	<b>CVC</b>	<b>CJP</b>	<b>OCL</b>	<b>CR</b>	<b>MGR</b>	<b>CS</b>	<b>BAT</b>	<b>Total</b>
convictions punishable by fine only											
VACS Article 6701h, Failure to Maintain Financial Responsibility subsequent convictions punishment can include impoundment of vehicle	\$1	\$1	\$0.50	\$35	\$10	\$75	\$0	\$2.50	\$2	\$0	\$127.00
VACS Article 6701i-1, Intoxicated Driver, Penalty misdemeanor	\$1	\$1	\$0.50	\$35	\$10	\$0	\$25	\$2.50	\$2	\$30	\$107.00
VACS Article 6701i-1, Intoxicated Driver, Penalty felony	\$1	\$1	\$0.50	\$45	\$20	\$0	\$25	\$0	\$2	\$30	\$124.50
Parks and Wildlife Code, Section 31.097, Operation of Vessel While Intoxicated	\$1	\$1	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$2	\$30	\$82.00
Penal Code, Section 19.05(a)(2), Involuntary Manslaughter	\$1	\$1	\$0.50	\$45	\$20	\$0	\$0	\$0	\$2	\$30	\$99.50
Other Class C Misdemeanors Punishable by a fine of \$500 or less	\$1	\$1	\$0.50	\$15	\$5	\$0	\$0	\$2.50	\$0	\$0	\$25.00
Other Class C Misdemeanors Punishable by a fine of more than \$500	\$1	\$1	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$0	\$0	\$50.00
Other Class A/B Misdemeanors	\$1	\$1	\$0.50	\$35	\$10	\$0	\$0	\$2.50	\$2	\$0	\$52.00
Other Felonies	\$1	\$1	\$0.50	\$45	\$20	\$0	\$0	\$0	\$2	\$0	\$69.50

\* The rate for Compensation to Victims of Crime (CVC) was increased on August 30, 1993.

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **Abused Children's Counseling Account Fee:** A fee applicable to certain sections of the Penal Code. Fee must not exceed \$500 for certain misdemeanor convictions and must not exceed \$1,000 for certain felony convictions. Court shall consider ability of the defendant to make the payment and the financial hardship on the defendant in setting the amount of the fee. (Code of Criminal Procedure, Art. 37.072).
- **Juvenile Probation Diversion Fund:** \$20.00 fee if a disposition hearing is held; collected only if the child, parent or other person responsible for the child's support is financially able to pay it. (Family Code, Sec. 54.0411).
- **Judicial Fund Court Cost:** \$10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.)
- **Peace Officers Fees:**
  - **Arrest Fee:** \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - **Warrant Fee:** \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Note:** County and District Courts may also be responsible for remitting the following:

- Compensation to Victims of Crime Auxiliary Fund
- Excess Funds from Sale of Property Forfeited
- Sexual Assault Fund **effective 08/30/1993**. Reported on Form 40-139.

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**September 1, 1991 Through August 29, 1993**

<b>Offense / Description</b>	<b>JCPT</b>	<b>LEOSE</b>	<b>LEMI</b>	<b>CVC</b>	<b>CJP</b>	<b>OCL</b>	<b>CR</b>	<b>MGR</b>	<b>CS</b>	<b>BAT</b>	<b>Total</b>
Education Code, Section 4.25, Thwarting Compulsory Attendance	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$0	\$15.00
VACS Article 6687b-2, Texas Commercial Driver's License Act	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$30	\$45.00
VACS Article 6701c-3, Motorcycle Protective Headgear	\$1	\$1	\$0.50	\$5	\$5	\$0	\$5	\$2.50	\$0	\$0	\$20.00
VACS Article 6701d, Uniform Act Regulating Traffic, parking and pedestrian	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
VACS Article 6701d, Uniform Act Regulating Traffic, sec. 104, overtaking and passing a school bus	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$0	\$15.00
VACS Article 6701d, Uniform Act Regulating Traffic, sec. 166, speeding	\$1	\$1	\$0.50	\$5	\$5	\$0	\$5	\$2.50	\$0	\$0	\$20.00
VACS Article 6701d, Uniform Act Regulating Traffic, others	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$0	\$15.00
VACS Article 6701h, Failure to Maintain Financial Responsibility, first convictions	\$1	\$1	\$0.50	\$5	\$5	\$75	\$0	\$2.50	\$0	\$0	\$90.00
VACS Article 6701h, Failure to Maintain Financial Responsibility, subsequent convictions	\$1	\$1	\$0.50	\$15	\$10	\$75	\$0	\$2.50	\$0	\$0	\$105.00
VACS Article 67011-1, Intoxicated Driver	\$1	\$1	\$0.50	\$15	\$10	\$0	\$25	\$2.50	\$2	\$30	\$87.00
All Other Misdemeanors punishable by a fine of \$500 or less	\$1	\$1	\$0.50	\$5	\$5	\$0	\$0	\$2.50	\$0	\$0	\$15.00
All Other Misdemeanors punishable by a fine of more than \$500	\$1	\$1	\$0.50	\$15	\$10	\$0	\$0	\$2.50	\$0	\$0	\$30.00
Other Class A/B Misdemeanors	\$1	\$1	\$0.50	\$15	\$10	\$0	\$0	\$2.50	\$2	\$0	\$32.00
Felonies	\$1	\$1	\$0.50	\$20	\$20	\$0	\$0	\$0	\$2	\$0	\$44.50

**Note:** Any of the above amounts collected for offenses during this time period should be reported in one lump-sum amount on the County Quarterly Report form.

Add the following mandatory fees, when applicable:

- **Abused Children's Counseling Account Fee:** A fee applicable to certain sections of the Penal Code. Fee must not exceed \$500 for certain misdemeanor convictions and must not exceed \$1,000 for certain felony convictions. Court shall consider ability of the defendant to make the payment and the financial hardship on the defendant in setting the amount of the fee. (Code of Criminal Procedure, Art. 37.072)
- **Juvenile Probation Diversion Fund:** \$20.00 fee if a disposition hearing is held; collected only if the child, parent or other person responsible for the child's support is financially able to pay it. (Family Code, Sec. 54.0411).
- **Judicial Fund Court Cost:** Effective 07/01/1992, \$10.00 court cost on conviction of any offense in certain statutory or constitutional county courts, including cases in which probation or deferred adjudication is granted. However, convictions arising under any law regulating pedestrians or the parking of motor vehicles are excluded. See Table II in Chapter 10 for a list of participating counties. (Government Code, Sec. 51.702, 51.703.) **Effective 07/01/1992.**
- **Peace Officers Fees:**
  - **Arrest Fee:** \$5.00 for issuing a written notice to appear in court following the defendant's violation of a traffic law or penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the state, 20% (\$1.00) is sent to the state.
  - **Warrant Fee:** \$35.00 for executing or processing an issued arrest warrant or capias. When the service is performed by a peace officer employed by the state, 20% (\$7.00) is sent to the state.

**Note:** County and District Courts may also be responsible for remitting the following:

- Compensation to Victims of Crime Auxiliary Fund Reported on Form 40-142.
- Excess Funds from Sale of Property Forfeited

**Important:** Local Court Costs and Fees may also apply. See [Table of Local Costs and Fees](#) later in this chapter.

## **Local Costs and Fees Municipal, Justice, County and District Courts**

(See [Descriptions](#) later in this chapter and in chapters 3 and 4.)

Not intended to be an all-inclusive listing of all possible local costs and fees.

### **Abbreviations of Court**

M: Municipal

J: Justice Court

C: County Court

D: District Court

### **Abbreviations of Statute**

AB: Alcoholic Beverage Code

CCP: Code of Criminal Procedure

FC: Family Code

GC: Government Code

H&S: Health & Safety Code

HR: Human Resources Code

P&W: Parks & Wildlife Code

TC: Transportation Code

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

**Local Costs and Fees**

Court	Fee	Statute	9/1/91 through 8/31/93	9/1/93 through 8/31/95	9/1/95 through 8/31/97	9/1/97 through 8/31/99	9/1/99 through 8/31/01	9/1/01 through 8/31/03	9/1/03 through 12/31/03	1/1/04 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/15
M, J, C, D	Admin. Fee – Operation of Vehicle without registration insignia	TC 502.473	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$10
M, J, C, D	Admin. Fee – Expired Registration	TC 502.407(b)	N/A	N/A	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$20
M, J, C, D	Admin. Fee – Wrong, Fictitious, Altered or Obscured Insignia	TC 502.475	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$10
M, J, C, D	Admin. Fee – License to be carried and exhibited on demand	TC 521.025	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$10
M, J, C, D	Admin. Fee – Expired Driver's License	TC 521.026	N/A	N/A	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$20
M, J, C, D	Admin. Fee – Failure to change name/address	TC 521.054	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$20
M, J, C, D	Admin. Fee – Special restrictions or endorsements	TC 521.221	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$10
M, J, C, D	Admin. Fee – Unsafe vehicle or prohibited equipment	TC 547.004	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$10
M, J, C, D	Admin. Fee – Expired Inspection	TC 548.605	N/A	N/A	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$20

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Court	Fee	Statute	9/1/91 through 8/31/93	9/1/93 through 8/31/95	9/1/95 through 8/31/97	9/1/97 through 8/31/99	9/1/99 through 8/31/01	9/1/01 through 8/31/03	9/1/03 through 12/31/03	1/1/04 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/15
C, D	Animal Cruelty	H&S 821.023(e)	N/A	N/A	N/A	N/A	N/A	N/A	Variable	Variable	Variable	Variable
M	Appellate Court Docket Fee (City of El Paso only)	GC 30.00147	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25
C, D	Bail Fees	CCP 17.42, 17.43, 17.441	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
J, C, D	Certified Copy Fee	CCP 102.005(d)	N/A	N/A	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
M, J, C, D	Child Safety Fund	CCP 102.014 (d) only	Variable 7/1/91	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
C, D	Child Sexual Assault	CCP 102.0186	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$100	\$100
C, D	Clerk Fee	CCP 102.005 (a)	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40
M	Clerk's Record	GC 30.00014	N/A	N/A	N/A	N/A	\$25	\$25	\$25	\$25	\$25	\$25
C, D	Community Supervision Fees	CCP 42.12	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
C, D	Community Supervision Fees	GC 76.015	N/A	N/A	N/A	\$25-\$40	\$25-\$40	\$25-\$40	\$25-\$40	\$25-\$40	\$25-\$40	\$25-\$60 effective 9/1/11
J, C, D	County Transaction Fee	CCP 102.072	N/A	Up to \$2 5/23/95	Up to \$2	Up to \$2	Up to \$2	Up to \$2	Up to \$2	Up to \$2	Up to \$2	Up to \$2
C, D	Court Reporter Fee (Dallas, McLennan and Tarrant Counties only)	GC 25.0593, 25.1572, 25.2223	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3
J	Courthouse Security Fund, Justice court only	CCP 102.017(b)	N/A	N/A	N/A	\$3	\$3	\$3	\$3	\$3	\$4	\$4
C, D	Courthouse Security Fund, misdemeanor	CCP 102.017 (b)	N/A	\$3 9/1/93	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3
D	Courthouse Security Fund, felony	CCP 102.017 (a)	N/A	\$5 9/1/93	\$5	\$5	\$5	\$5	\$5	\$5	\$5	\$5

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Court	Fee	Statute	9/1/91 through 8/31/93	9/1/93 through 8/31/95	9/1/95 through 8/31/97	9/1/97 through 8/31/99	9/1/99 through 8/31/01	9/1/01 through 8/31/03	9/1/03 through 12/31/03	1/1/04 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/15
D	Crime Stopper's Fund reimbursement	CCP 37.073	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
J, C, D	Deferred Disposition Fee, misdemeanor	CCP 45.051 (b)(7)	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
M, J, C, D	Delinquent Traffic Fine Fee	CCP 103.013	N/A	N/A	N/A	N/A	N/A	Variable	N/A	N/A	N/A	N/A
M, J, C, D	Driving Safety Course, administrative fee	CCP 45.0511(f)(1)	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10
M, J, C, D	Driving Safety Court, administrative fee	CCP 45.0511(f)(2)	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
C, D	Evaluation Fee	CCP 102.018(b)	N/A	Variable 9/1/94	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
M, J, C, D	Expired certificate of number for vessel	P&W 31.127	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$10
M, J, C, D	Expunction Fee	AB 106.12	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$30	\$30
M, J, C, D	Expunction Fee	CCP 102.006	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
M, J, C, D	Expunction Fee	CCP 45.0216	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$30	\$30 through 8/31/15
M, J, C, D	Expunction Fee	CCP 45.055	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$30	\$30
M, J, C, D	Expunction Fee	H&S 161.255	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$30	\$30
J, C, D	Failure to Appear or Pay	TC 702.003502.0 10 (prev. 502.185)	N/A	N/A	N/A	Variable	Variable	Variable	Variable	Variable	Variable	\$20 effective 1/1/12
M, J, C, D	Impound Fee	TC 601.263	N/A	N/A	\$15 per day	\$15 per day	\$15 per day	\$15 per day	\$15 per day	\$15 per day	\$15 per day	\$15 per day
J, C, D	Insufficient funds checks	CCP 102.007	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
C	Judicial Fund	GC 51.702 (l) and (m)	N/A	N/A	N/A	N/A	N/A	N/A	\$15	\$15	\$15 through 9/30/07	N/A
M, J	Jury Fee	CCP 102.004	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Court	Fee	Statute	9/1/91 through 8/31/93	9/1/93 through 8/31/95	9/1/95 through 8/31/97	9/1/97 through 8/31/99	9/1/99 through 8/31/01	9/1/01 through 8/31/03	9/1/03 through 12/31/03	1/1/04 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/15
C, D	Jury Fee	CCP 102.004	\$20	\$20	\$20	\$20	\$20	\$20	\$20	\$20	\$20	\$20
J	Justice Court Technology Fund	CCP 102.0173	N/A	N/A	N/A	N/A	N/A	\$4	\$4	\$4	\$4	\$4
M	Juvenile Case Manager Fee	CCP 102.0174	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$5	\$5
C, D	Juvenile Delinquency Prevention Fund (Graffiti Eradication Fund),	CCP 102.0171	N/A	N/A	N/A	\$5	\$5	\$5	\$5	\$5	\$5	\$50
C, D	Juvenile Justice and Teen Court	FC 53.03, 54.032, 54.061	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
C, D	Juvenile Probation Fee	FC 54.061	\$15 per month	\$15 per month	\$15 per month	\$15 per month	\$15 per month	\$15 per month	\$15 per month	\$15 per month	\$15 per month	\$15 per month
C, D	Magistrate's Fee (Brazos County only)	GC 54.1116	N/A	N/A	N/A	N/A	Variable 6/14/01	Variable	Variable	Variable	Variable	Variable Repealed 1/1/12
J	Misdemeanor Fee	CCP 102.009	Up to \$7	Up to \$7	Up to \$7	Up to \$7	Up to \$7	Up to \$7	Up to \$7	Up to \$7	Up to \$7	Up to \$7 (repealed as of 6/19/15)
M	Municipal Court Building Security Fee	CCP 102.017(b)	N/A	\$3 8/28/95	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3
M	Municipal Court Technology Fund	CCP 102.0172	N/A	N/A	N/A	N/A	Up to \$4	Up to \$4	Up to \$4	Up to \$4	Up to \$4	Up to \$4
M, J, C, D	Peace Officer fees (1965)	CCP 102.001, 102.011	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
C, D	Pre-trial Diversion Fee (El Paso County only)	GC 54.745	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100
C, D	Pretrial Intervention Program under Gov. Code Sec. 76.011 (6/18/90)	CCP 102.012	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Court	Fee	Statute	9/1/91 through 8/31/93	9/1/93 through 8/31/95	9/1/95 through 8/31/97	9/1/97 through 8/31/99	9/1/99 through 8/31/01	9/1/01 through 8/31/03	9/1/03 through 12/31/03	1/1/04 through 12/31/05	1/1/06 through 12/31/07	1/1/08 through 12/31/15
J, C, D	Prosecutor's Fee (misdemeanor or gambling)	CCP 102.008	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$25
C, D	Records Management and Preservation	CCP 102.005 (f)	\$10	\$10	\$10	\$10	\$20	\$20	\$20	\$20 thru 6/16/05 and \$25 effective 6/17/05	\$25	\$25
C, D	Restitution Fee	CCP 42.037	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$12	\$12
M, J, C, D	Special Expense Fee	CCP 45.051	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable
C, D	Technology Fund	CCP 102.0169	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$4 Effective 1/1/10
M, J	Teen Court	CCP 45.052	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10 & \$20 for certain localities
C, D	Teen Dating Violence	FC 54.0325	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Up to \$10 Effective 1/1/12
J, C, D	Toll Fee	TC 284.0701, 284.2031, 284.208, 452.0613	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Variable	Variable	Variable
M, J, C, D	Traffic Fee	TC 542.403	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3
C	Trial Fee	CCP 102.003	\$10	\$10	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
C, D	Unlawful Possession	P&W 12.110(b)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Effective 6/18/05 Variable	Variable	Variable
C, D	Visual Recording Fee	CCP 102.018	N/A	\$15 9/1/94	\$15	\$15	\$15	\$15	\$15	\$15	\$15	\$15
M, J, C, D	Witness Fees	CCP 102.002	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable	Variable

Notes:

- A dollar amount means that the amount is specific.
- Variable: The fund was effective for that time period, but the amount varies.
- N/A: The fund was not effective for the time period indicated in the column heading.

This is not intended to be an all-inclusive list of local court costs and fees that statutes may allow to be collected in a criminal case.

## Description of Local Funds

(See chapters 3 and 4 for description of other local funds)

### Delinquent Traffic Fine Fee

Code of Criminal Procedure, Art. 103.013, effective 09/01/2001, **repealed 09/01/2003**.

- Court may collect a fee related to the collection of a **delinquent** fine for a motor vehicle misdemeanor
- Fee is equal to the lesser of 20% of the amount of the fine, or \$50.
- Fee does **not** apply to a delinquent fine for parking or stopping a motor vehicle in a municipality that employs the practice of immobilization of motor vehicles with a mechanical device.
- “Delinquent fine” means a fine that has been imposed by a judgment of a court and that has not been paid before the 31st day after the date the court ordered the fine was due and payable to the county.
- Fee only applied to offenses on/after 09/01/2001 and before 09/01/2003.

#### Historical Background

This section was added by House Bill 2812, 77th Legislature (2001), effective 09/01/2001. It was repealed by House Bill 3507, 78th Legislature (2003), effective 09/01/2003.

### Judicial Fund

Government Code, sec. 51.702 (l) and (m), effective 09/01/2003 through 09/30/2007

- A \$15 court cost on any criminal conviction in **statutory county court**
- If the statutory county court **is not** participating in the Judicial Fund supplemental salary program under Sec. 51.702 (a) and (b), the \$15 court cost is retained locally.
- Applies to offenses committed on or after 09/01/2003 and before 10/01/2007
- Includes cases in which probation or deferred adjudication is granted
- Includes convictions under chapter 521, Transportation Code, and Subtitle C, Title 7, Transportation Code.
- Excludes offenses relating to pedestrians or the parking of motor vehicles

#### Historical Background

House Bill 1945, 78th Regular Session, provides that all statutory county courts will collect this \$15 court cost. Previously, only counties participating in the Judicial Fund were allowed to collect this fee. Senate Bill 600, 80th Session (2007), made participation in the Judicial Fund mandatory for all statutory county courts, effective 10/01/2007.

### **Magistrate's Fee**

Government code, Sec. 54.1116, effective 06/14/2001

- Applies only to Brazos County, to county and district courts
- Nonprevailing party to pay costs of magistrate

#### **Historical Background**

This fee for Brazos County was added by Senate Bill 1434, 77th Session (2001), effective 06/14/2001.

House Bill 79, 1st Called Session (2011), repealed this statute effective 01/01/2012.

### **Trial Fee**

Code of Criminal Procedure, Art. 102.003, repealed 09/01/1995.

- Applies to county court only
- Fee of \$10 for requesting a trial
- Fee was repealed 09/01/1995

#### **Historical Background**

This fee repealed by Senate Bill 1060, 74th Session (1995).

## Civil Fees

### Birth Certificate Fee

Reporting prior to 01/01/2004:

Prior to January 1, 2004, Birth Certificate Fees were reported on a separate report, form 40-131.

### Filing Fee for Legal Services for Indigents

Reporting prior to 01/01/2004:

This fund was created in Government Code, Section 51.941, on September 1, 1997.

The rates were the same as those in effect currently but were due to be remitted to the Comptroller on the 10th day of each month following a calendar quarter. The fees were remitted to the Comptroller on a separate report, form 40-136.

### Judicial Fund Filing Fees

Reporting prior to and after 01/01/2004:

Prior to January 1, 2004, the District Clerk Filing Fees were reported on a separate form, 40-116, and the Judicial Fund on form 40-129.

Prior to January 1, 2004: These fees were remitted monthly to the Comptroller.

- District Court: The \$40 filing fee was known as the District Clerk Filing Fee, reported monthly beginning 09/22/1986. The \$40 was part of the \$85 fee for each suit filed in District Court. **If the case was assigned or transferred to the statutory county court**, the \$40 fee was allocated as follows:

Court	09/22/1986 through 08/29/1993	08/30/1993 through 08/27/1995	08/28/1995 through 08/31/1997	09/1/1997 through 12/31/2003
Cases assigned/transferred to statutory county court	\$0	\$20	\$30	\$40
District Court	\$40	\$20	\$10	\$0

**If the case remained in District Court**, this allocation was not made.

- Constitutional County Court: \$40 filing fee on each civil case, beginning with the date the constitutional county court qualified on/after 06/19/1999 (see Table II in Chapter 10).
- Statutory County Court: Begins with the date the statutory county court qualified on/after 07/01/1992 (see Table II in Chapter 10).
  - 07/01/1992 through 08/27/1995: \$20 filing fee per civil case
  - 08/28/1995 through 08/31/1997: \$30 filing fee per civil case
  - 09/01/1997 forward: \$40 filing fee per civil case
- Statutory Probate Court: \$40 filing fee in each probate, guardianship, mental health or other civil case filed in statutory probate court, if resolution was adopted

by county. Begins with the date the statutory probate court qualified on/after 10/01/1999 (see Table II in Chapter 10).

**Juror Donation Program**

Reporting prior to 01/01/2004:

Prior to 01/01/2004, the juror donations were included on the court cost report, form 40-127.

**Marriage License Fees**

Rate: The full fee is shown in the table below, along with the amount to be remitted to the Comptroller.

<b>Item</b>	<b>09/01/1985 through 08/31/1999</b>	<b>09/01/1999 through 08/31/2008</b>
Marriage license fee	\$25 (remit half)	\$30 (remit \$15.50)
Declaration of informal marriage	\$25 (remit half)	\$25 (remit half)

Reporting prior to 01/01/2004:

These fees were reported to the Comptroller monthly on a separate report, form 40-117.

### Civil Fees Retained Locally 09/01/2003 – 12/31/2009

(This is **not** intended to be an all-inclusive listing)

Fee	09/01/2003 through 12/31/2005	01/01/2006 through 08/31/2007	09/01/2007 through 12/31/2009
Alternative Dispute Resolution fee	Not to exceed \$10	Not to exceed \$10	Not to exceed \$10
Appellate Judicial System Fees	X	X	X; as of 06/19/2009 in specified counties
Court Record Preservation Fee	N/A	N/A	N/A
Court Reporter Fee	\$15	\$15	\$15; as of 06/19/2009, \$30 in specified counties
Court Security Fee	Not to exceed \$5	Not to exceed \$5	Not to exceed \$5
District Court Records Archive Fee	N/A	N/A	Effective 06/19/2009; Up to \$5
Electronic Filing System Fee	N/A	N/A	N/A
Family Protection Fee (01/01/2004)	Not to exceed \$15 (01/01/2004)	Not to exceed \$30	Not to exceed \$15 (06/15/2007)
Family Code Filing Fees	X	X	X
Government Code Filing Fee	X	X	X
Human Resources Code filing fees	X	X	X
Interpreter's Fee	\$3	\$3	\$3
Jury Fee	X	X	X
Law Library Fee	Not to exceed \$35	Not to exceed \$35	Not to exceed \$35
Local Government Code filing fees	X	X	X
Probate Court Actions	N/A	\$25	\$25
Records Archive Fee	Not more than \$5	Not more than \$5	Not more than \$5
Records Management and Preservation Fee – County Court	Not more than \$5	Not more than \$5	Not more than \$5
Records Management and Preservation Fee – District Court	\$10 (01/01/2004)	\$10	\$10
Returned Check Fee	X	X	X
Sheriffs and Constable Fees	X	X	X
Vital Statistics Records Fee	X	X	X

Texas Comptroller of Public Accounts  
Audit Procedures for Local Revenue Funds

Fee	<b>09/01/2003 through 12/31/2005</b>	<b>01/01/2006 through 08/31/2007</b>	<b>09/01/2007 through 12/31/2009</b>
Witness Fee	X	X	X

**Note:**

X: the fund was effective for the time periods in the column headings, unless otherwise indicated.

## Report Forms for Cities and Counties

### Cities

For all collections through December 31, 2003, the following forms were used:

- 40-126, State Court Cost and Arrest Fees, City quarterly Report
- 40-128, Excess Highway Fines, if applicable
- 40-130, Excess Motor Carrier Fines, if applicable
- 40-131, Birth Certificate Fees, for local registrars
- 40-132, Motor Carrier Weight Violations
- 40-135, Time Payment Fees
- 40-138, Child Safety Seat and Seat Belt Violations

Birth Certificate fees are now reported on the Civil Fees Report Form, LR-141.

Motor Carrier Weight Violations and Time Payment Fees are now reported on the City Quarterly Report, Form 40-144.

If a city needs to amend data for reports prior to December 31, 2003, they should file an amended return for the period(s), with "Amended" printed clearly at the top.

### Counties

For all collections through December 31, 2003, the following forms were used:

- 40-127, State Court Cost and Arrest Fees, County Quarterly Report
- 40-116, District Clerk Filing Fees
- 40-117, Marriage License Fees
- 40-124, Compensation to Victims of Crime Auxiliary/ Sexual Assault Program
- 40-129, Judicial Fund
- 40-130, Excess Motor Carrier Fines, if applicable
- 40-131, Birth Certificate Fees
- 40-132, Motor Carrier Weight Violations
- 40-135, Time Payment Fees
- 40-136, Filing Fee for Legal Services for Indigents
- 40-137, Substance Abuse Program
- 40-138, Child Safety Seat and Seat Belt Violations

Marriage License fees and Birth Certificate fees are now reported on the Civil Fees Report, Form 40-126.

Motor Carrier Weight Violations and Time Payment Fees are now reported on the City Quarterly Report, Form 40-144.

If the county has something to report for Excess Funds from the Sale of Property Forfeited under the Controlled Substances Act, they should contact Revenue Accounting, Miscellaneous Tax Section, to get instructions for reporting. This fund does not have a printed form and is handled manually by Revenue Accounting.

If a county needs to amend data for reports prior to December 31, 2003, they should file an amended return for the period(s), with "Amended" printed clearly at the top.