

County Clerks' Misdemeanor Conviction Court Cost Chart (ORIGINAL JURISDICTION) – 01/01/2016		A	B	C	D	E	F	G	H	I	J	K
The costs below must always be assessed upon conviction (including deferred adjudication).												
1	Emergency Medical Services (EMS), Trauma Facilities and Trauma Care Systems Cost – CCP, art. 102.0185	100	100	100	0	0	0	0	0	0	0	0
2	Child Abuse Prevention Fund Cost – CCP, art. 102.0186	0	0	0	100	0	0	0	0	0	0	0
3	Consolidated Court Cost – LGC, § 133.102(a)	83	83	83	83	83	83	83	83	83	83	83
4	Drug Court Cost – CCP, art. 102.0178	60	60	60	0	60	0	0	0	0	0	0
5	Juvenile Delinquency Prevention Fee – CCP, art. 102.0171(a)	0	0	0	0	0	50	0	0	0	0	0
6	Clerk's Fee – CCP, art. 102.005(a)	40	40	40	40	40	40	40	40	40	40	40
7	State Traffic Fine – Transp. Code, §542.4031	0	0	0	0	0	0	30	30	0	0	0
8	Records Management Fee – CCP, art. 102.005(f)	25	25	25	25	25	25	25	25	25	25	25
9	Judicial Fund Court Cost – Government Code, §§ 51.702, 51.703	15	15	15	15	15	15	15	15	15	15	15
10	Judicial Support Fee – Local Gov't Code, § 133.105(a)	6	6	6	6	6	6	6	6	6	6	6
11	County and District Court Technology Fund Fee – CCP, art. 102.0169	4	4	4	4	4	4	4	4	4	4	4
12	Court Security Fee – CCP, art. 102.017(b)	3	3	3	3	3	3	3	3	3	3	3
13	Additional Court Cost – Transp. Code, § 542.403	0	0	0	0	0	0	3	3	0	0	0
14	Indigent Defense Fee – Local Gov't Code, § 133.107	2	2	2	2	2	2	2	2	2	2	2
15	Moving Violation Fee – CCP, art. 102.022	0.10	0.10	0	0	0	0	0.10	0	0.10	0	0
TOTAL COSTS TO ALWAYS BE ASSESSED ON CONVICTION (INCLUDING DEFERRED ADJUDICATION)		338.10	338.10	338	278	238	228	211.10	211	178.10	178	178
The cost below must be assessed upon conviction (including deferred adjudication) if: (1) the Court has not determined the defendant to be indigent and unable to pay the cost; or (2) the Court chooses to impose the cost even though such a determination has been made.												
16	DNA Testing Court Cost No. 2 – CCP, art. 102.020(a)(2)	0	0	0	0	0	0	0	0	0	50	0
The costs below must be assessed upon conviction (including deferred adjudication) if the specified service has been performed in the case by a peace officer.												
17	Execute or Process Arrest Warrant, Capias, or Capias Pro Fine - CCP, 102.011(a)(2)	50	50	50	50	50	50	50	50	50	50	50
18	Serve Writ – CCP, art. 102.011(a)(4)	35	35	35	35	35	35	35	35	35	35	35
19	Take and Approve Bond – CCP, art. 102.011(a)(5)	10	10	10	10	10	10	10	10	10	10	10
20	Convey Witness (charge per day) – CCP, art. 102.011(c)	10	10	10	10	10	10	10	10	10	10	10
21	Arrest without Warrant or Issue Notice to Appear – CCP, 102.011(a)(1)	5	5	5	5	5	5	5	5	5	5	5
22	Summon Witness (charge per witness each time summoned) – CCP, art. 102.011(a)(3)	5	5	5	5	5	5	5	5	5	5	5
23	Commitment to Jail – CCP, art. 102.011(a)(6)	5	5	5	5	5	5	5	5	5	5	5
24	Release from Jail – CCP, art. 102.011(a)(6)	5	5	5	5	5	5	5	5	5	5	5
25	Summon Jury – CCP, art. 102.011(a)(7)	5	5	5	5	5	5	5	5	5	5	5
26	Mileage Fees for certain Conveyances and Travel (29¢/mile) – CCP, art. 102.011(b)	x	x	x	x	x	x	x	x	x	x	x
27	Meals/Lodging Expenses for certain Conveyances and Travel – CCP, art. 102.011(b)	x	x	x	x	x	x	x	x	x	x	x
28	Overtime Costs for Testifying at Trial - CCP, 102.011(i)	x	x	x	x	x	x	x	x	x	x	x
The fee below must be assessed upon conviction if the conviction was by a jury.												
29	Jury Fee – CCP, art. 102.004	40	40	40	40	40	40	40	40	40	40	40
The fees below must be assessed upon conviction only if the defendant has been convicted and has not simply been placed on deferred adjudication.												
30	Prosecutor's Fee – CCP, art. 102.008(a)	25	25	25	25	25	25	25	25	25	25	25
31	Juror Reimbursement Fee – CCP, art. 102.0045	4	4	4	4	4	4	4	4	4	4	4
The cost below must be assessed upon conviction (including deferred adjudication) if a law enforcement agency visually recorded the defendant with an electronic device.												
32	Visual Recording Cost – CCP, art. 102.018(a)	15	15	0	0	0	0	0	0	0	0	0
The fee below must be assessed upon conviction only if: (1) the defendant is convicted (not just placed on deferred adjudication); and (2) the Court chooses to impose the cost.												
33	Restitution Installment Fee – CCP, art. 42.037(g)	12	12	12	12	12	12	12	12	12	12	12
The cost below must be assessed upon conviction (including deferred adjudication) only if: (1) the defendant is not determined by the Court to be indigent; or (2) the Court chooses to assess the cost even though the defendant has been determined to be indigent.												
34	Statewide E-Filing Court Cost – Gov't Code, § 51.851(d)	5	5	5	5	5	5	5	5	5	5	5
The cost below is assessed only if: (1) defendant is not determined by Court to be indigent and unable to pay the cost; or (2) Court chooses to assess the cost even if such a determination is made												
35	Drug or Alcohol Rehabilitation Evaluation Court Cost – CCP, art. 102.018(b)	x	0	0	0	0	0	0	0	0	0	0

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

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

(36) Transaction Fee – CCP, art. 102.072 – not to exceed \$2.00

This optional fee may be assessed on each transaction relating to the collection of fines, fees, restitution, or other costs imposed by a court.

(37) Time Payment Fee – LGC, § 133.103 -- \$25.00

This fee is required to be assessed whenever a person who has been convicted of an offense “pays any part of a fine, court costs, or restitution on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs, or restitution.”

(38) Administrative Fee (Omni Fee) – Transportation Code, § 706.006(b) -- \$30.00

This fee is required to be paid by any “person who fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner the court orders.”

(39) Order of Nondisclosure Fee – Government Code, § 411.072 -- \$28.00

This fee is required to be paid by a person seeking an order of nondisclosure under GC § 411.072 (no petition is filed) prior to the court issuing the order.

Detailed Description of Offenses in each Misdemeanor Category on Chart

A Driving While Intoxicated (DWI) punishable under Penal Code, § 49.04(b)

B Driving While Intoxicated (DWI) punishable under Penal Code, § 49.04(c), (d)

C Class A or B Misdemeanor Intoxication Offense other than DWI – Penal Code, §§ 49.05 - 49.065

D Employment Harmful to Children Offense – Penal Code, § 43.251

E Class A or B Misdemeanor Drug Offense – Health & Safety Code, Ch. 481

F Class A or B Misdemeanor Graffiti Offense – Penal Code, § 28.08

G Class A or B Misdemeanor Rules-of-the-Road Offense¹ that is a moving violation²

H Class A or B Misdemeanor Rules-of-the-Road Offense that is not a moving violation

I General Class A or B Misdemeanor Offense³ that is a moving violation

J Public Lewdness – Penal Code, § 21.07

Indecent Exposure – Penal Code, § 21.08

Unlawful Disclosure or Promotion of Intimate Visual Material – Penal Code, § 21.16

Terroristic Threat (if a Class A Misdemeanor) – Penal Code, § 22.07

Enticing a Child – Penal Code, § 25.04

Promotion of Prostitution – Penal Code, § 43.03

Sale, Distribution, or Display of Harmful Material to Minor – Penal Code, § 43.24

K General Class A or B Misdemeanor Offense that is not a moving violation

¹ A rules-of-the-road offense is any offense found in Transportation Code, Chapters 541 through 600.

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

³ A general Class A or B misdemeanor offense is any Class A or B Misdemeanor offense other than an offense listed in Columns A through H or in Column J.

Court Cost and Fee Destinations

- (1)** 90% to State account funding emergency medical services, trauma facilities, and trauma care systems; 10% as a collection fee to the County.
- (2)** 100% to the County for deposit in the County Child Abuse Prevention Fund. The money in the fund can only be used for child abuse prevention programs in the County.
- (3)** 90% to the State; 10% as a collection fee to the County. The State money goes to 14 destinations as follows: (1) abused children's counseling [0.0088%]; (2) crime stoppers assistance [0.2581%]; (3) breath alcohol testing [0.5507%]; (4) Bill Blackwood Law Enforcement Management Institute [2.1683%]; (5) law enforcement officers standards and education [5.0034%]; (6) comprehensive rehabilitation [9.8218%]; (7) law enforcement and custodial officer supplemental retirement fund [11.1426%]; (8) criminal justice planning [12.5537%]; (9) Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University [1.2090%]; (10) compensation to victims of crime fund [37.6338%]; (11) emergency radio infrastructure account [5.5904%]; (12) judicial and court personnel training fund [4.8362%]; (13) Correctional Management Institute of Texas and Criminal Justice Center Account [1.2090%]; and (14) fair defense account [8.0143%].
- (4)** In counties with drug court programs: (1) 50% to the County to develop and maintain County drug court programs; (2) 40% to the State to the Drug Court Account in the State General Revenue Fund to help fund drug court programs established under Chapters 122 – 125, Government Code; and (3) 10% as a service fee to the County General Fund. In counties with no drug court programs, 10% is retained by the County as a service fee and 90% is directed to the State Drug Court Account as mentioned above.
- (5)** 100% to the County Juvenile Delinquency Prevention Fund to: (1) repair graffiti damage; (2) provide educational and intervention programs and materials designed to prevent persons from committing graffiti offenses; (3) provide rewards for aiding in the apprehension and prosecution of graffiti offenders; (4) fund teen recognition and recreation programs; (5) fund teen courts; (6) fund local juvenile probation departments; and (7) provide educational and intervention programs designed to prevent juveniles from engaging in delinquent conduct.
- (6)** 100% to the County.
- (7)** 5% to the County as a service fee for collection and 95% to the State. The money is directed to the State as follows: (1) 67% to the credit of the undedicated portion of the General Revenue Fund; and (2) 33% to the credit of the designated trauma and emergency medical services account under Section 780.003, Health & Safety Code.
- (8)** 100% to the County. \$22.50 to the County Records Management and Preservation Fund. \$2.50 to the records management and preservation fund of the clerk of the court.
- (9)** 100% to the State for deposit in the judicial fund.
- (10)** \$0.60 goes to the County General Fund "to promote the efficient operation of the . . . county courts and the investigation, prosecution, and enforcement of offenses that are within the jurisdiction of the courts." \$5.40 goes to the State Judicial Fund for court-related purposes for support of the judicial branch of the State, for child support and court management as provided by § 21.007, Government Code, and for basic civil legal services to the indigent as provided by § 51.943, Government Code.
- (11)** 100% of the money is deposited in the County and District Court Technology Fund for: (1) the cost of continuing education and training for county and district court judges and clerks regarding technological enhancements for those courts; and (2) the purchase and maintenance of technological enhancements for district courts and county-level courts, including: (a) computer systems; (b) computer networks; (c) computer hardware; (d) computer software; (e) imaging systems; (f) electronic kiosks; and (g) docket management systems.
- (12)** 100% stays with the County and is deposited into the Courthouse Security Fund.
- (13)** 100% of the money stays with the County.
- (14)** 90% to the State "Fair Defense Account" to fund indigent defense; 10% goes to the County as a collection fee.
- (15)** 90% to the State; 10% as a collection fee to the County. The State money is deposited to the credit of the "Civil Justice Data Repository" fund in the State's General Fund. The money is "to be used only by the Texas Commission on Law Enforcement to implement duties under Section 1701.162, Occupations Code." The Commission's duties involve the audit of certain law enforcement agency records.
- (16)** 90% to the State; 10% as a collection fee to the County. The State money goes to DPS to help defray the cost of collecting or analyzing DNA samples provided by defendants who are required to pay this court cost.
- (17)** The money is assessed for the services of: (1) the law enforcement agency that executed the arrest warrant, *capias*, or *capias pro fine*, if the agency requests the court to impose the fee on conviction not later than the 15th day after the date of the execution of the arrest warrant, *capias*, or *capias pro fine*; or (2) the law enforcement agency that processed the arrest warrant, *capias*, or *capias pro fine*, if: (a) the arrest warrant, *capias*, or *capias pro fine* was not executed; or (b) the executing law enforcement agency did not timely request the court to impose the fee. If the law enforcement agency is a State entity (such as DPS or Parks and Wildlife), then 20% of the money is forward to the State while 80% of the money is retained by the County. The State money goes to the State's General Fund. If the law enforcement agency is a County or City, then 100% of the money goes to the County or City.
- (18)** Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (19)** 100% of the money stays with the County.

- (20) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (21) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
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- (26) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (27) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (28) Generally, 100% of the money stays with the County. The exception is if the service is performed by a peace officer employed by the State (e.g., DPS, Parks & Wildlife, etc.). In such an instance, the County keeps 80% of the fee. The other 20% goes to the State General Revenue Fund.
- (29) 100% of the money stays with the County.
- (30) 100% to the County.
- (31) 90% to the State Jury Service Fund to reimburse counties for juror costs; 10% as a collection fee to the County
- (32) 100% of the money stays with the County.
- (33) 50% of the money (\$6.00) goes to the State's Compensation to Victims of Crime Fund. The other 50% of the money (\$6.00) is to be retained by the court "for costs incurred in collecting the specified installments."
- (34) 100% to the State for deposit "to the credit of the statewide electronic filing system fund established under [Gov't Code] Section 51.852."
- (35) 100% of the money stays with the County.
- (36) 100% of the money stay with the County.
- (37) 50% of the money (\$12.50) is sent to the State and the other 50% (\$12.50) is retained by the County. The money directed to the State is to be deposited in the State's General Fund. As for the 50% of the money retained by the County, 80% (\$10.00) goes to the County for unspecified purposes. The remaining 20% (\$2.50) is to be used "for the purpose of improving the efficiency of the administration of justice in the county." The County is required to "prioritize the needs of the judicial officer who collected the fees when making expenditures . . . and use the money deposited to provide for those needs."
- (38) \$20 is directed to the State while \$10 is retained by the County. Of the \$20 directed to the State, \$10 is credited to the DPS to implement Chapter 706 of the Transportation Code. Chapter 706 outlines the procedure for DPS to deny the renewal of the driver's license of a person who has failed to pay his or her court-ordered fine and costs. The remaining \$10 goes to the State's General Fund. There is no stated purpose for this \$10 amount. Of the \$10 retained by the County, \$6 is paid to OmniBase Services, Inc. OmniBase Services is a private vendor with which DPS has contracted to assist in implementing Chapter 706. The remaining \$4.00 is retained by the County. There is no specified purpose for this \$4 amount.
- (39) 100% of the money to the State for deposit in the State General Revenue Fund.