

The background of the slide is a deep blue color with a subtle, shimmering texture that resembles water or a sky with light rays. The text is centered and rendered in a bright yellow, sans-serif font.

MUNICIPAL COURTS  
12-Hour Programs  
Fiscal 2008  
Court Costs and Fees

Rene Henry

# Implementation of New or Amended Court Costs or Fees

- Government Code §51.607
- Applies to new court costs and fees
- Applies to changed court costs and fees
- Effective date generally rolled to January 1

# Implementation of New or Amended Court Costs or Fees

- Exceptions:
  - (1) Bill provides §51.607 doesn't apply
  - (2) Takes effect before August 1 or after January 1
- Comptroller required to prepare a list
- Publish in Texas Register by August 1<sup>st</sup>

# NEW Indigent Defense Fee

- House Bill 1267
- Amount: \$2.00
- Expanded conviction definition (LGC §133.101)
- Parking and pedestrian offenses excepted
- Service fee (city share) – 10%
- Effective January 1, 2008 (because of GC §51.607)
  - conviction of offenses occurring on or after
- Quarterly reporting

# INCREASE Judicial Support Fee

- Senate Bill 600
- Amount: From \$4.00 to \$6.00
- Reminders:
  - Expanded conviction definition (LGC §133.101)
  - Parking and pedestrian offenses excepted
  - Service fee (city share) – \$.60 (no change)
  - Quarterly reporting
- Effective January 1, 2008 (because of GC §51.607)
  - conviction of offenses occurring on or after

# Teen Court Fees

- House Bill 2949
- Amount: From NTE \$10.00 to \$20.00
- Both administrative fee and program fee
  - but ONLY in courts located in Texas-Louisiana border region (GC §2056.002)
  - Bowie, Camp, Cass, Delta, Franklin, Gregg, Harrison, Hopkins, Lamar, Marion, Morris, Panola, Red River, Rusk, Smith, Titus, Upshur, and Wood counties
- Continues to be NTE \$10.00 in all other courts
- Effective January 1, 2008 (because of GC §51.607)
  - requests for program made on or after

# Driving Record Fee

- Senate Bill 1083
- Amount: From \$10.00 to \$10.00 plus TexasOnline fee
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# NEW Administrative Dismissal Fee – Operation Without License Plate or Registration

- House Bill 1623
- Optional to dismiss, but fee mandatory if dismissed
  - not to exceed \$10.00
- Local revenue – no restrictions
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# Administrative Dismissal Fee – Driving With an Expired Motor Vehicle Registration

- House Bill 1623
- Optional to dismiss
- Optional fee not to exceed \$20.00
  - increased from not to exceed \$10.00
- Local revenue – no restrictions
- Increase effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# NEW Administrative Dismissal Fee – Wrong, Fictitious, Altered, or Obscured License Plate

- House Bill 1623
- Optional to dismiss, but fee mandatory if dismissed
  - not to exceed \$10.00
- Local revenue – no restrictions
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# NEW Administrative Dismissal Fee – Driver's License Not in Possession

- House Bill 1623
- Mandatory to dismiss if conditions met
- Optional fee not to exceed \$10.00
- Local revenue – no restrictions
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# Administrative Dismissal Fee – Driving With an Expired Driver's License

- House Bill 1623
- Optional to dismiss
- Optional fee not to exceed \$20.00
  - increased from not to exceed \$10.00
- Local revenue – no restrictions
- Increase effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# NEW Administrative Dismissal Fee – Failure to Give Notice of Address or Name Change

- House Bill 1623
- Optional to dismiss, but fee mandatory if dismissed
  - not to exceed \$20.00
  - but may be waived (if in interest of justice)
- Local revenue – no restrictions
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# NEW Administrative Dismissal Fee – Violating a Driver's License Restriction or Endorsement

- House Bill 1623
- Optional to dismiss, but fee mandatory if dismissed
  - not to exceed \$10.00
- Local revenue – no restrictions
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# NEW Administrative Dismissal Fee – Unsafe or Improperly Equipped Vehicle

- House Bill 1623
- Optional to dismiss, but fee mandatory if dismissed
  - not to exceed \$10.00
- Can't dismiss if commercial motor vehicle
- Local revenue – no restrictions
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# Administrative Dismissal Fee – Driving With an Expired Inspection Certificate

- House Bill 1623
- Mandatory to dismiss if conditions met
- Optional fee not to exceed \$20.00
  - increased from not to exceed \$10.00
- Local revenue – no restrictions
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# NEW Administrative Dismissal Fee – Operating a Vessel With an Expired Certificate

- House Bill 1623
- Optional to dismiss, but fee mandatory if dismissed
  - not to exceed \$10.00
- Local revenue – no restrictions
- Effective January 1, 2008 (because of GC §51.607)
  - offenses committed on or after

# Deferred Disposition – Satisfaction of Court Costs and Fees

- House Bill 2267
- Old Law - Must be paid and paid up front
- New Law – Judge can:
  - (1) Allow costs and fees to be paid in installments
    - agreement required
    - paid during period of probation
  - (2) Require costs and fees be satisfied by performing community service
    - per CCP Article 45.049
  - (3) Require costs and fees be satisfied by a combination of installment payments / community service
- Effective September 1, 2007
  - offenses committed on or after

# Photographic Traffic Signal Enforcement System Revenue

- House Bill 1623 / Senate Bill 1119
- Ordinance required
- Civil or administrative penalty – not to exceed \$75.00
- Late payment penalty – not to exceed \$25.00
- Fifty percent of “net revenue” must be sent to the State
  - within 60 days of city fiscal year end

# Photographic Traffic Signal Enforcement System Revenue

- Fifty percent of “net revenue” retained by city (in a special account) and used only to fund
  - traffic safety programs (including pedestrian safety programs);
  - public safety programs;
  - intersection improvements; and
  - traffic enforcement

# Photographic Traffic Signal Enforcement System Revenue

- "Net Revenue" Formula:

Civil / administrative penalties  
(Late payment penalties excluded)

- Equipment costs
  - Installation costs
  - Operating costs
  - Maintenance costs
- = "Net Revenue"

# Photographic Traffic Signal Enforcement System Revenue

- Penalty for Under-remitting:
  - Optional with Comptroller
  - Double the amount
- Effective September 1, 2007
  - revenue received on or after