

## TJCTC FEES & COSTS CHEAT SHEET

In addition to any fine amount set and assessed by the court, the court shall assess the following amounts upon conviction or placement on deferred disposition or Driving Safety Course for **any offense occurring on or after January 1, 2020**.

**Rules of the Road offense (other than parking/pedestrian): \$129**



**Parking/Pedestrian Rules of the Road offense: \$67**



**Parking/Pedestrian Non-Rules of the Road offense: \$14**








**Parent Contributing to Non-Attendance (Ed. Code 25.093): \$96**



**Other Fine-Only Misdemeanors: \$76**



-  ➤ State Consolidated Court Cost (\$62) – LGC 133.102(a)(3)
-  ➤ Local Consolidated Court Cost (\$14) – LGC 134.103(a)
-  ➤ State Traffic Fine (\$50) – TC 542.4031
-  ➤ Local Traffic Fine (\$3) – TC 542.403
-  ➤ Child Safety Fund Fine (\$20) – CCP 102.014(d)

### What are Rules of the Road offenses?

Offenses found in Title 7, Subtitle C of the Transportation Code (Chapter 541-600)

In addition to the amounts on the above chart, courts shall assess the following fees & costs:

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- **\$5 Arrest Reimbursement Fee (CCP 102.011(a))** – assessed against defendant on conviction/deferral if peace officer made a warrantless arrest or issued a notice to appear (ticket/citation).
- **\$50 Warrant Reimbursement Fee (CCP 102.011(a))** – assessed against defendant on conviction/deferral if law enforcement agency processed or executed an arrest warrant.
- **\$2 Transaction Fee (CCP 102.072)** – assessed against a defendant on each transaction relating to collection of amounts assessed by the court. *Only assessed if the commissioners court has approved the fee.*
- **\$25 Child Safety Fund Fine (CCP 102.014)** – assessed against a defendant on conviction/deferral for Passing a School Bus (TC 545.066) or for any Rules of the Road offense occurring in a school zone. *This fine is only assessed in a municipality.*

### OTHER FEES AND COSTS NOTES

- Special expense fees assessed on deferred disposition, fees assessed on compliance dismissals, and the administrative fee on discretionary DSC are considered “fines” effective Jan. 1, 2020, regardless of the offense date. The administrative fee on mandatory DSC is now termed as a “reimbursement fee.”
- The Omni reimbursement fee is \$10, effective Jan. 1, 2020.
- Effective Jan. 1, 2020, the Time Payment Reimbursement Fee is \$15, and is entirely retained by the county. The time payment reimbursement fee applies not only to convictions, but also to any DSC or deferred disposition orders signed on or after Sept. 1, 2021, if the defendant pays any amount due more than 30 days after the order to pay. Note, however that only one time payment reimbursement fee may be assessed per case.
- There is no longer a separate Juvenile Case Manager Fee. Instead, on offenses committed after Jan. 1, 2020, \$5 of the \$14 Local Consolidated Court Cost will go into the local truancy prevention and diversion fund, which can be used by counties to fund salaries, expenses, benefits, training, etc. of juvenile case managers.
- Effective **September 1, 2019**, the Justice Court Technology Fund can be used to pay salaries and benefits for court personnel, as well as training expense for judges and court personnel, even if the training is not technology related.
- Effective January 1, 2020, courts may no longer collect the \$30 “hot check fee” authorized by Business & Commerce Code 3.506.
- For offenses committed on or after January 1, 2020, the additional \$3 fee assessed when the defendant is convicted by a jury is no longer assessed.

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### **What about offenses that occur before Sept. 1, 2019?**

In justice court, costs that are *assessed on conviction* are based on the date of the *offense*, rather than the date of the *conviction*. Therefore, if the offense date is before Sept. 1, 2019, you would assess the costs that are currently in effect, regardless of when the conviction actually occurs.

### **What about offenses that occur on or after Sept. 1, 2019, but before Jan. 1, 2020?**

The only change for these offenses compared to current costs is that the State Traffic Fine will increase from \$30 to \$50 (and the \$3 Local Traffic Cost will be a fine rather than a cost). The comptroller will be instructing courts to “hold” any of the STF collections they receive in September (at the new \$50 amount, with reduced 4% service fee) until they have the quarterly form revised and available for the 4th quarter reporting, where they’ll actually have 4 months of the new collection (Sept-Dec) instead of the usual three months.

### **What version of the Omni Reimbursement Fee or Time Payment Reimbursement Fee do we assess?**

Omni Reimbursement Fees and Time Payment Reimbursement Fees are not assessed on conviction, rather they are assessed when the “triggering event” occurs. The court applies the law that is in effect when the triggering event occurs. So you apply the new Omni Reimbursement Fee (\$10) and Time Payment Reimbursement Fee (\$15) anytime those fees are assessed on or after Jan. 1, 2020, regardless of when the offense occurred or the conviction or deferral occurred.

### **Do the State Traffic Fine and Local Traffic Fine count against the maximum fine for the offense?**

The State Traffic Fine will change to \$50 on offenses occurring after September 1, 2019. This fine is in addition to the fine that the court imposes on the offense, so it would not count toward the maximum fine for the offense. The \$3 Local Traffic Fine also does not count against the maximum fine allowed for the offense. **NOTE** – the State Traffic Fine is often included in court costs since the court has no discretion in the amount assessed, but it is treated as a fine.

### **Is the \$20 Child Safety Fine split with the school district?**

No. Only fines assessed under Ed. Code 25.093 are split. The \$20 Child Safety Fund Fine is assessed under CCP 102.014.

### **Why does the difference between court costs and fines matter?**

There are two significant differences in how your courts handle court costs vs. fines

- 1) If the defendant makes partial payments, the payments are first credited against court costs (including reimbursement fees) until the costs are completely paid off. If the payment isn’t enough to pay all of the costs, the payment is applied to each cost on a prorated basis. Once the costs are paid, if a payment is made that doesn’t cover all of the fines, the payment is applied to each fine on a prorated basis.
- 2) If a defendant is unable to pay a fine, they must do community service to satisfy the fine unless community service is an undue hardship. If the defendant is unable to pay costs, the court can waive costs, even if community service would not be an undue hardship.