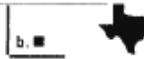


HB 2302 – Electronic Filing System Fund

- Civil and criminal
- Quarterly
- Effective 9-1-13
- Government Code 51.851
- No collection fee (per Local Government Code 133.058(d)(3))

Court	Rate	Type
District, County, Statutory County, Statutory Probate	\$20	Civil
Justice	\$10	Civil
District, County, Statutory County	\$5	Criminal



Electronic Filing System - State Fund

a. T Code ■ 32480

• Do NOT write in shaded areas.

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone numbers listed on this form.

c. County identification Number 0 ■ X ¹⁴ -----X ²⁸	d. Report for quarter ending (mm/dd/yy) 48 X X / X X / X X 55 (include slash marks)	e. 70 X - X ⁷²	
County name and mailing address 1 X ¹¹ -----X ⁶⁰ 2 X-----X 3 X-----X 4 X-----X 5 X-----X 6 X-----X			f. Due date of report X ⁷⁹ -----X ⁹⁶
h. IMPORTANT Blacken this box if your address has changed. Show changes by the preprinted information. → 1 <input type="checkbox"/>			i. <input type="checkbox"/> <input type="checkbox"/>

Government Code 51.851: Electronic Filing Fee

- (b) In addition to other fees authorized or required by law, the clerk of the supreme court, a court of appeals, a district court, a county court, a statutory county court, or a statutory probate court shall collect a \$20 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 to be used as provided by Section 51.852.
- (c) In addition to other fees authorized or required by law, the clerk of a justice court shall collect a \$10 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 to be used as provided by Section 51.852.
- (d) In addition to other court costs, a person shall pay \$5 as a court cost on conviction of any criminal offense in a district court, county court, or statutory county court.

County treasurers should use this form to report their county's collections of this court cost and to submit payment of the appropriate portion of these costs, as determined by the Code of Criminal Procedures Art. 102.0178(e)(1 & 2). This report must be filed by the due date even if no collections were made and no payment is due.

Filing Fees (Civil Cases)	
1. District Court filing fees (@ \$20)	1. \$ _____
2. County Courts filing fees (Constitutional, Statutory and Statutory Probate Courts) (@ \$20)	2. \$ _____
3. Justice Courts filing fees (@ \$10)	3. \$ _____
4. Total amount of filing fees collected (All Courts)	4. \$ _____
Criminal Costs on Convictions (\$5 in all courts)	
5. District Court convictions	5. \$ _____
6. County Courts convictions (Constitutional and Statutory Courts)	6. \$ _____
7. Total amount of criminal costs collected (All Courts)	7. \$ _____
8. TOTAL AMOUNT DUE (Add Items 4 and 7)	8. \$ _____
*** DO NOT DETACH ***	
9. TOTAL AMOUNT OF PAYMENT (Same as Item 8)	9. \$ _____

County name 13 X ¹⁰ -----X ⁵⁹	k. <input type="checkbox"/>	l. <input type="checkbox"/>
■ T Code ■ County identification no. ■ Period		

16 X⁶---X¹⁰ X¹⁴-----X²⁴ 28 X-X³⁰ X³³
 font - p08oaa (10 cpi)

Complete this report and make the amount in Item 9 payable to:
State Comptroller
 Mail to: Comptroller of Public Accounts
 P.O. Box 149361
 Austin, TX 78714-9361

i. (Type or print name) _____ certify that the information above is true and correct as shown in the records of the reporting office of the county named.

Authorized agent
sign here →

Title	Date
Daytime phone (Area code and number)	

SB 1419 – Truancy Prevention & Diversion Fund

- Criminal
- Quarterly (form 40-145)
- Effective 1-1-14
- Code of Criminal Procedure
102.015
- 50% retained **IF** county has
established or is attempting to
establish a juvenile case manager
program

Court	Rate
Municipal, Justice	\$2

Please complete and sign this report and enter a telephone number that can be called if additional information is necessary.

PRINT FORM CLEAR FIELDS

T Code ■ 32620

Do not write in shaded areas.

State Criminal Costs and Fees

COUNTY QUARTERLY REPORT - This report must be filed by the due date even if no payment is due.
An amount or a zero (0) MUST be entered on all lines for Columns 1 and 3.

c. County identification number: []

f. Report for quarter ending: QUARTER ENDING []

g. Due date of report: []

d. County name and mailing address: []

h. IMPORTANT: Check this box if your address has changed. Show changes by the preprinted information. []

i. []

j. []

See back for instructions.

	Column 1 TOTAL COLLECTED (State court costs only) Dollars and cents	Column 2 SERVICE FEE (See instructions)	Column 3 AMOUNT DUE STATE (Col. 1 minus Col. 2)
1. 01-01-04 Forward	\$		\$
2. 06-01-01 — 12-31-03			
3. 06-31-06 — 06-31-01			
4. 06-01-07 — 06-30-09			
5. 09-01-01 — 06-31-07			
6. Bail Bond Fee (BB)			
7. DNA Testing Fee - Convictions (DNA)			
8. DNA Testing Fee - Comm Supvn (DNA CS)			
9. DNA Testing Fee - Juvenile (DNA JV)		No Service Fee	
10. EMS Trauma Fund (EMS)			
11. Juvenile Probation Diversion Fee (JPD)			
12. Jury Reimbursement Fee (JRF)			
13. Indigent Defense Fund (IDF)			
14. Moving Violation Fees (MVF)			
15. State Traffic Fine (STF)		(5%)	
16. Peace Officer Fees (Report 20% of fees from actions by state officers only.)			\$
17. Failure to Appear/Pay Fees (FTA) (Report \$20 of the administrative fee.)			
18. Judicial Fund - Constitutional County Court			
19. Judicial Fund - Statutory County Court			
20. Motor Carrier Weight Violations (MCW) (Report 50% of the fines collected.)			
21. Time Payment Fees (TP) (Report 50% of the \$25 fee.)			
22. Driving Records Fee (DRF) (Report 100% of fees collected.)			
23. Judicial Support Fee (JS)			
24. Truancy Prevention and Diversion Fund (TPD)			
25. TOTAL DUE FOR THIS PERIOD (sum of items 1 through 24 in Column 3.)			\$

*** DO NOT DETACH ***

26. TOTAL AMOUNT DUE AND PAYABLE (Same as item 25) 26. \$ []

County name: []

i. []

j. []

T Code ■ County identification no. ■ Period

32620

For assistance call 1-800-531-5441, ext. 3-4276 or 512-463-4276.

Make the amount in item 26 payable to:
State Comptroller

Mail to: Comptroller of Public Accounts
P.O. Box 148361
Austin, TX 78714-8361

I, (type or print name) _____, certify that the information above is true as shown in the records of the treasury of the county named.

sign here

Title: [] Date: []

Phone number: [] (Area code and number)

SB 462 – Specialty Court Program

- Name change from Drug Court Program to Specialty Court Program
- Form 40-147 changed for name



PRINT FORM CLEAR FIELDS

Specialty Court Program Account

You have certain rights under Chapters 562 and 569, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone numbers listed on this form.

a. T Code 32260 • Do NOT write in shaded areas.

c. County identification Number <input style="width: 95%;" type="text"/>	d. Report for quarter ending (mm/dd/yy) QUARTER ENDING <input style="width: 150px;" type="text"/>	e. Due date of report <input style="width: 100%;" type="text"/>
f. County name and mailing address <div style="border: 1px solid black; height: 100px; width: 100%;"></div>		h. IMPORTANT Shade this box if your address has changed. Show changes by the preprinted information ▶ <input type="checkbox"/>
		i. <input style="width: 100%;" type="text"/>

A specialty court is defined in Gov. Code 77.2006(2)(A-D) as: Gov. Code, Chapter 122, family drug court program; Chapter 123, drug court program; Chapter 124, veterans court program; and Chapter 125, a mental health court program.

Code of Criminal Procedures Article 102.0178; **Costs Attendant to Certain Intoxication and Drug Convictions.**

- (a) In addition to other costs on conviction, a person shall pay \$60 **Previously Drug Court Program Account** \$50 for offenses between 6/15/07-12/31/09 or \$60 for offenses on or after 1/1/10-8/31/2013) as a cost of court on conviction of an offense punishable as a Class B misdemeanor or any higher category of offense under:
- (1) Chapter 49, Penal code (Intoxication and Alcoholic Beverage Offenses); or
 - (2) Chapter 481, Health and Safety Code (Texas Controlled Substance Act).
- (e) A county is entitled to:
- (1) if the custodian of the county treasury complies with subsection (d), retain 10 percent of the funds collected under this article by an officer of the county during the calendar quarter as a service fee; and
 - (2) if the county has established a drug court program or establishes a drug court program before the expiration of the calendar quarter, retain in addition to the 10 percent authorized by Subdivision (1) another 50 percent of the funds collected under this article to be used exclusively for the maintenance of drug court programs operated within the county.

County treasurers should use this form to report their county's collections of this court cost and to submit payment of the appropriate portion of these costs, as determined by the Code of Criminal Procedures Art. 102.0178(e)(1 & 2). This report must be filed by the due date even if no collections were made and no payment is due.

1. Total amount of specialty court program fees collected _____	1. \$ <input style="width: 100%;" type="text"/>
2. Amount retained (50%) for established specialty court programs within the county <i>(per CCP 102.0178(e)(2), 50% of item 1, if applicable)</i> _____	2. \$ <input style="width: 100%;" type="text"/>
3. Allowable service fee for timely filing <i>(per CCP 102.0178(e)(1), 10% of item 1, if applicable)</i> _____	3. \$ <input style="width: 100%;" type="text"/>
4. AMOUNT DUE THE STATE <i>(Subtract items 2 and 3 from item 1.)</i> _____	4. \$ <input style="width: 100%;" type="text"/>
*** DO NOT DETACH ***	
5. TOTAL AMOUNT OF PAYMENT <i>(Same as item 4)</i> _____	5. \$ <input style="width: 100%;" type="text"/>

County name <input style="width: 95%;" type="text"/>	k. <input style="width: 100%;" type="text"/>	l. <input style="width: 100%;" type="text"/>
<input type="checkbox"/> T Code <input type="checkbox"/> County identification no. <input type="checkbox"/> Paid		

32080

Complete this report and make the amount in item 5 payable to:
State Comptroller

Mail to: Comptroller of Public Accounts
P.O. Box 149361
Austin, TX 78714-9361

i. (Type or print name) certify that the information above is true and correct as shown in the records of the reporting office of the county named.

Authorized agent

sign here ▶

Title	Date
Daytime phone (Area code and number) <input style="width: 80%;" type="text"/>	

SB 389 – Court Costs based on Conviction Date

- District and County Courts only
- Effective 6-14-13
- Government Code 51.608
- AG Opinion GA-1034 (RQ-1135)



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 2, 2014

The Honorable Susan Combs
Texas Comptroller of Public Accounts
Post Office Box 13528
Austin, Texas 78711-3528

Opinion No. GA-1034

Re: Whether Government Code section 51.608, which requires that court costs imposed on a defendant in a criminal proceeding be the amount required on the date the defendant is convicted, violates federal and state constitutional prohibitions of ex post facto laws (RQ-1135-GA)

Dear Comptroller Combs:

You ask whether Government Code section 51.608 violates federal and state constitutional prohibitions on ex post facto laws.¹ The statute provides:

Notwithstanding any other law that establishes the amount of a court cost collected by the clerk of a district, county, or statutory county court from a defendant in a criminal proceeding based on the law in effect on the date the offense was committed, the amount of a court cost imposed on the defendant in a criminal proceeding must be the amount established under the law in effect on the date the defendant is convicted of the offense.

TEX. GOV'T CODE ANN. § 51.608 (West Supp. 2013). Under section 51.608, a criminal defendant could be required to pay more in court costs than the amount that was required on the date the offense was committed. You are concerned that such a scenario may run afoul of the constitutional prohibition on ex post facto laws. Request Letter at 1. As we explain below, it does not.

The United States and the Texas Constitutions both prohibit ex post facto laws. U.S. CONST. art. I, § 10, cl. 1; TEX. CONST. art. I, § 16. Texas courts have decided that the ex post facto provisions in both constitutions have the same meaning and have therefore adopted the U.S. Supreme Court's standards for analyzing Texas's constitutional ex post facto provision.

¹See Letter from Honorable Susan Combs, Tex. Comptroller of Pub. Accounts, to Honorable Greg Abbott, Tex. Att'y Gen. (July 9, 2013), <http://texasattorneygeneral.gov/opin> ("Request Letter").

Grimes v. State, 807 S.W.2d 582, 586 (Tex. Crim. App. 1991).² The constitutional prohibition on ex post facto laws bars any law enacted after a crime has been committed that increases punishment for the crime. *Carmell v. Texas*, 529 U.S. 513, 522 (2000); *Phillips v. State*, 362 S.W.3d 606, 610 (Tex. Crim. App. 2011). In other words, “[a] retroactive increase in the ‘quantum of punishment’ violates the ex post facto clause.” *Johnson v. State*, 930 S.W.2d 589, 591 (Tex. Crim. App. 1996) (citation omitted).

The Texas Court of Criminal Appeals has held that, unlike a sentence of incarceration or a fine, an order to pay court costs is generally not a part of the punishment assessed against a convicted defendant. See, e.g., *Armstrong v. State*, 340 S.W.3d 759, 766–67 (Tex. Crim. App. 2011) (distinguishing court costs, which do not change “the range of punishment to which the defendant is subject,” from fines, which are punishment and part of the sentence); *Weir v. State*, 278 S.W.3d 364, 365–66 (Tex. Crim. App. 2009) (determining that a statute authorizing the assessment of costs against a convicted defendant was intended as recoupment of judicial costs, not as punishment); *Rylander v. Caldwell*, 23 S.W.3d 132, 138 (Tex. App.—Austin 2000, no pet.) (determining that a statute providing for defendants to pay a particular court cost was intended to supplement statutory county court judges’ salaries, not to criminalize or punish certain behavior). 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.³

While court costs generally do not constitute punishment and therefore generally do not implicate prohibitions on ex post facto laws, a court could find, in an extraordinary case, that a

²You also suggest that section 51.608 may be unconstitutional as a “retroactive law” prohibited by article I, section 16 of the Texas Constitution. Request Letter at 2. The Court of Criminal Appeals has not definitively determined whether the retroactive law prohibition extends to criminal cases separately from the ex post facto prohibition. See *Engelbrecht v. State*, 294 S.W.3d 864, 869 n.2 (Tex. App.—Beaumont 2009, no pet.) (citing *Grimes v. State*, 807 S.W.2d 582, 586 (Tex. Crim. App. 1991)). Assuming that it does apply, the retroactive law provision only prohibits laws that disturb vested substantive rights. *Ibarra v. State*, 11 S.W.3d 189, 192 (Tex. Crim. App. 1999). Court costs are generally imposed by a bill of costs prepared upon conviction. See, e.g., TEX. LOC. GOV’T CODE ANN. § 133.102 (West Supp. 2013) (consolidated fees on conviction); TEX. GOV’T CODE ANN. § 102.021 (West 2013) (court costs on conviction); see also TEX. CODE CRIM. PROC. ANN. art. 103.001 (West 2006) (providing that a cost is not payable “until a written bill is produced or is ready to be produced”). A person charged with a crime does not have a vested right to expect court cost statutes to remain static throughout the pendency of prosecution. See *City of Dallas v. Trammell*, 101 S.W.2d 1009, 1012 (Tex. 1937) (holding that a person does not have a vested right in the expectancy of the “continuance of existing laws”).

³You note that prior attorney general opinions have broadly indicated that statutes imposing or increasing court costs for pending criminal proceedings are unconstitutional ex post facto laws. Request Letter at 2 (citing Tex. Att’y Gen. Op. Nos. DM-464 (1997), JM-443 (1986)). These opinions however, predate the Court of Criminal Appeals decisions on which this opinion is based. These attorney general opinions should not be relied upon to the extent they are inconsistent with more recent authority from the Court of Criminal Appeals regarding ex post facto laws.

particular increase in court costs amounts to increased punishment in violation of the ex post facto clause. The Court of Criminal Appeals has held that whether a statute constitutes punishment for constitutional purposes may be determined by application of the “intent-effects” test. *Rodriguez v. State*, 93 S.W.3d 60, 67 (Tex. Crim. App. 2002). The first part of the test requires a court to determine if the Legislature intended the statute to constitute a criminal punishment. *Id.* The inquiry is in part a matter of statutory construction, and courts “must afford a high level of deference to the [L]egislature’s stated aims in passing the statute.” *Id.* If the statute was intended as punishment, the inquiry is over, and retroactive application of the statute would be unconstitutional. *See id.* If no punitive intent is apparent, however, then a court must consider seven factors to determine whether the effects of the statute are criminally punitive in operation. *See id.* at 68.⁴

While court costs generally do not constitute punishment, merely labeling a monetary sanction as “court costs” does not guarantee the law’s constitutionality. *See Collins v. Youngblood*, 497 U.S. 37, 46 (1990) (“[B]y simply labeling a law ‘procedural,’ a legislature does not thereby immunize it from scrutiny under the Ex Post Facto Clause.”). As explained above, however, court costs are generally not considered punitive, so an increase in court costs generally will not raise ex post facto concerns. Like the Court of Criminal Appeals, courts outside of Texas considering the issue have typically determined that statutes imposing new costs, if they are not punitive in either intent or effect, are not unconstitutional ex post facto laws.⁵ A Texas 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.⁶

⁴“Courts consider: (1) whether the sanction involves an affirmative disability or restraint; (2) whether it has traditionally been regarded as a punishment; (3) whether it comes into play only on a finding of scienter; (4) whether its operation will promote the traditional aims of punishment—retribution and deterrence; (5) whether the behavior to which it applies is already a crime; (6) whether an alternative purpose to which it may rationally be connected is assignable to it; and (7) whether it appears excessive in relation to the alternative purpose assigned.” *Rodriguez*, 93 S.W.3d at 68.


⁵*See, e.g., Taylor v. Rhode Island*, 101 F.3d 780, 783–84 (1st Cir. 1996), *cert. denied*, 521 U.S. 1104 (1997) (holding that small cost-based supervisory fee was not an ex post facto punishment); *People v. Alford*, 171 P.3d 32, 36–39 (Cal. 2007) (holding that a new fee was not an ex post facto law because it was enacted as part of an emergency budgetary measure for the nonpunitive purpose of funding court security); *Doe v. Sex Offender Registry Bd.*, 947 N.E.2d 9, 23–26 (Mass. 2011) (determining that neither the purpose nor the effect of an annual sex offender registry fee was punitive and therefore not an unconstitutional ex post facto law).

⁶Even if our answer were otherwise, it would not change your office’s legal obligation to implement the law as enacted by the Legislature. Administrative agencies like the Comptroller’s office are to implement statutes according to legislative intent, leaving the determination of a statute’s constitutionality to the judiciary. *See Edwards Aquifer Auth. v. Day*, 369 S.W.3d 814, 844 (Tex. 2012) (stating that “as a rule,” an administrative agency does not have the authority to decide the constitutionality of a statute).

S U M M A R Y

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.

Very truly yours,


GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

JAMES D. BLACKLOCK
Deputy Attorney General for Legal Counsel

VIRGINIA K. HOELSCHER
Chair, Opinion Committee

William A. Hill
Assistant Attorney General, Opinion Committee

RECEIVED

JUL 12 2013

OPINION COMMITTEERQ-1135-6A FILE # ML-47321-13
I.D. # 47321

July 9, 2013

The Honorable Greg Abbott
Attorney General, State of Texas
P.O. Box 12548
Austin, Texas 78711-2548

Re: Attorney General Opinion request relating to Section 51.608, Tex. Gov't Code, as added by S.B. 389, 83rd Leg., R.S. (2013)

Dear General Abbott:

The Comptroller of Public Accounts (Comptroller) respectfully requests an Attorney General opinion relating to whether Section 51.608, Tex. Gov't Code, as added by S.B. 389,¹ violates the United States and Texas constitutional prohibitions on ex post facto laws.²

Under the recently enacted S.B. 389,³ changes were made to the way in which court costs are assessed. The bill adds Section 51.608, Tex. Gov't Code, to require that the amount of a court cost imposed on a defendant in a criminal proceeding be the amount established under the law in effect on the date the defendant is convicted of the offense.⁴ This means that upon conviction, a defendant could be assessed a higher court cost than that which he would have been assessed at the time the crime was committed. As the agency that ultimately collects these court costs, we are concerned that Section 51.608, Tex. Gov't Code, may violate the prohibition on ex post facto laws because upon conviction a criminal defendant could be charged court costs that were not attached to the offense at the time it was committed.

In a 1986 opinion, the Attorney General addressed a similar issue and found that the prohibition against ex post facto laws is violated when the law inflicts a punishment that is greater than the punishment for the crime at the time the crime is committed:

¹ Act of May 25, 2013, 83rd Leg., R.S., S.B. 389, § 1 (to be codified at Tex. Gov't Code § 51.608).

² U.S. Const. art. I § 10, cl. 1. & Tex. Const. art. I, § 16.

³ Act of May 25, 2013, 83rd Leg., R.S., S.B. 389, § 1 (to be codified at Tex. Gov't Code § 51.608).

⁴ House Comm. on Judiciary & Civil Jurisprudence, Bill Analysis, Tex. S.B. 389, 83rd Leg., R.S. (2013).



The Honorable Greg Abbott
July 9, 2013
Page 2

"It is well settled that a law that inflicts a greater punishment than that annexed to a crime when committed is an ex post facto law. *Ex parte Alegria*, 464 S.W.2d 868, 872 (Tex. Crim. App. 1971). Court costs are part of punishment. *Ex parte Carson*, 159 S.W.2d 126, 129 (Tex. Crim. App. 1942). Therefore, upon conviction a criminal defendant can only be charged those court costs that were attached to the offense at the time it was committed."⁵

In addition, in a 1997 opinion the Attorney General opined on what constitutes a "retroactive law" in contravention of article I, section 16 of the Texas Constitution:


"A law is impermissibly retroactive if it "substantially alters the consequences attached to a crime already completed, and therefore changes 'the quantum of punishment.'" *Weaver v. Graham*, 450 U.S. 24 (1981), citing *Dobbert v. Florida*, 432 U.S. 282, 293-94 (1977)."⁶

Based on these prior opinions, it appears that Section 51.608, Tex. Gov't Code, may violate the prohibition on ex post facto laws. The Comptroller seeks clarification from the Attorney General on the following:

Does Section 51.608, Tex. Gov't Code, as added by SB 389,⁷ violate the constitutional prohibition on ex post facto laws⁸ because upon conviction a criminal defendant could be charged court costs that were not attached to the offense at the time it was committed?

Thank you for your assistance on this question. The Comptroller is available to provide any other information or assistance you need to facilitate a response.

Sincerely,



Martin A. Hubert
Deputy Comptroller

⁵ Op. Tex. Att'y Gen. No. JM-443 (1986).

⁶ Op. Tex. Att'y Gen. No. DM-464 (1997).

⁷ Act of May 25, 2013, 83rd Leg., R.S., S.B. 389, § 1 (to be codified at Tex. Gov't Code § 51.608).

⁸ U.S. Const. art. I § 10, cl. 1. & Tex. Const. art. I, § 16.



SB 390 – Repeal of Govt. Code 51.607(d)

- Eliminates automatic exceptions.
- Most future legislation enacting new costs and fees will be effective January 1st.
- Legislator, however, could still state in a bill that 51.607 does not apply.
- Effective 6-14-13

Govt. Code 51.607

Subsection (d)

- (d) This section does not apply to a court cost or fee if the law imposing or changing the amount of the cost or fee:
 - (1) expressly provides that this section does not apply to the imposition or change in the amount of the cost or fee; or
 - (2) takes effect before August 1 or after the next January 1 following the regular session of the legislature at which the law was enacted.
- Added by Acts 2003, 78th Leg., ch. 209, Sec. 81(a), eff. Sept. 1, 2003 and Acts 2003, 78th Leg., ch. 823, Sec. 1, eff. June 20, 2003.

HB 595 – Child Safety Seat & Seat Belt Violations

- Abolishment of Tertiary Care Fund and transfer to General Revenue Fund
- Form change (#40-138)
- Effective 9-1-13

HB 1294 – Child Safety Seat & Seat Belt Violations

- Fine range changed to \$25-\$250 regardless of whether a first, second, or subsequent offense
- Effective 9-1-13

Form 40-138

NEW



Please complete and sign this report and enter a telephone number that can be called if additional information is necessary.

CLEAR FIELDS PRINT FORM

Child Safety Seat and Seat Belt Violation Fines

a. T Code 32170

c. City/County Identification Number

d. Report for fiscal year ending

f. Due date of report

g. City/County name and mailing address

h. IMPORTANT
Blacken this box if your address has changed. Show changes by the preprinted information.

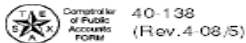
i.

Please check if fiscal year has changed from previous report

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone numbers listed on this form.

- Report must be filed even if no payment is due.
- Do not write in shaded areas.

OLD



Please complete and sign this report and enter a telephone number that can be called if additional information is necessary.

CHILD SAFETY SEAT AND SEAT BELT VIOLATION FINES - TERTIARY CARE FUND

a. T Code 32170

c. City/County Identification Number

d. Report for fiscal year ending

g. City/County name and mailing address

Under Ch. 559, Government Code, you are entitled to review, request, and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address or toll-free number listed on this form.

- REPORT MUST BE FILED EVEN IF NO PAYMENT IS DUE.
- DO NOT WRITE IN SHADED AREAS.

HB 410 – Second Court of Appeals District

- Discretionary, up to \$5 fee changed to mandatory \$5 fee
- Effective 1-1-14
- Government Code 22.2031
- 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.

HB 1513 – Temporary Increases of Local Fees

- District & County Court Records Archive Fee
- County Records Mgmt. & Preservation Fee
- Up to \$10
- Effective 9-1-13 through 8-31-19

HB 2021 – Collection Contracts for Civil Cases

- Allows contract with 3rd party for unpaid fines, fees, or court costs relating to a civil case over 60 days due.
- Collection fee of 30% of amount referred
- Effective 6-14-13
- Local Govt. Code 140.009

SB 510 – TX DOT vehicle

- Offense created in Transportation Code, 545.157.
- Motorists to reduce speeds
- Effective 9-1-13

QUESTIONS

Govt. Code 51.607

Subsection (a)

- Sec. 51.607. IMPLEMENTATION OF NEW OR AMENDED COURT COSTS AND FEES. (a) Following each regular session of the legislature, the comptroller shall identify each law enacted by that legislature, other than a law disapproved by the governor, that imposes or changes the amount of a court cost or fee collected by the clerk of a district, county, statutory county, municipal, or justice court from a party to a civil case or a defendant in a criminal case, including a filing or docketing fee, jury fee, cost on conviction, or fee or charge for services or to cover the expenses of a public official or agency. This subsection does not apply to attorney's fees, civil or criminal fines or penalties, or amounts charged, paid, or collected on behalf of another party to a proceeding other than the state in a criminal case, including restitution or damages.

Govt. Code 51.607

Subsection (b)

- (b) The comptroller shall prepare a list of each court cost or fee covered by Subsection (a) to be imposed or changed and shall publish the list in the Texas Register not later than August 1 after the end of the regular session of the legislature at which the law imposing or changing the amount of the cost or fee was enacted. The comptroller shall include with the list a statement describing the operation of this section and stating the date the imposition or change in the amount of the court cost or fee will take effect under Subsection (c).

Govt. Code 51.607

Subsection (c)

- (c) Notwithstanding the effective date of the law imposing or changing the amount of a court cost or fee included on the list, the imposition or change in the amount of the court cost or fee does not take effect until the next January 1 after the law takes effect.