

Court Costs and Fees from the 83rd Legislature

On the Road Area Training
Amarillo, TX
January 2014

Fees imposed or changed:

- HB 349
- HB 410
- HB 438
- HB 1513
- HB 1755
- HB 2302
- SB 355
- SB 389
- SB 390
- SB 391
- SB 395
- SB 462
- SB 484
- SB 967
- SB 1096
- SB 1237
- SB 1419
- SB 1792
- SB 1827
- SB 1891

HB 2302

Electronic or Digital Court Documents and Electronic Filing System

⦿ Part 1 - Government Code, Chapter 51

- \$20 fee on any civil filings in County Courts & District Courts
- \$10 fee on any civil filings in Justice Courts
- \$5 court cost on any criminal offense conviction in County Courts & District Courts

Remitted to the State, to be used for technology projects and grants to Counties to implement electronic filing systems.



Electronic Filing System - State Fund

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.

a. T Code ■ 32480

• Do NOT write in shaded areas.

c. County identification Number ■ 1-75-6001184-7	d. Report for quarter ending (mm/dd/yy) 12-31-2013	e. ■ 134	f. Due date of report 01-31-2014
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g. County name and mailing address

2H07

DIANNA M. SPIEKER
TOM GREEN COUNTY
112 W BEAUREGARD AVE
SAN ANGELO TX 76903-5835

h. IMPORTANT

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

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. 102.017B(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
TOM GREEN COUNTY

■ T Code ■ County identification no. ■ Period

32470 17560011847 134 0

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) _____

HB 2302 (continued)

- ◉ Part 2 – Government Code, Chapter 72
 - \$2 fee for each electronic filing transaction
 - IF it is necessary to recover costs of accepting such
 - Commissioners Court must approve fee
 - Annual certification required
 - Expires in 2019



Office of Court Administration
Certification of Cost Recovery Fee for E-Filing

REPORT IS DUE ANNUALLY

30 days following the last day of the county fiscal year

County:		
<small>This is the address where the county maintains contact and other information for the courts.</small>		
Website Address:		
Report Completed By:		
Name:		Phone Number:
Title:	Email:	
<small>Include the beginning and ending months of the fiscal year being reported, e.g. 2013 (Oct 2012 - Sept 2013)</small>		
Certification for Fiscal Year:		
<p>In accordance with the authority set forth in Subchapter C, Chapter 72, Government Code, Section 72.031, the County will collect a fee of \$2 for each electronic filing transaction to recover the actual system operating costs incurred by the County to accept electronic payment methods or interface with other technology information systems related to eFiling of court documents.</p>		
Description	Fiscal Year Total	Cumulative Total Since Implementing eFiling Under Govt Code, Sec. 72.031
Actual dollar amount of fees collected		
Actual dollar amount expended under Government Code, Sec. 72.031(c)(1)		
Fees Collected Less Amounts Expended		
Projected expenditures for next fiscal year		
<p>Place a check mark by the following statements to indicate the county's compliance with the following provisions of Govt Code, Sec. 72.031:</p> <p><input type="checkbox"/> The fee does not include amounts to recover employee costs, other than costs for directly maintaining the system.</p> <p><input type="checkbox"/> The County Commissioners Court has approved the fee using the county's standard approval process for fee increases.</p>		

HB 2302 (continued)

○ Questions

- When were these fees effective?
- Are these mandatory to collect?
- What constitutes an “electronic filing transaction?”
- What can the \$2 fee be spent on?

HB 2302 (continued)

○ General ledger implications

- What would TGC do?
 - Establish dedicated revenue line in State fees fund for the items in Part 1. Remit to Comptroller with others.
 - Establish a general fund revenue line item for the \$2 fee in Part 2.
 - Code expenses to a project for tracking, or establish another way of identifying each qualifying expense.

SB 1419

Truancy Prevention and Diversion Fund

- \$2 court cost on deferral or conviction in a justice court of any offense, other than pedestrian/parking.
- Code of Criminal Procedure 102.015.
- Keep a \$1 if you are establishing your own juvenile case manager program.
- Effective January 1, 2014.

HB 1513

Records Archives and Records Management & Preservation Fees

- Government Code 51.305(b) and 51.317(b)
- Government Code 101.0611 and 118.011(b&f)
- Temporary increase in these fees until 2019.
- Both fees, in both County and District Clerk offices, can go up to \$10 instead of \$5.
- Subject to Commissioners Court approval and records management plans.

SB 389

Court Cost in Criminal Proceedings

- Government Code, Chapter 51, Subchapter G
- The amount of a court cost imposed on a defendant must be based on the law in effect when the defendant is convicted of an offense, instead of when the offense was committed.
- Applies to District and County Courts.

Some Others...

◎ SB 462

- Fees for specialty court programs including drug courts, veterans courts, and first offender prostitution prevention programs.

◎ HB 1755

- Counties that have appointed a public probate administrator may collect a \$10 fee.

◎ SB 391

- A defendant remains obligated to pay any unpaid fine or court cost after the expiration of community supervision.

Location specific:

◎ HB 349

- Electronically filing a court document in Hidalgo County

◎ HB 410

- Court costs and fees to operate an appellate judicial system, Second Court of Appeals District

◎ SB 1827

- Additional fee to file civil cases in Rockwall County

◎ SB 1891

- Additional fee to file civil cases in Travis County

Finding more information

◎ www.legis.state.tx.us

- Texas Legislature online site, allows search by bill number and by legislative session

◎ www.courts.state.tx.us

- Texas Courts Online – check out the publications area for great fee and fine information.

◎ www.texasahead.org

- Texas Comptroller publications on fees.

A definitive list?

- **Public notice of Court Costs and Fees – 2013**
 - Comptroller is required to publish a list of all court costs and fees imposed or changed during a session of the legislature.
 - Published in the Texas Register on July 26, 2013, volume 38, number 30.

Not a court cost or fee, but...

◎ SB 1836

- \$5 voluntary contribution to support the Texas Home Visiting Program
- Checkbox on forms requesting certified copies of birth, marriage, or divorce records
- County Clerk shall collect and send to Comptroller

Contact Information

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County Auditor
Tom Green County, Texas

325-659-6521

nathan.craddock@co.tom-green.tx.us