

County Clerks' Misdemeanor Conviction Court Cost Chart Court Costs & Reimbursement Fees

(ORIGINAL JURISDICTION)

A court must conduct an ability to pay hearing on the record during or immediately after sentencing.¹

Judges have authority to reduce or waive court costs and reimbursement fees.²

		Α	В	С	D	Е	F	G	H	ı	J
MAND	MANDATORY COURT COSTS										
	e mandatory court costs upon "conviction," which includes deferred adjudication and disposition – Local Gov't Code §§ 133.101 and 134.002(b)										
1	State Consolidated Court Cost – LGC, § 133.102(a)(2)	\$147	\$147	\$147	\$147	\$147	\$147	\$147	\$147		
2	Local Consolidated Court Cost – LGC, § 134.102(a)	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123		
	ATORY REIMBURSEMENT FEES aly if the service was performed or the fee applies.										
3	Admin Fee (FTA) - Transp. Code, § 706.006(a) ³	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10		
4	Admin Fee (FTP) - Transp. Code, § 706.006(b) ⁴	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10		
5	Attorney's Fees – CCP, art. 26.05(g)	*	*	*	*	*	*	*	*		
6	Community Supervision Fee – CCP, art. 42A.652(a)*	\$25 - \$60*									
7	Drug or Alcohol Rehabilitation Evaluation Fee – CCP, art. 102.018(b)	Х	N/A								
8	Peace Officer: Attach Witness – CCP, art. 102.011(c)	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10		
9	Peace Officer: Commit or Release from Jail - CCP, art. 102.011(a)(6)	\$5	\$5	\$5	\$5	\$5	\$5	\$5	\$5		
10	Peace Officer: Execute or Process AW, Capias or Capias Pro Fine – CCP, art. 102.011(a)(2), 102.011(e) ⁵	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50		
11	Peace Officer: Issue NTA or Arrest w/o Warrant – CCP, art. 102.011(a)(1), 102.011(e) ⁶	\$5	\$5	\$5	\$5	\$5	\$5	\$5	\$5		
12	Peace Officer: Meals, Lodging, and Mileage – CCP, art. 102.011(b)	X	Х	Х	X	X	X	X	X		
13	Peace Officer: Testifying at Trial or Travel to/from Trial – CCP, art. 102.011(i)	Х	Х	X	X	Х	X	Х	Х		

¹ C.C.P., art. 42.15(a-1)

² C.C.P., art. 43.091(c)

³ Do not assess if the county does not have a contract with DPS to deny renewal of a person's driver's license under certain circumstances, or if the court made a finding that the defendant is indigent. The fee applies to each complaint or citation reported to DPS.

⁴ Do not assess if the county does not have a contract with DPS to deny renewal of a person's driver's license under certain circumstances, or if the court made a finding that the defendant is indigent.

⁵ Fee is assessed on conviction, regardless of whether the defendant was arrested at the same time for another offense, and shall be assessed for each arrest that resulted in a conviction, even if more than one of those arrests arose out of the same criminal episode or transaction.

⁶ Fee is assessed on conviction and per notice or warrantless arrest.

CONTE OF	County Clerks' Misdemeanor Conviction Court Cost Chart – 01/01/2020	A	В	С	D	E	F	G	Н	ı	J
14	Peace Officer: Serve Writ – CCP, art. 102.011(a)(4)	\$35	\$35	\$35	\$35	\$35	\$35	\$35	\$35		
15	Peace Officer: Summon Jury – CCP, art. 102.011(a)(7)	\$5	\$5	\$5	\$5	\$5	\$5	\$5	\$5		
16	Peace Officer: Summon Witness – CCP, art. 102.011(a)(3) ⁷	\$5	\$5	\$5	\$5	\$5	\$5	\$5	\$5		
17	Peace Officer: Take & Approve Bond – CCP, art. 102.011(a)(5)	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10		
18	Personal Bond Reimbursement Fee – CCP, art. 17.42, Sec. 4(a) (NOTE: Assess whichever is greater)	\$20/3 %									
19	Sex Offender Treatment, Specialized Supervision, or Rehabilitation Fee as Cond CS – CCP, art. 42A.452	N/A	*,8								
20	Time Payment Fee – CCP, art. 102.030 (formerly LGC § 133.103) ⁹	\$15	\$15	\$15	\$15	\$15	\$15	\$15	\$15		
21	Visual Recording Fee – CCP, art. 102.018(a)	\$15	\$15	N/A	N/A	N/A	N/A	N/A	N/A		
Assess on	IAL REIMBURSEMENT FEES Ily if the service was performed and the court orders the defendant to pay it.										
	Attorney's Fees as Cond CS – CCP, art. 42A.301(b)(10)	*	*	*	*	*	*	*	*		
23	Compensation to Victims of Crime Account/Fund – CCP, art. 42A.301(b)(16)	*	*	*	*	*	*	*	*		
24	County Scofflaw Fee (Failure to Pay or Appear) – Transp. Code, § 502.010 ¹⁰	\$20	\$20	\$20	\$20	\$20	\$20	\$20	\$20		
25	Pretrial Intervention Reimbursement Fee – CCP, art. 102.012(a) (NOTE: The pretrial intervention program must be operated by the community supervision and corrections department.)	*	*	*	*	*	*	*	*		
26	Pretrial Intervention Related Fee (CSCD) – CCP, art. 102.012(b) (NOTE: Only if the community supervision and corrections department incurred the expense.)	*	*	*	*	*	*	*	*		
27	Psychological Counseling Victim as Cond CS – CCP, art. 42A.301(b)(18)	*	*	*	*	*	*	*	*		
28	Reimbursement of Family Violence Counseling or Battering Intervention and Prevention Program or Services – CCP, art. 42A.504(d) (NOTE: The offense must be an offense under Title 5, Penal Code, and must involve family violence.)	*	*	*	*	*	*	*	*		
29	Reimbursement of Law Enforcement Expenses as Cond CS – CCP, art. 42A.301(b)(17)	*	*	*	*	*	*	*	*		

⁷ Fee is assessed on conviction, per witness, and each time the witness was summoned.

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⁸ Apply this fee if: 1) the offense is Indecent Exposure (PC § 21.08); 2) the judge grants community supervision; **and** 3) the defendant is evaluated under Article 42A.258, CCP, for the purposes of determining the appropriateness of sex offender treatment, specialized supervision, or rehabilitation.

⁹ Do not assess this fee at sentencing. This fee is assessed only if the payment is made on or after the 31st day after the date on which the judgment entered. See CCP, art. 102.030(a). "Conviction" includes deferred adjudication, deferred disposition, and any other deferral of final disposition of the case. See CCP, art. 101.004.

¹⁰ Do not assess if the county does not have a contract with the Texas Department of Motor Vehicles to deny registration of a motor vehicle if the owner of that vehicle owes the county money for a criminal fine or fee that is past due or fails to appear in a criminal proceeding against the owner. Also, do not assess if the court made a finding that the defendant is indigent. Do not assess if the information regarding the owner's failure to pay was provided more than two years ago.

OF THE OF	County Clerks' Misdemeanor Conviction Court Cost Chart – 01/01/2020	A	В	С	D	E	F	G	н	ı	J			
30	Transaction Fee – CCP, art. 102.072	≤ \$2	≤ \$2	≤ \$2	≤ \$2	≤ \$2	≤ \$2	≤ \$2	≤ \$2					
	PEALED (By SB 346 (86R))				_ 	_ 	- +-	- 7-	- +-					
-	Clerk's Fee – CCP, art. 102.005(a) REPEALED	No longer assessed.												
-	Comal County Juvenile Placement Fee – HRC, § 152.0522 REPEALED		No longer assessed.											
-	County and District Court Technology Fund Fee – CCP, art. 102.0169 REPEALED BY AMENDING		No longer assessed.											
-	Court Reporter Fees for Certain Counties – GC, §§ 25,2702(d), 25.0593(k), 25.0594(l), 25.1572(h), & 25.2223(i)		No longer assessed.											
-	Courthouse Security Fee – CCP, art. 102.017(b) REPEALED BY AMENDING	No longer assessed.												
-	Custodial Supervision Fee in Community Corrections Facility (support of defendant's dependents) – CCP, art. 42A.301(b)(12)(C)(ii) REPEALED BY AMENDING	No longer assessed.												
-	Cost Related to DNA Testing-CCP, art. 102.020 REPEALED					No longer	assessed							
-	Drug Court Cost – CCP, art. 102.0178 REPEALED					No longer	assessed							
-	El Paso Motion to Waive Speedy Trial Fee – GC § 54.745(b), (c) REPEALED BY AMENDING					No longer	assessed							
-	Indigent Defense Fee – LGC, § 133.107 REPEALED	No longer assessed.												
-	Judicial Fund Court Cost – GC, §§ 51.702, 51.703 REPEALED BY AMENDING	No longer assessed.												
-	Judicial Support Fee – LGC, § 133.105(a) REPEALED					No longer	assessed							
-	Juror Reimbursement Fee – CCP, art. 102.0045 REPEALED					No longer	assessed							
-	Jury Fee – CCP, art. 102.004 REPEALED					No longer	assessed							
-	Moving Violation Fee – CCP, art. 102.022 REPEALED					No longer	assessed							
-	Prosecutor's Fee – CCP, art. 102.008(a) REPEALED BY AMENDING					No longer	assessed							
-	Records Management Fee – CCP, art. 102.005(f) REPEALED					No longer								
-	Reimbursement of Interpreter Expenses – CCP, art. 42A.301(b)(23) REPEALED BY AMENDING					No longer	assessed							
-	Restitution Installment Fee – CCP, art. 42.037(g) REPEALED BY AMENDING	No longer assessed.												
-	Statewide E-Filing Fee – GC, § 51.851 (a), (d) REPEALED					No longer	assessed							

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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 Class A or B Misdemeanor Drug Offense Health & Safety Code, Ch. 481
- E Class A or B Misdemeanor Graffiti Offense Penal Code, § 28.08
- F Class A or B Misdemeanor Rules-of-the-Road Offense¹¹
- G General Class A or B Misdemeanor Offense¹²
- H Public Lewdness Penal Code, § 21.07 Indecent Exposure – Penal Code, § 21.08 Terroristic Threat – Penal Code, § 22.07 (if a Class A Misdemeanor)

Enticing a Child – Penal Code, § 25.04 Prostitution – Penal Code, § 43.02(b)

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

Electronic Transmission of Certain Visual Material Depicting Minor – Penal Code, § 43.261 (if a Class A Misdemeanor)

NOTES:

- 1. This chart is provided for guidance purposes only. For legal advice consult with your legal representative, or you may wish to contact the Comptroller's Office.
- 2. "X" means the amount has to be calculated according to the applicable statute.
- 3. "*"means the judge will determine: (1) the exact amount; (2) if the fine or fee applies; or (3) both.
- 4. "N/A" means the fine or fee is not usually charged for this type of offense. But, the clerk should charge it if the court orders it.
- 5. "≤" means less than or equal to the amount indicated.
- 6. "≥" means greater than or equal to the amount indicated.
- 7. Contact Margie Johnson, Assistant General Counsel, OCA, if you have any questions or concerns ((512) 463-1625 or Margie.Johnson@txcourts.gov).

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¹¹ A rules-of-the-road offense is any offense found in Transportation Code, Chapters 541 through 600.

¹² 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 F or in Column H.

Court Cost and Fee Destinations

(1) State Consolidated Court Cost – Local Gov't Code § 133.102(a)(2)

90% to the State and 10% to the county as a service fee for the collection if the county makes timely remittance to the State Comptroller (See Local Gov't Code § 133.058(a)). Upon collection, the county shall deposit the money in the county treasury (See Local Gov't Code §133.052). The State must direct its portion to 19 destinations, as follows: (1) Crime Stoppers Assistance Account [0.2427%]; (2) Breath Alcohol Testing Account [0.3900%]; (3) Bill Blackwood Law Enforcement Management Institute Account [1.4741%]; (4) Texas Commission on Law Enforcement Account[3.4418%]; (5) Law Enforcement And Custodial Officer Supplement Retirement Trust Fund [7.2674%]; (6) Criminal Justice Planning Account [8.5748%]; (7) Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University [0.8540%]; (8) Compensation To Victims Of Crime Account [24.6704%]; (9) Emergency Radio Infrastructure Account [3.6913%]; (10) Judicial And Court Personnel Training Account [3.3224%]; (11) Correctional Management Institute of Texas and Criminal Justice Center Account [0.8522%]; (12) Fair Defense Account [17.8857%]; (13) Judicial Fund [12.2667%]; (14) DNA Testing Account [0.1394%]; (15) Specialty Court Account [1.0377%]; (16) Statewide Electronic Filing System Account [0.5485%]; (17) Jury Service Fund [6.4090%]; (18) Truancy Prevention and Diversion Account [2.5956%]; and (19) Transportation Administrative Fee Account [4.3363%]. Of each dollar credited to the Texas Commission on Law Enforcement Account, 33.3 cents may be used only to pay administrative expenses, and the remainder may be used only to pay expenses related to continuing education for persons licensed under Chapter 1701, Occupations Code (Law Enforcement Officers). A county may be able to retain an additional \$22.50 if the county maintains a certified breath alcohol testing program but does not use the services of a certified technical supervisor employed by DPS and the conviction was an offense under Chapter 49, Penal Code, other than an offense t

(2) Local Consolidated Court Cost – Local Gov't Code § 134.102(a)

100% to the county. The clerk of the court will deposit the fee in the county treasury, and the county treasurer will allocate the fee to 8 destinations as follows: (1) Clerk of the Court Account [32.5203%]; (2) County Records Management and Preservation Fund [20.3252%]; (3) Account for Prosecutor's Fees [16.2602%]; (4) County Jury Fund [0.8130%]; (5) Courthouse Security Fund [8.1301%]; (6) County and District Court Technology Fund [3.2520%]; (7) Court Reporter Service Fund [2.4390%]; and (8) County Specialty Court Account [16.2602%]. The county treasurer shall maintain the various funds and accounts in the county treasury, unless the fund or account is required by other law. Money deposited in the Clerk of the Court Account may be used only to defray costs of services provided by a county or district clerk. Money deposited in the County Records Management and Preservation Fund may be used by a county only to fund records management and preservation services performed by the court clerk. Money deposited in the Account for Prosecutor's Fees may be used only to defray the costs of services provided by a prosecutor. Money deposited in the County Jury Fund may be used by a county only to fund juror reimbursements and otherwise finance jury services. Money deposited in the Courthouse Security Fund may be used only for security personnel, services, and items related to buildings that house the operations of district, county, and justice courts. This includes: (1) the purchase or repair of X-ray machines and conveying systems; (2) handheld metal detectors; (3) walkthrough metal detectors; (4) identification cards and systems; (5) electronic locking and surveillance equipment; (6) video teleconferencing systems; (7) bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services; (8) signage; (9) confiscated weapon inventory and tracking systems; (10) locks, chains, alarms, or similar security devices; (11) the purchase or repair of bullet-proof glass; (12) continuing education on security issues for court personnel and security personnel; and (13) warrant officers and related equipment. The Courthouse Security Fund is administered by or under the direction of the commissioners court. Money deposited in the County and District Court Technology Fund may be used only to finance: (1) the cost of continuing education and training for county court, statutory court, or district court judges and clerks regarding technological enhancements for those courts; and (2) the purchase and maintenance of technological enhancements for a justice court, including (a) computer systems; (b) computer networks; (c) computer hardware; (d) computer software; (e) imaging systems; (f) electronic kiosks; and (g) docket management systems. The County and District Court Technology Fund is administered by or under the direction of the commissioners court. Money deposited in the County Specialty Court Account may be used only to fund specialty court programs established under Subtitle K, Title 2, Government Code.

(3) Administrative Fee (Failure to Appear) a/k/a Omni Fee – Transp. Code § 706.006(a)

100% to the county. SB 346 (86R) repealed portions of Transportation Code § 706.007, which controls the disposition of this fee. Consequently, the state no longer receives a portion of the fee, and the county no longer provides annual reports regarding the fee. The fee was reduced from \$30 to \$10. The fee is deposited to the credit of the county's general fund and used to compensate private vendors hired by DPS to perform services under the contract. See Transportation Code 706.008.

(4) Administrative Fee (Failure to Pay Fine and Cost) a/k/a Omni Fee – Transp. Code § 706.006(b)

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100% to the county. SB 346 (86R) repealed portions of Transportation Code § 706.007, which controls the disposition of this fee. Consequently, the state no longer receives a portion of the fee, and the county no longer provides annual reports regarding the fee. The fee was reduced from \$30 to \$10. The fee is deposited to the credit of the county's general fund and used to compensate private vendors hired by DPS to perform services under the contract. See Transportation Code 706.008.

- (5) Attorney's Fees Code Crim. Proc. art. 26.05
 - Presumably, 100% to the county and is deposited in the county treasury to reimburse the county in which the prosecution was instituted for the costs of the legal services provided to the defendant.
- (6) Community Supervision Fee Code Crim. Proc. art. 42A.652(f)

100% to the county supervising the defendant. If the defendant's case is transferred to another county in the state, 100% to the county that accepted the transfer. The money is deposited in a special fund in the county treasury and used for the same purposes that state aid may be used under Chapter 76, Government Code.

- (7) <u>Drug or Alcohol Rehabilitation Evaluation Fee</u> Code Crim. Proc. art. 102.018(b)
 - Presumably, 100% to the person or department performing the evaluation. The officer collecting the fee shall deposit it in the county treasury.
- (8) <u>Peace Officers: Attaching a Witness on Order of Court Outside County</u> Code Crim. Proc. art. 102.011(c) 100% to the county. Deposit in the county treasury.
- (9) Peace Officers: Commitment to or Release from Jail Code Crim. Proc. art. 102.011(a)(6) 100% to the county. Deposit in the county treasury.
- (10) Peace Officers: Executing or Processing an Issued Arrest Warrant, Capias, or Capias Pro Fine Code Crim. Proc. arts. 102.011(a)(2), 102.011(e) 100% to the county, unless the officer performing the service is employed by the state, in which event 80% to the county and 20% to the state. See Local Gov't Code § 133.104.
- (11) Peace Officers: Issuing a Written Notice to Appear in Court or For Making an Arrest w/o Warrant Code Crim. Proc. arts. 102.011(a)(1), 102.011(e) 100% to the county, unless the officer performing the service is employed by the state, in which event 80% to the county and 20% to the state. See Local Gov't Code § 133.104.
- (12) <u>Peace Officers: Meals, Lodging, and Mileage Fees for Performing Certain Conveyances and Travel</u> Code Crim. Proc. art. 102.011(b) 100% to the county. Deposit in the county treasury.
- (13) <u>Peace Officers: Overtime Pay for PO Testifying at Trial or for Travelling To & From Testifying at Trial</u> Code Crim. Proc. art. 102.011(i) 100% to the county. Deposit in the county treasury.
- (14) Peace Officers: Serving a Writ Code Crim. Proc. art. 102.011(a)(4) 100% to the county. Deposit in the county treasury.
- (15) <u>Peace Officers: To Summon a Jury, if a jury is required</u> Code Crim. Proc. art. 102.011(a)(7) 100% to the county. Deposit in the county treasury.
- (16) <u>Peace Officers: To Summon a Witness</u> Code Crim. Proc. art. 102.011(a)(3) 100% to the county. Deposit in the county treasury.
- (17) <u>Peace Officers: Taking and Approving a Bond</u> Code Crim. Proc. art. 102.011(a)(5) 100% to the county. Deposit in the county treasury.

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(18) Personal Bond Reimbursement Fee – Code Crim. Proc. art. 17.42, § 4(a)

100% to the county. The fee may be used solely to defray expenses of the personal bond office, including defraying expenses related to extradition.

(19) Sex Offender Treatment, Specialized Supervision, or Rehabilitation Fee as Cond CS – Code Crim. Proc. art. 42A.452

100% of the fee goes to reimburse the reasonable and necessary costs of the treatment, supervision, or rehabilitation.

(20) Time Payment Reimbursement Fee - Code Crim. Proc. art. 102.030 (formerly, Local Gov't Code § 133.103)

100% to the county. The county treasurer must deposit the fee in a separate account in the county's general fund to be used for the purpose of improving the collection of outstanding court costs, fines, reimbursement fees, or restitution or improving the efficiency of the administration of justice in the County. The county must prioritize the needs of the judicial officer who collected the fee when making expenditures from the account and use the money deposited to provide for those needs. The fee was reduced to \$15 (down from \$25). The state no longer receives a portion of the fee.

(21) Visual Recording Fee – Code Crim. Proc. art. 102.018(a)

The court collects the fee and, presumably, 100% goes to the law enforcement agency that visually recorded the defendant. The officer collecting the fee must deposit it in the county treasury.

(22) Attorney's Fees as Cond CS – Code Crim. Proc. art. 42A.301(b)(10)

100% to the County and is deposited in the county treasury to reimburse the county for the costs of legal services provided to the defendant.

(23) Compensation to Victims of Crime Account (formerly, Fund) – Code Crim. Proc. art. 42A.301(b)(16)

100% to the Compensation to Victims of Crime Account as a reimbursement fee.

(24) County Scofflaw Statute – Transp. Code §502.010

100% to the county. The fee may be used only to reimburse TDMV or the county assessor-collector for expenses related to providing services under the contract, or to reimburse another county department for expenses related to services under the contract. **NOTE**: There are limits on the number of times a county may provide or use the same information to refuse a person's vehicle registration. Information relating to an overdue payment expires two years after it has been provided, and it may not be used to refuse registration again. In other words, do not use the same information to refuse registration more than two times after it has been provided or received, if the information relates to a past due fine or fee. Also, information regarding other fines and fees that become past due during the two-year period may not serve as the basis for another refusal before or after the initial or existing refusal. See subsection (b-1) for further clarification. Finally, if the court provides notice to the county assessor-collector that the court has waived the underlying debt due to the defendant's indigence, the county may not charge this fee. See § 502.010(j). For additional information or clarification, see AG Opinion KP-0285.

(25) Pretrial Intervention Reimbursement Fee - CCP, art. 102.012(a) - Code Crim. Proc. art. 102.012(a)

100% to the community supervision and corrections department serving the county. The county treasurer must deposit the money in the special fund of the county treasury for the community supervision and corrections department serving the county. See Code Crim. Proc. art 103.004.

(26) Pretrial Intervention Related Fee (CSCD) - Code Crim. Proc. art. 102.012(b)

100% to the program or agency providing the service related to the expense (e.g., drug or alcohol testing, counselling, etc.). If the community supervision department is entitled to the fee, the money should be deposited in the county treasury in the special fund for the community supervision and corrections department serving the county. See Code Crim. Proc. art 103.004.

(27) Psychological Counseling Victim as Cond CS – Code Crim. Proc. art. 42A.301(b)(18)

100% to the victim as reimbursement for psychological counseling made necessary by the offense, including counseling and education related to AIDS/HIV.

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- (28) Reimbursement of Family Violence Counseling or Intervention and Prevention Program Code Crim. Proc. art. 42A.504(d) –100% to the counseling service or provider or Intervention and Prevention program.
- (29) Reimbursement of Law Enforcement Expenses as Cond CS Code Crim. Proc. art. 42A.301(b)(17)

 100% to the law enforcement agency that analyzed, stored, or disposed of the material, controlled substance, chemical precursor, drug paraphernalia, or other matter seized in connection with the offense.
- (30) <u>Transaction Fee</u> Code Crim. Proc. art. 102.072 100% to the county as a reimbursement fee. The officer collecting the fee must deposit it in the county treasury.

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