



## Travis County Commissioners Court Agenda Request

**Meeting Date:** September 4, 2012

**Prepared By/Phone Number:** Yolanda Reyes, 854-9106

**Elected/Appointed Official/Dept. Head:** Leslie Browder, County Executive, Planning and Budget

**Commissioners Court Sponsor:** Judge Samuel T. Biscoe

**AGENDA LANGUAGE:** Consider and take appropriate action on setting the Calendar Year 2013 Sheriff's and Constables' Fee Schedule.

### BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

- Transmittal Memo from PBO
- Order of the Commissioners Court setting fees to be charged by the Offices of the Sheriff and Constables in 2013
- Schedule of Fees for 2013 for the Offices of the Sheriff and Constables
- Texas Comptroller of Public Accounts letter and attachment

**STAFF RECOMMENDATIONS:** Approve the attached fee schedule, which continues the current fee structure of calendar year 2012.

**ISSUES AND OPPORTUNITIES:** Section 118.131 of the Texas Local Government Code, requires Commissioners Court to set the fees for these Offices by before October 1 of each year, to take effect on January 1 of the following year.

**FISCAL IMPACT AND SOURCE OF FUNDING:** Based on the 3<sup>rd</sup> Revenue Estimate these fees would generate \$ 3,099,696 in FY 13.

### REQUIRED AUTHORIZATIONS:

**Leslie Browder, Planning and Budget Office (512) 854-9106**

**Leroy Nellis, Planning and Budget Office, (512) 854-9106**

**Jessica Rio, Planning and Budget Office, (512) 854-9106**

**Cheryl Aker, County Judge's Office, (512) 854-9555**

**AGENDA REQUEST DEADLINE:** All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, [Cheryl.Aker@co.travis.tx.us](mailto:Cheryl.Aker@co.travis.tx.us) by Tuesdays at 5:00 p.m. for the next week's meeting.



**PLANNING AND BUDGET OFFICE**  
TRAVIS COUNTY, TEXAS

---

314 W. 11th Street  
P.O. Box 1748  
Austin, Texas 78767

**MEMORANDUM**

**TO:** Members of the Commissioners Court

**FROM:** Bill Derryberry, Senior Planning and Budget Analyst *Wm. Derryberry*

**DATE:** August 23, 2012

**SUBJECT:** Order Setting Fees Charged by the Sheriff and Constables of Travis County in 2013

As a part of the annual budget process, under Section 118.131 of the TEXAS LOCAL GOVERNMENT CODE, the Commissioners Court must set the fees to be charged for services by the offices of the Sheriff and Constables before October 1 of each year to be effective January 1 of the following year. For calendar year 2013, this Order is attached for your approval. It sets fees in the same amounts as those set by the Court last year, based on input from the Sheriff's and Constable Offices.

If you have any questions or comments, please call me at 854-4741.

**Cc:** Sheriff Greg Hamilton  
Danny Thomas, Constable, Precinct 1  
Adan Ballesteros, Constable, Precinct 2  
Richard McCain, Constable, Precinct 3  
Maria Canchola, Constable, Precinct 4  
Bruce Elfant, Constable, Precinct 5  
Leslie Browder, County Executive, PBO  
Jessica Rio, Budget Director, PBO  
David Jungerman, Daniel Wilson, County Auditor's Office  
Jim Connolly, Assistant County Attorney

ORDER OF THE COMMISSIONERS COURT  
SETTING FEES TO BE CHARGED BY THE OFFICES  
OF THE SHERIFF AND CONSTABLES IN 2013

STATE OF TEXAS

COUNTY OF TRAVIS

Pursuant to Section 118.131 of the TEXAS LOCAL GOVERNMENT CODE, it is hereby ORDERED that the fees to be charged for services by the offices of the Sheriff and Constables of Travis County in 2013 be and the same are hereby set in the amounts set out in the Schedule of Fees to Be Charged for Services by the Offices of the Sheriff and Constables of Travis County in 2013 which is attached hereto and made a part hereof.

ORDERED THIS 4<sup>th</sup> DAY OF SEPTEMBER 2012.

TRAVIS COUNTY COMMISSIONERS COURT

\_\_\_\_\_  
Samuel T. Biscoe, County Judge

\_\_\_\_\_  
Ron Davis  
Commissioner, Precinct One

\_\_\_\_\_  
Sarah Eckhardt  
Commissioner, Precinct Two

\_\_\_\_\_  
Karen Huber  
Commissioner, Precinct Three

\_\_\_\_\_  
Margaret Gómez  
Commissioner, Precinct Four

**SCHEDULE OF FEES TO BE CHARGED  
FOR SERVICES† BY THE OFFICES OF THE SHERIFF  
AND CONSTABLES OF TRAVIS COUNTY IN 2013  
Effective January 1, 2013**

CITATION (County and District Court)	\$ 70.00
CITATION (Small Claims and Justice Court)	70.00
CITATION (Probate, by posting)	70.00
SUBPOENA (Civil)	70.00
SUMMONS (Civil)	70.00
FORCIBLE DETAINER	70.00
INJUNCTION	105.00
TURNOVER ORDER*	105.00
WRIT OF EXECUTION*‡	205.00
ORDER OF SALE*‡	205.00
TEMPORARY RESTRAINING ORDER	105.00
WRIT OF POSSESSION (if move out exceeds 2 hours, additional fee of \$35/hour/deputy)	150.00
PROTECTIVE ORDER (to be charged to respondent)	130.00
WRIT OF ATTACHMENT‡	145.00
WRIT OF SEQUESTRATION‡	145.00
WRIT OF GARNISHMENT‡	105.00
DISTRESS WARRANT	205.00
WRIT OF RE-ENTRY	150.00
PROPERTY CODE SHOW CAUSE ORDER	70.00
OTHER WRITS‡	105.00
MENTAL/ALCOHOL/DRUG COMMITMENT	15.00
PEACE BOND	15.00
POSTING WRITTEN NOTICE (each)	55.00
TAKING AND APPROVING BOND	30.00
EXECUTING A DEED	30.00
EXECUTING A BILL OF SALE	30.00
CRIMINAL RECORD/WARRANT LETTER	15.00

(†) The fees listed above apply to an unsuccessful attempt to provide this service as well as a successful attempt.

(\*) County *commission* due based on percent of monies collected is 10% of 1<sup>st</sup> \$20,000; and 4% of amounts greater than \$20,000.

(‡) For a Writ and Order of Sale served which exceeds 2 hours and for Writs served out of county that exceed two hours, an additional fee of \$50/hour/deputy is required for an officer to perform the service.

Other fees: Issuance, renewal or reinstatement of Alarm Permit: Residential, \$25.00; Commercial, \$50.00. Response to false alarm, if more than five false alarms have occurred within the preceding 12-month period, \$75.00. Sexually Oriented Businesses: Initial registration for exemption, \$50.00; Renewal of exemption, \$25.00; Initial or renewal application for Sexually Oriented Business License, \$500.00; Initial or renewal application for Operator's License, \$50.00; issuance of duplicate registration or license, \$15.00.

Approved by Travis County Commissioners Court on September 4, 2012.

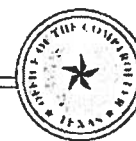
TRAVIS COUNTY, TEXAS

BY: \_\_\_\_\_  
Samuel T. Biscoe, Travis County Judge

S U S A N  
C O M B S

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

P.O. Box 13528 • AUSTIN, TX 78711-3528



July 16, 2012

The Honorable Dana DeBeauvoir  
County Clerk  
Travis County  
P.O. Box 149325  
Austin, Texas 78714-9325

RECEIVED  
COUNTY CLERK'S OFFICE  
12 JUL 17 PM 4:58

Dear Ms. DeBeauvoir:

Our office is in the process of compiling the *2013 Sheriffs' and Constables' Fees* report as required under Texas Local Government Code Section 118.131. This law requires each commissioners court to set fees charged for civil services by the offices of the sheriff and constables and directs that these fees be reported to the Comptroller.

By law, each year these fees must be set before Oct. 1, and reported to the Comptroller's office no later than Oct. 15. We will compile and publish the report, and the new fees become effective on Jan. 1, 2013. Failure to meet this deadline will result in 2012 fees remaining in effect throughout 2013.

Enclosed are instructions for reporting the 2013 fees to our office. To review and file your county's revised fees, please use the following digit access ID code to gain access 92713654. Please complete the *2013 Sheriffs' and Constables' Fees* report electronically by Oct. 15, 2012. Please be aware that even if the county has no changes in fees, the county is still responsible for reporting that information to the Comptroller's office.

The *2013 Sheriffs' and Constables' Fees* report will be available on our Texas Ahead website at [www.texasahead.org/lga/sheriffs](http://www.texasahead.org/lga/sheriffs) on Jan. 1, 2013.

If you need assistance completing the report, please contact Annette Holmes of our Economic Development and Analysis Division at [annette.holmes@cpa.state.tx.us](mailto:annette.holmes@cpa.state.tx.us) or 1-800-531-5441, ext. 5-3792.

Sincerely,

A handwritten signature in cursive script that reads "Susan Combs".

Susan Combs

Enclosure

cc: The Honorable Samuel T. Biscoe  
Annette Holmes, EDA Regional Representative

## Sheriffs' and Constables' Fees Update Due by Oct. 15, 2012

**ATTENTION:** County Judge and Commissioners Court

Changes to your Sheriffs' and Constables' fees for 2013, as authorized by Texas Local Government Code Section 118.131, must be submitted to the Comptroller's office no later than Oct. 15, 2012. To meet this deadline and to comply with the law, you must:

- place this item on your commissioners court meeting agenda
- adopt the fees before Oct. 1, 2012.

**ATTENTION:** County Clerk

To report your 2013 fees go to [www.texasahead.org/lga/sheriffs](http://www.texasahead.org/lga/sheriffs) and click on the blue "Report Fee Updates" button. This will bring up the Sheriffs' and Constables' Fees reporting tool. Enter the access code listed on the enclosed letter and select Submit. The new page will list current fees that are in effect for your county.

- If there are no changes, please indicate by marking "**Submit With No Fee or Address Changes.**"
- Enter the required information and submit.

**OR**

- If the commissioners court adopted changes on or before Oct. 1, 2012, please indicate by marking "**Submit With Fee or Address Changes.**"
- Please enter the required information and use the submit button to go to the next page.
- Change or add any new fees your county may have adopted for 2013.
- Use the tool bar located above the list of fees to add new fees or to change the address and/or phone number that you want to appear in the online report.
- When all changes have been completed, use the submit button at the bottom of the page.

Thank you for your assistance with this matter. If you have questions, please contact your regional representative at [russell.gallahan@cpa.state.tx.us](mailto:russell.gallahan@cpa.state.tx.us) or 1-800-531-5441, ext. 3-6073.