

**ORDER**

THE STATE OF TEXAS §

COUNTY OF HIDALGO §

The Commissioners Court of Hidalgo County, Texas, convened at a meeting of said Court at the Commissioners' Courtroom of the Administration Building, 100 E. Cano, 1<sup>st</sup> floor Edinburg, Texas, on the \_\_\_ day of \_\_\_\_\_, 2015, with the following members present, to-wit:

- , County Judge
- ' Commissioner, Precinct 1
- ' Commissioner, Precinct 2
- ' Commissioner, Precinct 3
- ' Commissioner, Precinct 4

and the following members absent, to-wit:

\_\_\_\_\_, constituting a quorum, when among other business, the following was transacted:

ORDER AUTHORIZING COLLECTION FEE IN THE AMOUNT OF 30% OF DEBTS AND ACCOUNTS RECEIVABLE SUCH AS UNPAID FINES, FEES, AND COURT COSTS, ORDERED PAID BY A JUSTICE COURT OR COUNTY COURT AT LAW SERVING THE COUNTY, AS APPLICABLE, AND AMOUNTS IN CASES IN WHICH THE ACCUSED HAS FAILED TO APPEAR:

- 1) AS PROMISED UNDER SUBCHAPTER A, CHAPTER 543, TRANSPORTATION CODE, OR OTHER LAW;
- 2) IN COMPLIANCE WITH A LAWFUL WRITTEN NOTICE TO APPEAR ISSUED UNDER ARTICLE 14.06 (b), TEXAS CODE OF CRIMINAL PROCEDURE, OR OTHER LAW;
- 3) IN COMPLIANCE WITH A LAWFUL SUMMONS ISSUED UNDER ARTICLE 15.03(b), TEXAS CODE OF CRIMINAL PROCEDURE, OR OTHER LAW; OR
- 4) IN COMPLIANCE WITH A LAWFUL ORDER OF A COURT SERVING THE COUNTY

WHEN SUCH DEBTS, ACCOUNTS RECEIVABLE AND AMOUNTS ARE MORE THAN 120 DAYS PAST DUE AND HAVE BEEN REFERRED TO AN ATTORNEY OR OTHER VENDOR FOR COLLECTION.

Commissioner \_\_\_\_\_ introduced an order and made a motion that the same be adopted. Commissioner \_\_\_\_\_ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSTENTIONS: \_\_\_\_\_

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

WHEREAS, Hidalgo County wishes to defray its costs of collection that it incurs under a contract for collection of delinquent court fines and fees between said County and a collection firm as authorized under the provisions of Article 103.0031, Texas Code of Criminal Procedure;

WHEREAS, under said article, Commissioners Court is empowered to authorize the addition of 30% on each debt and account receivable, including fines and fees, and on each amount in cases in which the accused has failed to appear, when each is more than 120 days past due and has been referred for collection.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HIDALGO COUNTY, TEXAS, SITTING AS THE GOVERNING BODY OF HIDALGO COUNTY, THAT:

*Section 1: THE RECITALS SET FORTH IN THIS ORDER ARE TRUE AND CORRECT*

*Section 2: (a) A COLLECTION FEE IS HEREBY AUTHORIZED AND IMPOSED, AS PROVIDED BY ARTICLE 103.0031, TEXAS CODE OF CRIMINAL PROCEDURE, IN THE AMOUNT OF 30% OF DEBTS AND ACCOUNTS RECEIVABLE, SUCH AS UNPAID FINES, FEES AND COURT COSTS, ORDERED PAID BY A JUSTICE COURT OR COUNTY COURT AT LAW SERVING THE COUNTY WHEN SUCH DEBT OR ACCOUNT RECEIVABLE IS MORE THEN 120 DAYS PAST DUE AND HAS BEEN REFERRED TO AN ATTORNEY OR PRIVATE VENDOR FOR COLLECTION; AND*

*(b) A COLLECTION FEE IS HEREBY AUTHORIZED AND IMPOSED, AS PROVIDED BY ARTICLE 103.0031, TEXAS CODE OF CRIMINAL PROCEDURE, IN THE AMOUNT OF 30% OF AMOUNTS IN CASES IN WHICH THE ACCUSED HAS FAILED TO APPEAR:*

*(1) AS PROMISED UNDER SUBCHAPTER A, CHAPTER 543, TRANSPORTATION CODE, OR OTHER LAW;*

(2) IN COMPLIANCE WITH A LAWFUL WRITTEN NOTICE TO APPEAR ISSUED UNDER ARTICLE 14.06 (b), TEXAS CODE OF CRIMINAL PROCEDURE, OR OTHER LAW;

(3) IN COMPLIANCE WITH A LAWFUL SUMMONS ISSUED UNDER ARTICLE 15.03(b), TEXAS CODE OF CRIMINAL PROCEDURE, OR OTHER LAW; OR

(4) IN COMPLIANCE WITH A LAWFUL ORDER OF A COURT SERVING THE COUNTY,

WHEN SUCH AMOUNTS ARE MORE THAN 120 DAYS PAST DUE AND HAVE BEEN REFERRED TO AN ATTORNEY OR PRIVATE VENDOR FOR COLLECTION

PASSED, APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2015.

HIDALGO COUNTY

BY: \_\_\_\_\_  
Ramon Garcia  
County Judge  
Hidalgo County, Texas

ATTEST:

\_\_\_\_\_  
Arturo Guajardo, Jr.  
County Clerk  
Hidalgo County