Brown County Constable Fees Proposed for 2024

(Fees become effective January 1, 2024)

Approved by Brown Co. Commissioner Court on 9-25-23

DESCRIPTIONS	FEES/COSTS	MISC. NOTES
<u>Criminal Service Fees</u> Per Texas Code		
of Criminal Procedure Article 102.011 as		
established by this article.		
<u>Civil Service Fees</u> Per Texas Rules of		
Civil Procedures Rule 126		
All Writs and/or Orders involving the Seizure	\$175.00 plus any other expenses	
of Property or Persons, Sale of Property, etc. but not limited to each Writ of Attachment,	incurred, such as mileage for	
Writ of Garnishment, Writ of Sequestration,	transport, at current state approved	
Writ of Possession, Order of Sale, Writ of	mileage rate, storage, hauling, etc.	
Execution, Writ of Re-entry, Turnover Order,		
Injunction, Distress Warrant, Tax Warrants or		
Writ not otherwise provided for or the		
Enforcement of a Judgment that exceed thirty		
<u>minutes</u> in the execution or enforcement of		
such Writ/Order will be assessed an additional of \$50.00 per hour fee per officer		
for each hour or portion thereof. When		
property/person is seized as a result of		
executing any court order including but not		
limited to each Writ of Attachment, Writ of		
Sequestration, Writ of Possession, Order of		
Sale, Writ of Execution, Writ of Re-entry,		
Turnover Order, Injunction, Distress Warrant,		
Tax Warrants or Writ not otherwise provided for, but there is no sale or collection, an extra		
fee of \$60.00 shall be charged. Writs/Orders		
must specifically state disposition of		
property/person or to whom the		
property/person is to be released to.		
County Commission due on Writs of	\$175.00 and other expenses	
Execution and Order of Sale, or any	incurred	
other service pertaining to County		
Sheriff/Constable Commissions, when		
the same is made by a sale: <u>10 percent</u> of		
total judgment and interest amount		
<u>combined</u> , or \$100.00 whichever is		
greater. When the money is collected by		
the Sheriff or Constables without a sale,		
the fee shall be half of the above rates.		
Writ of Attachment (PERSON)	\$175.00 plus any other expenses	
(Person to which attached person is to be	such as mileage incurred for	
released to must be within one mile	transport, at current state approved	
unless attached person is going to jail)	mileage rate	
Writ of Attachment (PROPERTY)	\$175.00 plus hauling, storage, and	
W	other expenses incurred	
Writ of Garnishment	\$175.00 and other expenses	
Out of Cale	incurred	
Order of Sale	\$175.00 (levy) plus any other	
Weid of Emparation	expenses incurred	
Writ of Execution	\$175.00 (levy) plus costs	

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Writ of Execution – collecting money without sale Writ of Execution – Nulla Bona Return Writ of Retrieval (also known as, and referred to as, Order of Retrieval) Writ of Possession Writ of Possession S175.00 S175.00 Writ of Possession S175.00 S175.00 Writ of Possession S175.00 Writ of Re-Entry Turnover Order S175.00 Writ of Re-Entry S175.00 Writ of Re-E			
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without sale (advertising, storage, moving, etc) plus ½ (one hall) commission		commission, etc.)	
without sale (advertising, storage, moving, etc)			
without sale (advertising, storage, moving, etc)	Writ of Execution – collecting money	\$175.00 (levy) plus costs	
writ of Execution – Nulla Bona Return Writ of Retrieval (also known as, and referred to as, Order of Retrieval) **Retrieval that requires an Officer to remain on scene for more than 30 minutes will be charged at the rate of \$50,00 per officer/per hour, or any portion of an hour thereof **Writ of Possession** Writ of Possession** **Since Warrant** **Injunction** **Injunction	•		
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Executing Deed to Real Estate under	\$100.00	

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Execution or Order of Sale Executing replacement Proof of Service, Attempted Service, Affidavit of Substitute Service	\$50.00	
Civil Standby requiring an officer to remain on scene for more than <i>thirty</i> (30)minutes will be charged at the rate per officer of \$50.00 per hour or portion of an hour thereof	Civil Standby requiring an officer to remain on scene for more than <i>thirty(30) minutes</i> will be charged at the rate of \$50.00 per hour/per officer or portion of an hour thereof	
Minallana Eas		
Miscellaneous Fees		
Miscellaneous fee not listed	\$100.00	
Miscellaneous Fees not listed – hourly rate per officer	\$50.00 per hour/per officer or any portion of an hour thereof	

Addresses:

Brown County District Clerk –Brown County Courthouse, 200 South Broadway, Suite #216 - Brownwood, Texas 76801 Phone 325-646-0444

Brown County Clerk – Brown County Courthouse, 200 South Broadway, Suite 101 - Brownwood, Texas 76801,

Phone 325-643-2594

Brown County Sheriff - Brown County Law Enforcement Center, 1050 West Commerce – Brownwood, Texas 76801, Phone 325-646-5510

Brown County Constables – Brown County Court House, 200 South Broadway, Suite #200 - Brownwood, Texas 76801, Phone 325-643-5962 or 325-643-2688

SUBCHAPTER F. FEES OF SHERIFF AND CONSTABLE

- (a) The Commissioner's Court of a county may set reasonable fees to be charged for services by the offices of the Sheriff and Constables.
- (b) The Commissioner's Court may not set fees higher than is necessary to pay the expenses of providing the services.
- (c) The Commissioner's Court may not set fees under this section more than once during any one-year period.
- (d) The Commissioner's Court must set the fees before October 1 of each year to be effective January 1 of the following year.

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- (e) A notice setting out the fees shall be posted in the same manner in which notices are posted under Section 81.007 and shall be posted in the offices of the county officials who are authorized to charge the fees.
- (f) On or before October 15 of the year in which the fees are initially set, the Commissioner's Court shall provide written notice of the amounts of the fees to the Comptroller. If the Commissioners Court changes the amount of a fee set under this section, the Commissioners Court shall provide to the Comptroller, on or before October 15 of the year in which the amount is changed, a written notice of the change in the amount of the fee. Before December 15 of each year, the Comptroller shall compile the fee information provided by counties and send the compilation to:
- (1) The Commissioner's Court of each county in this state;
- (2) Any statewide association of counties or of officers of counties that requests in writing before December 15 to be informed; and
- (3) The State Bar of Texas.
- (g) A Commissioner's Court that receives a notice under Subsection (f)(1) shall furnish the notice to its District Clerk, County Clerk, Justices of the Peace, Sheriff, and Constables.
- (h) If the Commissioner's Court does not set fees under this section, the fees for services by the offices of the Sheriff and Constables are those fees provided by law in effect on August 31, 1981.
- i) The Commissioner's Court may not assess an applicant a fee in connection with the filing, serving, or entering of a Protective Order. A fee may not be charged to an applicant to dismiss, modify, or withdraw a Protective Order.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, § 21(a), eff. Aug. 28, 1989; Acts 1993, 73rd Leg., ch. 326, § 1, eff. May 29, 1993; Acts 1995, 74th Leg., ch. 144, § 1, eff. Aug. 28, 1995; Acts 1995, 74th Leg., ch. 1024, § 19, eff. Sept. 1, 1995.