

By: Puentes

H.B. No. 207

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the appearance by a defendant in certain misdemeanor
3 cases.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article 33.04, Code of Criminal Procedure, is
6 amended to read as follows:

7 Art. 33.04. MAY APPEAR BY COUNSEL. In [~~other~~] misdemeanor
8 cases other than cases described by Article 33.03, the defendant
9 may [~~by consent of the State's attorney,~~] appear by counsel [~~7~~]
10 and, if the defendant's counsel stipulates to the identity of the
11 defendant, the trial may proceed without the defendant's [~~his~~]
12 personal presence.

13 SECTION 2. Subchapter D, Chapter 45, Code of Criminal
14 Procedure, is amended by adding Article 45.204 to read as follows:

15 Art. 45.204. SIGNATURE OF DEFENDANT NOT REQUIRED. A
16 municipal court may not require the signature of a defendant on an
17 appearance bond.

18 SECTION 3. (a) This Act takes effect September 1, 2003.

19 (b) The change in law made by this Act applies only to a
20 proceeding that is commenced on or after the effective date of this
21 Act. A proceeding that is commenced before the effective date of
22 this Act is governed by the law in effect on the date the proceeding
23 is commenced, and the former law is continued in effect for that
24 purpose.