

BILL ANALYSIS

H.B. 1157
By: Goodman
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

When the Uniform Municipal Court of Record Act was passed in 1987, the language contained in the Act regarding appeal procedures mirrored that of the Texas Rules of Appellate Procedure and the Texas Code of Criminal Procedure. However, when the Rules of Appellate Procedure and the Code of Criminal Procedure were later re-codified, new language for an appellate record was established, replacing "transcript" with "clerk's record" and "statement of facts" with "reporter's record." A corresponding change, however, was not made to the appeal procedure language in the Uniform Municipal Court of Record Act. This conflict in terminology has led to confusion and two recent appellate decisions.

H.B. 1157 conforms the language in the Uniform Municipal Court of Record Act to the language currently contained in the Rules of Appellate Procedure and the Code of Criminal Procedure.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Makes conforming changes in Government Code, Sections 30.00010(d); 30.00014(b), (f), and (g); 30.00017; 30.00019; 30.00020(a); 30.00021(b); 30.00024(b); 30.00130; 30.00162(b); 30.00306(a); 101.181; and 102.141 by replacing the "statement of facts" with "reporter's record" and "transcripts" with "clerk's record."

EFFECTIVE DATE

This Act takes effect September 1, 2005 or immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.