

By: Wong

H.B. No. 111

A BILL TO BE ENTITLED

AN ACT

relating to allowing a municipality to set the amount of a fine for the violation of a municipal ordinance.

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

SECTION 1. Section 54.001(b), Local Government Code, is amended to read as follows:

(b) A fine or penalty for the violation of a rule, ordinance, or police regulation must be set in an amount determined by the governing body of the municipality ~~[may not exceed \$500. However, a fine or penalty for the violation of a rule, ordinance, or police regulation that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, may not exceed \$2,000].~~

SECTION 2. Section 29.003(a), Government Code, is amended to read as follows:

(a) A municipal court, including a municipal court of record, shall have exclusive original jurisdiction within the municipality's territorial limits and property owned by the municipality located in the municipality's extraterritorial jurisdiction in all criminal cases that:

(1) arise under:

(A) the ordinances of the municipality; or

(B) a resolution, rule, or order of a joint board operating an airport under Section 22.074, Transportation Code; and

1           (2) are punishable only by a fine [~~not to exceed:~~

2                       [~~(A) \$2,000 in all cases arising under municipal~~  
3 ~~ordinances or resolutions, rules, or orders of a joint board that~~  
4 ~~govern fire safety, zoning, or public health and sanitation,~~  
5 ~~including dumping of refuse, or~~

6                       [~~(B) \$500 in all other cases arising under a~~  
7 ~~municipal ordinance or a resolution, rule, or order of a joint~~  
8 ~~board]~~.

9           SECTION 3. Article 4.14(a), Code of Criminal Procedure, is  
10 amended to read as follows:

11           (a) A municipal court, including a municipal court of  
12 record, shall have exclusive original jurisdiction within the  
13 territorial limits of the municipality in all criminal cases that:

14                       (1) arise under the ordinances of the municipality;  
15 and

16                       (2) are punishable by [~~a~~] fine only [~~not to exceed:~~

17                       [~~(A) \$2,000 in all cases arising under municipal~~  
18 ~~ordinances that govern fire safety, zoning, or public health and~~  
19 ~~sanitation, including dumping of refuse, or~~

20                       [~~(B) \$500 in all other cases arising under a~~  
21 ~~municipal ordinance]~~.

22           SECTION 4. This Act takes effect September 1, 2005.