

By: Uresti

H.B. No. 2502

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the prosecution in a justice or municipal court of a
3 person charged with more than one traffic offense arising from the
4 same criminal episode.

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

6 SECTION 1. Subchapter B, Chapter 45, Code of Criminal
7 Procedure, is amended by adding Article 45.0175 to read as follows:

8 Art. 45.0175. OFFENSES ARISING FROM SINGLE CRIMINAL
9 EPISODE; ADMISSION OF UNADJUDICATED OFFENSE. (a) When a person is
10 charged with more than one traffic offense arising out of the same
11 criminal episode, the person is entitled to:

12 (1) waive a trial by jury;

13 (2) be prosecuted in a single proceeding;

14 (3) admit during the proceeding the person's guilt of
15 one or more of the offenses; and

16 (4) request the court to take each offense into
17 account in determining:

18 (A) whether to defer the proceedings under
19 Article 45.051; or

20 (B) the amount of any fine or penalty to be
21 imposed for the offense or offenses of which the defendant admits
22 guilt.

23 (b) If the court takes into account an admitted offense,
24 prosecution is barred for that offense.

1 SECTION 2. (a) The change in law made by this Act applies
2 only to an offense committed on or after September 1, 2005.

3 (b) An offense committed before September 1, 2005, is
4 covered by the law in effect when the offense was committed, and the
5 former law is continued in effect for that purpose. For purposes of
6 this section, an offense was committed before September 1, 2005, if
7 any element of the offense was committed before that date.

8 SECTION 3. This Act takes effect September 1, 2005.