

1-1 By: Zerwas (Senate Sponsor - Hegar) H.B. No. 1801
1-2 (In the Senate - Received from the House May 11, 2007;
1-3 May 15, 2007, read first time and referred to Committee on Criminal
1-4 Justice; May 21, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 May 21, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1801 By: Whitmire

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the date by which a prosecuting attorney may appeal
1-11 certain orders, rulings, or sentences in a criminal case and to the
1-12 posting of notice for a criminal court docket.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Chapter 17, Code of Criminal Procedure, is
1-15 amended by adding Article 17.085 to read as follows:

1-16 Art. 17.085. NOTICE OF APPEARANCE DATE. The clerk of a court
1-17 that does not provide online Internet access to that court's
1-18 criminal case records shall post in a designated public place in the
1-19 courthouse notice of a criminal court docket setting not less than
1-20 48 hours before the docket setting.

1-21 SECTION 2. Article 44.01(d), Code of Criminal Procedure, is
1-22 amended to read as follows:

1-23 (d) The prosecuting attorney may not make an appeal under
1-24 Subsection (a) or (b) of this article later than the 30th [~~15th~~] day
1-25 after the date on which the order, ruling, or sentence to be
1-26 appealed is entered by the court.

1-27 SECTION 3. The change in law by the addition of Article
1-28 17.085, Code of Criminal Procedure, made by this Act applies only to
1-29 a bond issued on or after the effective date of this Act. A bond
1-30 issued before the effective date of this Act is governed by the law
1-31 in effect at the time the bond was issued, and the former law is
1-32 continued in effect for that purpose.

1-33 SECTION 4. The change in law to Article 44.01, Code of
1-34 Criminal Procedure, made by this Act applies only to the appeal of
1-35 an order, ruling, or sentence entered on or after the effective date
1-36 of this Act. An order, ruling, or sentence entered before the
1-37 effective date of this Act is governed by the law in effect when the
1-38 order, ruling, or sentence is entered, and the former law is
1-39 continued in effect for that purpose.

1-40 SECTION 5. This Act takes effect September 1, 2007.

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