

By: Ogden

S.B. No. 767

A BILL TO BE ENTITLED

AN ACT

relating to jurisdiction over and punishment of certain misdemeanor offenses.

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

SECTION 1. Article 4.07, Code of Criminal Procedure, is amended to read as follows:

Art. 4.07. JURISDICTION OF COUNTY COURTS. The county courts shall have original jurisdiction of all misdemeanors of which exclusive original jurisdiction is not given to the justice court~~[, and when the fine to be imposed shall exceed five hundred dollars]~~.

SECTION 2. Article 4.11(a), Code of Criminal Procedure, is amended to read as follows:

(a) Justices of the peace shall have exclusive original jurisdiction in criminal cases punishable by fine only or punishable by:

(1) ~~[punishable by fine only or punishable by:~~

~~[(A)]~~ a fine; and

(2) [(B)] as authorized by statute, a sanction not consisting of confinement or imprisonment~~[, or~~

~~[(2) arising under Chapter 106, Alcoholic Beverage Code, that do not include confinement as an authorized sanction]~~.

SECTION 3. Section 542.301(b), Transportation Code, is amended to read as follows:

1 (b) Except as otherwise provided, an offense under this  
2 subtitle is a Class C misdemeanor.

3 SECTION 4. Section 542.401, Transportation Code, is amended  
4 to read as follows:

5 Sec. 542.401. GENERAL PENALTY. A person convicted of an  
6 offense that is a misdemeanor under this subtitle for which another  
7 penalty is not provided shall be punished by a fine of not less than  
8 \$1 or more than \$500 [~~\$200~~].

9 SECTION 5. Section 12.23, Penal Code, is amended to read as  
10 follows:

11 Sec. 12.23. CLASS C MISDEMEANOR. Except as provided by  
12 other law, an [~~An~~] individual adjudged guilty of a Class C  
13 misdemeanor shall be punished by a fine not to exceed \$500.

14 SECTION 6. The change in law made by this Act applies only  
15 to an offense committed on or after the effective date of this Act.  
16 An offense committed before the effective date of this Act is  
17 governed by the law in effect when the offense was committed, and  
18 the former law is continued in effect for that purpose. For  
19 purposes of this section, an offense was committed before the  
20 effective date of this Act if any element of the offense was  
21 committed before that date.

22 SECTION 7. This Act takes effect September 1, 2007.