

By: Hughes

H.B. No. 600

A BILL TO BE ENTITLED

AN ACT

relating to appeals from small claims courts.

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

SECTION 1. The heading to Section 28.053, Government Code, is amended to read as follows:

Sec. 28.053. DE NOVO TRIAL ~~[HEARING]~~ ON APPEAL.

SECTION 2. Sections 28.053(b) and (d), Government Code, are amended to read as follows:

(b) Trial on appeal to the county court or county court at law is de novo. No further pleadings are required and the procedure is the same as in small claims court.

(d) A person may appeal the final judgment ~~[Judgment]~~ of the county court or county court at law on the appeal to the court of appeals ~~[is final]~~.

SECTION 3. Section 28.053, Government Code, as amended by this Act, applies only to an action filed in small claims court on or after the effective date of this Act. An action filed in small claims court before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2009.