

By: Miklos

H.B. No. 1544

A BILL TO BE ENTITLED

AN ACT

relating to court proceedings for a plea of guilty or nolo
contendere for a misdemeanor punishable by fine only.

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

SECTION 1. Article 27.14(b), Code of Criminal Procedure, is
amended to read as follows:

(b) A defendant charged with a misdemeanor for which the
maximum possible punishment is by fine only may, in lieu of the
method provided in Subsection (a) of this article, mail or deliver
in person to the court a plea of "guilty" or a plea of "nolo
contendere" and a waiver of jury trial. The defendant may also
request in writing that the court notify the defendant, at the
address stated in the request, of the amount of an appeal bond that
the court will approve. If the court receives a plea and waiver
before the time the defendant is scheduled to appear in court, the
court shall dispose of the case without requiring a court
appearance by the defendant. If the court receives a plea and
waiver after the time the defendant is scheduled to appear in court
but at least five business days before a scheduled trial date, the
court shall dispose of the case without requiring a court
appearance by the defendant. The court shall notify the defendant
either in person or by certified mail, return receipt requested, of
the amount of any fine assessed in the case and, if requested by the
defendant, the amount of an appeal bond that the court will approve.

1 The defendant shall pay any fine assessed or give an appeal bond in
2 the amount stated in the notice before the 31st day after receiving
3 the notice.

4 SECTION 2. The change in law made by this Act applies only
5 to an offense committed on or after the effective date of this Act.
6 An offense committed before the effective date of this Act is
7 governed by the law in effect at the time the offense was committed,
8 and the former law is continued in effect for that purpose. For
9 purposes of this section, an offense was committed before the
10 effective date of this Act if any element of the offense occurred
11 before that date.

12 SECTION 3. This Act takes effect September 1, 2009.