

By: Miklos

H.B. No. 1544

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to court proceedings for a plea of guilty or nolo  
3 contendere for a misdemeanor punishable by fine only.

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

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

7 (b) A defendant charged with a misdemeanor for which the  
8 maximum possible punishment is by fine only may, in lieu of the  
9 method provided in Subsection (a) of this article, mail or deliver  
10 in person to the court a plea of "guilty" or a plea of "nolo  
11 contendere" and a waiver of jury trial. The defendant may also  
12 request in writing that the court notify the defendant, at the  
13 address stated in the request, of the amount of an appeal bond that  
14 the court will approve. If the defendant mails or delivers in  
15 person to the court [~~receives~~] a plea of "guilty" or "nolo  
16 contendere" and a waiver of jury trial before the date on which the  
17 trial on the merits commences [~~time the defendant is scheduled to~~  
18 ~~appear in court~~], the court shall dispose of the case without  
19 requiring any additional [~~a~~] court appearance by the defendant.  
20 The court shall notify the defendant either in person or by  
21 certified mail, return receipt requested, of the amount of any fine  
22 assessed in the case and, if requested by the defendant, the amount  
23 of an appeal bond that the court will approve. The defendant shall  
24 pay any fine assessed or give an appeal bond in the amount stated in

1 the notice before the 31st day after receiving the notice.

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

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