

By: Hegar

S.B. No. 480

A BILL TO BE ENTITLED

AN ACT

relating to certain appeals from judgments of municipal courts of record.

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

SECTION 1. Article 4.03, Code of Criminal Procedure, is amended to read as follows:

Art. 4.03. COURTS OF APPEALS. The Courts of Appeals shall have appellate jurisdiction coextensive with the limits of their respective districts in all criminal cases except those in which the death penalty has been assessed. This Article shall not be so construed as to embrace any case which has been appealed from any inferior court to the county court, the county criminal court, or county court at law, in which the fine imposed or affirmed by the county court, the county criminal court or county court at law does not exceed one hundred dollars, unless the sole issue is the constitutionality of the statute or ordinance on which the conviction is based.

SECTION 2. Section 30.00027(a), Government Code, is amended to read as follows:

(a) The appellant has the right to appeal to the court of appeals if:

(1) the fine assessed against the defendant exceeds \$100 and ~~if~~ the judgment is affirmed by the appellate court; or

(2) the sole issue is the constitutionality of the

1 statute or ordinance on which a conviction is based.

2 SECTION 3. The changes in law made by this Act apply to an  
3 appeal pending or filed on or after the effective date of this Act,  
4 regardless of the date the judgment being appealed was entered.

5 SECTION 4. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2011.