

1-1 By: Hegar S.B. No. 480
1-2 (In the Senate - Filed February 1, 2011; February 14, 2011,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 23, 2011, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; March 23, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to certain appeals from judgments of municipal courts of
1-9 record.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Article 4.03, Code of Criminal Procedure, is
1-12 amended to read as follows:

1-13 Art. 4.03. COURTS OF APPEALS. The Courts of Appeals shall
1-14 have appellate jurisdiction coextensive with the limits of their
1-15 respective districts in all criminal cases except those in which
1-16 the death penalty has been assessed. This Article shall not be so
1-17 construed as to embrace any case which has been appealed from any
1-18 inferior court to the county court, the county criminal court, or
1-19 county court at law, in which the fine imposed or affirmed by the
1-20 county court, the county criminal court or county court at law does
1-21 not exceed one hundred dollars, unless the sole issue is the
1-22 constitutionality of the statute or ordinance on which the
1-23 conviction is based.

1-24 SECTION 2. Subsection (a), Section 30.00027, Government
1-25 Code, is amended to read as follows:

1-26 (a) The appellant has the right to appeal to the court of
1-27 appeals if:

1-28 (1) the fine assessed against the defendant exceeds
1-29 \$100 and ~~if~~ the judgment is affirmed by the appellate court; or

1-30 (2) the sole issue is the constitutionality of the
1-31 statute or ordinance on which a conviction is based.

1-32 SECTION 3. The changes in law made by this Act apply to an
1-33 appeal pending or filed on or after the effective date of this Act,
1-34 regardless of the date the judgment being appealed was entered.

1-35 SECTION 4. This Act takes effect immediately if it receives
1-36 a vote of two-thirds of all the members elected to each house, as
1-37 provided by Section 39, Article III, Texas Constitution. If this
1-38 Act does not receive the vote necessary for immediate effect, this
1-39 Act takes effect September 1, 2011.

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