

BILL ANALYSIS

Senate Research Center
85R13713 YDB-D

H.B. 4147
By: Kacal (Birdwell)
Criminal Justice
5/18/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that clarity in state law is needed to ensure that the county court in a county that does not have certain courts has jurisdiction of any appeal from a judgment or conviction in a municipal court of record located in that county so that parties always have a forum in which to appeal such judgments and convictions. H.B. 4147 provides this clarification.

H.B. 4147 amends the Government Code to clarify that a county court has jurisdiction of any appeal from a judgment or conviction in a municipal court of record located in that county if the county does not have a county criminal court, county criminal court of appeal, municipal court of appeal, or county court at law.

H.B. 4147 amends current law relating to a defendant's right to appeal from a judgment or conviction in a municipal court of record.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 30.00014(a), Government Code, to provide that if a county does not have a county court at law under Chapter 25 (Statutory County Courts), the county court has jurisdiction of any appeal.

SECTION 2. Provides that the change in law made by this Act is intended only to clarify existing law with respect to a judgment or conviction that occurs in a municipal court of record and is appealed to a county court.

SECTION 3. Effective date: September 1, 2017.