

BILL ANALYSIS

C.S.H.B. 1319
By: Moody
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that ambiguities in state law relating to criminal actions in fine-only misdemeanor cases in justice and municipal courts can impact the availability of appellate remedies in those cases. C.S.H.B. 1319 seeks to address these ambiguities by clarifying when such a criminal action in a justice or municipal court is considered adjudicated for purposes of appeal and the judgment and sentence in the action is considered rendered.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1319 amends the Code of Criminal Procedure to clarify that a criminal action in which the defendant enters a plea of guilty or nolo contendere in a fine-only misdemeanor case is considered adjudicated for purposes of appeal and the judgment and sentence in the action is considered rendered if the defendant enters a plea of guilty or nolo contendere and pays the amount of the fine and costs owed to the state, the court accepts the defendant's payment as payment in full for the amount owed, and the court creates a record of the acceptance of the defendant's plea and payment. These provisions apply to a criminal action commenced in a justice or municipal court before, on, or after the bill's effective date. The bill is specifically intended to clarify rather than change the existing law.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1319 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a condition that the court must find a defendant guilty in order for a criminal action to be considered adjudicated.