

1-1 By: Guillen (Senate Sponsor - Hinojosa) H.B. No. 1603
1-2 (In the Senate - Received from the House April 27, 2023;
1-3 May 4, 2023, read first time and referred to Committee on Criminal
1-4 Justice; May 19, 2023, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 19, 2023, sent to printer.)

1-6	COMMITTEE VOTE				
1-7		Yea	Nay	Absent	PNV
1-8	Whitmire	X			
1-9	Flores	X			
1-10	Bettencourt	X			
1-11	Hinojosa	X			
1-12	Huffman	X			
1-13	King	X			
1-14	Miles	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the procedures governing the prosecution of misdemeanor
1-18 offenses in the jurisdiction of the justice and municipal courts.
1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-20 SECTION 1. Article [45.031](#), Code of Criminal Procedure, is
1-21 amended to read as follows:
1-22 Art. 45.031. COUNSEL FOR STATE NOT PRESENT. (a) If the
1-23 state is not represented by counsel when the case is called for
1-24 trial, the justice or judge may:
1-25 (1) postpone the trial to a date certain;
1-26 (2) appoint any competent attorney as an attorney pro
1-27 tem [as provided by this code] to represent the state,
1-28 notwithstanding Article [2.07](#); or
1-29 (3) proceed to trial.
1-30 (b) An attorney appointed under Subsection (a) is qualified
1-31 to perform the duties of the office of the attorney representing the
1-32 state and may be paid a reasonable fee for performing those duties.
1-33 SECTION 2. Article [45.031](#), Code of Criminal Procedure, as
1-34 amended by this Act, applies only to a trial that begins on or after
1-35 the effective date of this Act, regardless of whether the alleged
1-36 offense was committed before, on, or after that date.
1-37 SECTION 3. This Act takes effect September 1, 2023.

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