By: Hayes H.B. No. 1192

A BILL TO BE ENTITLED

AN ACT

relating to appeals from a justice or municipal court.

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

SECTION 1. Article 45A.204, Code of Criminal Procedure, is amended to read as follows:

Art. 45A.204. EFFECT OF APPEAL. All further proceedings in the case in the justice or municipal court shall [~~must~~] cease during the pendency of the appeal when a defendant files the appeal bond required by law with the justice or municipal court.

SECTION 2. Article 44.17, Code of Criminal Procedure, is amended to read as follows:

Art. 44.17. APPEAL TO COUNTY COURT, HOW CONDUCTED. In all appeals to a county court from justice courts and municipal courts other than municipal courts of record, the trial shall be de novo in the trial in the county court, the same as if the prosecution had been originally commenced in that court. An appeal to the county court from a municipal court of record may be based only on errors reflected in the record. The county court may dismiss a case appealed to the court or remand the case to the justice or municipal court.

SECTION 3. This Act takes effect September 1, 2027.