

CHAPTER 87

S.B. No. 392

An Act relating to criminal complaints for certain traffic offenses; amending Subsection (d), Section 27.14, Code of Criminal Procedure, 1965, as amended.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (d), Section 27.14, Code of Criminal Procedure, 1965, as amended, is amended to read as follows:

"(d) If written notice of a traffic violation for which maximum possible punishment is by fine only or of a violation relating to the manner, time, and place of parking has been prepared, delivered, and filed with the court and a legible duplicate copy has been given to the defendant, the duplicate copy serves as a complaint to which the defendant may plead 'guilty,' 'not guilty,' or 'nolo contendere.' If the defendant pleads 'not guilty' to the [parking] offense, a complaint shall be filed that conforms to the requirements of Article 45.01, Code of Criminal Procedure, 1965, [as amended,] and that complaint serves as an original complaint. A defendant may waive the filing of a sworn complaint and elect that the prosecution proceed on the written notice of the charged [parking] offense if the defendant agrees in writing with the prosecution, signs the agreement, and files it with the court."

SECTION 2. (a) The change in law made by this Act applies only to the prosecution of an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 3. This Act takes effect September 1, 1985.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

69th LEGIS—REGULAR SESSION

CH 88, SEC 3

Passed the Senate on February 28, 1985, by a viva-voce vote; passed the House on April 25, 1985, by a non-record vote.

Approved: May 9, 1985

Effective: September 1, 1985