

CHAPTER 923

H.B. No. 1077

AN ACT

relating to prosecution by a city attorney of municipal court appeals.

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

SECTION 1. Article 45.03, Code of Criminal Procedure, is amended to read as follows:

Art. 45.03. PROSECUTIONS. All prosecutions in a *municipal* [~~corporation~~] court shall be conducted by the city attorney of such city, town or village, or by his deputy. The county attorney of the county in which said city, town or village is situated may, if he so desires, also represent the State in such prosecutions. In such cases, the said county attorney shall not be entitled to receive any fees or other compensation whatever for said services. The county attorney shall have no power to dismiss any prosecution pending in said court unless for reasons filed and approved by the *judge*. *With the consent of the county attorney, appeals from municipal court to a county court, county court at law, or any appellate court may be prosecuted by the city attorney or his deputy* [~~recorder~~].

SECTION 2. 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.

Passed by the House on May 22, 1987, by a non-record vote. Passed by the Senate on May 30, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 20, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.